James L. Hogan, of New Jersey.
Marie T. Huhtala, of California.
Patrick Francis Kennedy, of Illinois.
Alan P. Larson, of the District of Columbia.
Dana M. Marshall, of New York.
Paul M. McGonagle, of Virginia.
Larry A. Nelsen, of Oklahoma.
Jon Lane Noyes, of Wyoming.
Mark Robert Parris, of Virginia.
Alice Kathleen Straub, of New Jersey.
Gregory Michael Suchan, of Ohio.
Annette L. Veler, of Wisconsin.

The following-named Foreign Service Information Officers for promotion in the Foreign Service to the classes indicated:

Foreign Service Information Officers of class 1:
William K. Payeff, of South Carolina.
Michael T. F. Pistor, of Arizona.
Yale W. Richmond, of Virginia.
McKinney H. Russell, Sr., of Florida.
Jack H. Shellenberger, of Maryland.
John W. Shirley, of Illinois.
James N. Tull, of Louisiana.
Serban Vallimarescu, of Maryland.

Foreign Service Information Officers of class 2:
Thomas W. Ayers, of Florida.
Phillips Brooks, of Vermont.
Everet Bumgardner, of Virginia.
Fred A. Coffey, Jr., of Texas.
Edward J. Conlon, of Illinois.
Frances E. Coughlin, of California.
Charles E. Courtney, of California.
William S. Dickson, of New Jersey.
Philip DiTommaso, of Pennsylvania.
Daniel Garcia, of New York.
Roman L. Lotsberg, of Maryland.
James L. Mack, of the District of Columbia.
James B. Miller, of Connecticut.
Richard D. Moore, of Nevada.
Lewis W. Pate, of Nebraska.
James Perrin, of Florida.
James T. Pettus, Jr., of Missouri.
Paul J. Rappaport, of North Carolina.
Gunther K. Rosinus, of Indiana.
Irving L. Sablosky, of Illinois.
William Lloyd Stearman, of the District of Columbia.
G. Scott Sugden, of Maine.
James P. Thurber, Jr., of California.

Foreign Service Information Officers of class 3:
Albert Ball, of Virginia.
Jack C. Brockman, of Oklahoma.
Melvyn R. Brokenshire, Jr., of Florida.
Frank P. Catanoso, of Ohio.
John L. Dennis, of California.
Joy A. Dickens, of the District of Columbia.
Guy W. Farmer, of Nevada.
Aurelius Fernandez, of New York.
Forrest Fischer, of Illinois.
James M. FitzGerald, of Virginia.
Eli Flam, of New York.
Lawrence B. Flood, of the District of Columbia.
Frank P. Florey, of Colorado.
C. M. Fry, of Missouri.
Robert Barry Fulton, of Pennsylvania.
Shirley B. Hendsch, of California.
Christopher M. Henze, of the District of Columbia.
Myron L. Hoffmann, of Maryland.
Bruce R. Koch, of Pennsylvania.
A. Frank Lattanzi, of Pennsylvania.
Arthur D. Lefkowitz, of Maryland.
George A. Miller, of Colorado.
Ronald P. Oppen, of Florida.
Louis E. Polichetti, of New York.
Irving E. Rantanen, of Illinois.
John M. Reid, of Virginia.
Donald H. Rochlen, of California.
Phifer P. Rothman, of Florida.
Deirdre Mead Ryan, of Connecticut.
Carl R. Sharek, of the District of Columbia.
Earle W. Sherman, of California.
Terry B. Shroeder, of California.
Donald E. Soergel, of the District of Columbia.
Diane Stanley, of Florida.
Jon W. Stewart, of Washington.
William B. Stubbs III, of Georgia.
Peter N. Synodis, of California.
Phillip F. Thomas, of Tennessee.
John H. Trattner, of Virginia.
Alfred J. Waddell, of the District of Columbia.
Kenneth C. Wimmel, of Ohio.
Norman Ziff, of California.
Herman Zivetz, of California.

Foreign Service Information Officers of class 4:
John B. Barton, of South Carolina.
Stephen M. Chaplin, of Hawaii.
Dennis D. Donahue, of Indiana.
Ludlow Flower III, of California.
John Frankenstein, of California.
Robert R. Gibbons, of Arizona.
Wayne F. Gledhill, of Utah.
John P. Harrod, of New Hampshire.
Harry Iceland, of New York.
Mary Roberta Jones, of Montana.
Robert Douglas Jones, of Maryland.
William U. Lawrence, of Michigan.
Harvey I. Leifert, of California.
Jeffrey H. Lite, of Illinois.
Clara Sigrid Maitrejean, of California.
Anthony A. Markulis, of Virginia.
William H. Maurer, Jr., of Pennsylvania.
Marilyn McAfee, of Pennsylvania.
Jerome K. McDonough, of Maryland.
Michael Mennard, of California.
Vance C. Pace, of Utah.
Robert J. Palmeri, of Massachusetts.
Darryl L. Penner, of Michigan.
Michael Patrick Phelan, of Michigan.
Roger C. Rasco, of Texas.
Joel W. Rochow, of Illinois.
Harlan F. Rosacker, of Ohio.
Leonard R. Sauble, of California.
Mary C. Smith, of California.
Frank C. Strovas, of Colorado.
Elizabeth J. Townsend, of Connecticut.
Richard C. Tyson, of California.

Foreign Service Information Officers of class 5:
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Parker J. Anderson, of California.
Raymond D. Anderson, Jr., of Florida.
Sarah R. Anderson, of West Virginia.
Jan Carol Berris, of Michigan.
Lucille R. Di Palma, of New York.
Paula J. Durbin, of Hawaii.
James W. Findley, of West Virginia.
Betsy A. Fitzgerald, of Connecticut.
David F. Fitzgerald, of Massachusetts.
Robert B. Geyer, of Pennsylvania.
Joan Mary Gibbons, of Illinois.
J. Alison Grabell, of New Jersey.
Katherine M. Griffin, of North Carolina.
Richard F. Hayse, of Kansas.
Bernard M. Hensgen, of Virginia.
Gerald E. Huchel, of Illinois.
Victor L. Jackovich, of Iowa.
Barry B. R. Jacobs, of Michigan.
Judith R. Jamison, of the District of Columbia.
Joe B. Johnson, of Texas.
John E. Katzka, of Wisconsin.
William P. Kiehl, of Pennsylvania.
Robert F. Le Blanc, of Montana.
Charles C. Loveridge, of Utah.
Carol E. Ludwig, of Iowa.
Ray V. McGunigle, Jr., of Pennsylvania.
Robert D. Miller, of Pennsylvania.
Joseph Daniel O'Connell, of Maryland.
Paul D. Panaccione, of New Hampshire.
Mary K. Reeber, of California.
Stanley N. Schrager, of Illinois.
Anne M. Sigmund, of Kansas.
Kenneth A. Simms, of California.
James E. Smith, of Ohio.
Michael G. Stevens, of Connecticut.
Larry R. Taylor, of Washington.
Robert K. Thomas, of New Mexico.
John Treacy, of New York.
Arthur A. Vaughn, of Maryland.
John David Watt, of Texas.
Michael D. Zimmerman, of North Carolina.

Foreign Service Information Officers of class 6:
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Hugh H. Hara, of Illinois.
Philip C. Harley, of North Carolina.
Wendell N. Harrison, of Florida.
J. Daniel Howard, of Tennessee.
Virginia M. L. Loo, of Hawaii.
Ann Jeryl Martin, of Tennessee.
Gerald C. Mattran, of Illinois.
Paul J. Saxton, of New York.
Carmen C. Suro, of Maryland.
Rosalind L. Swenson, of New York.
Cornelius C. Walsh, of Connecticut.
Robert C. Wible, of Ohio.

Foreign Service Information Officers of class 7:
Charles Miller Crouch, of Connecticut.
Mary Lou Edmondson, of Colorado.
Robert B. Hall, of Oregon.
E. Ashley Wills, of Georgia.

EXTENSIONS OF REMARKS

BILL TO AUTHORIZE ADDITIONAL DRAINAGE WORK FOR VERNAL AND EMERY RECLAMATION PROJECTS

HON. GUNN McKAY

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1974

Mr. McKAY. Mr. Speaker, I am today introducing a bill to authorize the construction of necessary drainage works and to amend the respective repayment contracts for the Vernal unit, central Utah project, and the Emery County project. Both are participating projects under the Colorado River storage project.

The repayment contract negotiated with the Uintah Water Conservancy District and for the Vernal unit, signed July 14, 1958, provides for the construction of all drainage facilities for the Vernal unit which the Secretary of the Interior feels are necessary for project purposes at a cost not to exceed $675,000. Such costs are to be held within the limit of funds made available by Congress.

Similarly, the repayment contract with the Emery Water Conservancy District of May 15, 1962, provides for the construction of drainage facilities which the Secretary decides are necessary at a cost not to exceed $999,000, and again within the limit of funds made available by Congress.

Since the time of the contract negotiations, water delivery features for the Vernal unit have been completed for 14,700 irrigable acres. In the operation of the project it has become evident that more acres have a drainage deficiency than originally anticipated. Project drains have been completed and are now serving about 1,250 acres. Drainage facilities are needed for about 2,450 additional acres in order to complete a viable

project capable of yielding the benefits agreed upon at the time of authorization.

Delivery features on the Emery County project have been completed for 18,775 irrigable acres since the contract was negotiated. There is also a drainage deficiency on this project. Project drains have been completed and are now serving about 440 acres. Facilities are needed for about 1,350 more acres to make the project viable, as agreed upon at the time of authorization.

The present estimated cost of the entire Vernal unit drainage system is about $2 million, an increase in cost from the $657,000 estimate. The increase results from the additional area requiring drainage together with escalation of construction costs. The estimated cost of the entire drainage system of the Emery County project is about $2.2 million, an increase over the original estimate of $999,000. Again, it also results from increased drainage needs and increased construction costs.

Legislation is required to authorize the construction of the additional drainage works for these two projects, and it is also necessary to amend the repayment contracts in both instances to increase the cost ceiling for drainage facilities that are considered necessary to sustain the crop production anticipated under the original project authorization without increasing the obligation of the water users.

Repayment of the additional costs on both projects would not require additional appropriations, but would be taken from power revenues of the Colorado River basin fund.

The text of the bill is as follows:

H.R. 14634

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to construct drainage facilities for the Vernal Unit of the Central Utah Project and the Emery County Project to the extent that he determines necessary for the sustained crop production on the irrigable lands of these projects. The Secretary is further authorized to negotiate and execute amendments to contract No. 14–06–400–778, dated July 14, 1958, between the United States and the Uintah Water Conservancy District and Contract No. 14–06–400–2427, dated May 15, 1962, between the United States and the Emery Water Conservancy District to provide for the cost of such drainage works to be paid from the Colorado River Storage Project basin fund without increasing the repayment obligation of the water users of either project.

FOOD PRICES RISE

HON. JAMES A. BURKE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1974

Mr. BURKE of Massachusetts. Mr. Speaker, I rise at this time to again remind the Members of the U.S. Congress of the rising cost of food prices and how these prices are hitting the low-income family hardest. Today a hearing was held by the Subcommittee on Agriculture on my bill that would provide free garden seeds upon request from the Department of Agriculture.

This bill which would be minimal in cost would produce garden vegetables in enormous quantities. It would promote good healthy outdoor exercise for our young Americans. It would bring our farming communities and urban areas closer together in understanding. It would return the American people to the soil. It would give urban America a chance to compete with the high cost of living. Today before the hearing I had some members of my staff go into a local supermarket to buy some vegetables. These are the prices they paid for the vegetables:

Three tomatoes, 63 cents; potatoes, $4.65 a peck; one cucumber, 33 cents; one head of lettuce, 49 cents; 10 ounces spinach, 55 cents; turnip, 28 cents pound; eggplant, 24 cents each; squash, 49 cents pound; stringbeans, 49 cents pound.

Last year onions were selling for 69 cents a pound and lettuce was selling for 89 cents a head. This will give you an idea of what it is all about.

I include in the RECORD a UPI story that appeared in the May 4, 1974 edition:

FOOD COST RISE HIT LOW-INCOME FAMILY HARDEST

WASHINGTON.—Rising food prices in March hit low-income families harder than middle and upper-income consumers, government figures show.

Agriculture dept. economists said the weekly cost of feeding a family of four on a low-cost diet plan developed by the agency's nutrition specialists rose to $43.70—an increase of 60 cents, or 1.4 percent from February.

For consumers in higher earning brackets, however, the February-to-March increase was only half as much in cash terms and about one-third as great on a percentage basis.

The cost of feeding a family of four on the agriculture dept.'s moderate-cost diet rose to $55.10 a week in March, a report showed. This was 30 cents, or about 0.5 percent, above February. Costs for a liberal-cost diet in March were estimated at $66.90 a week, up 30 cents or about 0.5 percent from February.

All three diet plans are designed to provide complete nutrition for adults and children. They differ only in the types of foods used in sample menus. The low-cost diet plan uses fewer and cheaper cuts of meat, for example, while the moderate and liberal plans use more of the costlier foods like steaks and roasts.

Some foods used frequently in the low-cost menus, including potatoes, beans and rice, have risen more over the past year than many costlier items.

BILL ON OIL RESERVES

HON. ALPHONZO BELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1974

Mr. BELL. Mr. Speaker, I am introducing today, a bill to authorize the Secretary of the Interior to review the present uses of Federal lands which contain oil, oil shale, and natural gas resources. The Secretary will than make recommendations as to which of these Federal lands shall be put into production and which shall be established as Federal reserves.

The recent controversy over the Naval Petroleum Reserves at Elk Hills and other oil and oil shale reserves that the Navy owns has indicated to me that there needs to be a single overall policy with regard to oil and oil shale production on Federal lands. Presently the only reserves are owned by the Navy and production can only be authorized by Congress in a national emergency. During the recent oil shortage, Congress learned that the Navy's reserves were not developed sufficiently to insure that even the Navy could get needed oil in a short time. It would take at least 1 year to bring production at Elk Hills to a reasonable rate and almost 3 years to produce it at its maximum efficient rate. The naval reserve in Alaska would require almost 10 years to bring to full production and the oil shale reserves would require an indefinite amount of time.

Clearly, the Federal Government must evaluate the extent of oil, oil shale, and natural gas on Federal lands and develop a sound policy to regulate the development and production of these lands so that our resources will last for several years and even more importantly, so that they will be available in time of need. It is not improbable to believe that the United States will face another oil embargo. The ordeal that the American people faced this past winter should teach us that we must not depend solely on imported oil. We must have domestic resources available that can be produced in short notice.

My legislation does not in any way diminish the need for exploration and development of alternative energy sources such as nuclear and solar power. In fact I believe the Federal Government should increase its participation in finding new forms of energy. We are using up our oil resources and we are not going to be able to replace them. It makes more sense to me to follow a sound national policy in using these resources than to use them haphazardly as we have been doing.

A complete text of my bill follows:

H.R. 14610

A bill to review the present uses of public lands of the United States that contain energy resources and to determine which of these lands shall be reserved and which shall be developed

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior shall review and report to Congress within one year from the date of this Act the reserved, unreserved, and acquired lands of the United States that contain energy resources to include oil, oil shale, and natural gas.

SEC. 2. The Secretary shall recommend which of these lands, with the exception of lands in the National Park System, the National Wildlife System, the Wild and Scenic Rivers System, the National Wilderness System, and any lands currently under review for inclusion in these systems, shall be held in reserve for possible future energy devel-

opment and which lands shall be developed to meet the energy requirements of the United States. The Secretary shall consider the most efficient use of all resources in determining which to hold in reserve and which to develop.

SEC. 3. On those lands which the Secretary determines shall be developed, he is authorized and directed to encourage and stimulate exploration and development. He may utilize for this purpose any statutory authority he may have with respect to leases, contracts, agreements, permits, rentals, royalties, fees, and cooperative or unit plans, and he shall report to Congress the need for any additional authority. Lands heretofore reserved by executive or legislation action that prohibits or limits oil and gas development, except lands in the systems referred to above, shall be subject to the provisions of this section, notwithstanding such limitations, but no oil or gas development thereon shall be authorized by the Secretary unless sixty days notice is given to the Congress (not counting days on which either the House of Representatives or the Senate is not in session for three days or more) and neither the House of Representatives nor the Senate adopts a resolution of disapproval. Any such notice shall explain in detail the relative need for developing the oil and gas resource in order to meet the total energy needs of the Nation, compared with the need for prohibiting such development in order to further some other public interest.

SEC. 4. On those lands which the Secretary determines shall be reserved, he is authorized to establish national oil and oil shale reserves. The development of these reserves will be regulated in a manner that will meet the total energy needs of the Nation, including but not limited to national defense. Any reserve so established shall supersede any prior reservation for a more limited purpose. The reserves shall be maintained in an efficient manner to insure that in time of need, development and operation can be initiated within 120 days. The oil and gas resources of such reserves shall be developed only pursuant to statutes hereafter enacted for that purpose.

SEC. 5. In order to provide a broader competitive base for development of oil and gas resources of the lands of the United States, the Secretary of the Interior shall consider and provide for competitive bidding, to the maximum extent practical, on the basis of either bonuses or royalties, or both, at the option of the bidder, and the highest bid shall be determined by the Secretary on the basis of the total estimated return to the United States over the probable productive life of the property being disposed of. If the Secretary determines in a particular case that the Federal government could best develop and operate any oil or gas resources covered under this Act, he may authorize such development and operation by the Interior Department after giving sixty days notice to the Congress (not counting days on which either the House of Representatives or the Senate is not in session for three days or more) and if neither the House of Representatives nor the Senate adopts a resolution of disapproval.

THE CASE FOR A FEDERAL OIL AND GAS CORPORATION—NO. 28

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1974

Mr. HARRINGTON. Mr. Speaker, Mr. John Wilson, former Chief of the Federal Power Commission's Division of Economic Studies, has called for the creation of a Federal Oil and Gas Corporation. In testimony before the Senate Subcommittee on Antitrust and Monopoly of the Judiciary Committee, Mr. Wilson endorsed the Corporation as a "force which will obligate producers to render services at prices reflecting just and reasonable rates." Mr. Wilson's remarks eloquently underscore the need for a public oil corporation, and I insert excerpts of his testimony into the RECORD at this time:

EXCERPTS OF MR. WILSON'S REMARKS

"Congress should seriously consider the merits of establishing an independent public corporation to explore for and develop petroleum hydrocarbons on Federal property. The creation of TVA assisted in improving performance in the electric power industry after the discovery of major private corporate abuses in the 1920's. There is every reason to believe that a vigorous, independent, public petroleum production corporation may similarly be a major assist in breaking the monopolistic market power currently in the hands of our privately owned and thoroughly interlocked petroleum companies. Without a competitive threat, they can well afford to move slowly as the growing energy crisis builds support for higher prices. With a viable public corporation that can step in and do the job if they don't, they would be far less likely (or able) to behave like a stodgy cartel. The Federal domain, after all, belongs, quite rightfully, to the consumers of this country, and there is little reason why its mineral wealth should be treated as the private preserve of the big oil companies.

It is true that the rich history of this Nation is steeped in the merits of competitive private enterprise. But when private enterprise is not competitive, it ceases to serve the public, and then it must be controlled, corrected, or replaced.

The corrective measure which must be taken in this regard is to establish a force which will obligate producers to render service at prices reflecting just and reasonable rates. A public corporation, by virtue of the fact that it would provide for an independent alternative source of supply, would constitute such a force. At the present time there is none, and the consequences of this void are serious.

For example, if in response to a supply shortage regulators raise prices in hopes of eliciting new supplies, but the producer combine recognizes that continued shortages may bring still higher prices, regulatory authorities cannot compel them to produce gas at reasonable price levels. Moreover, if conditions develop so that producers have strong reasons to speculate that prices are likely to continue to rise rapidly in the future, there will be strong economic pressure from them to hold off on proving up new reserves until their anticipations are met and further speculation subsides.

There are substantial indications that this is happening at the present time. The FPC has taken a number of significant steps to increase new natural gas prices in the last two years, but proved reserves have not grown appreciably. They have declined. The result is that now the industry trade press talks about the imminent likelihood of future prices double those that have been instituted recently, which are, themselves, double those that prevailed only a few years ago.

In an economic climate such as this, it is seldom the case that those who hold the valuable and rapidly appreciating assets are in any hurry to liquidate their holdings. Why sell today when the price is X, if tomorrow it will be X^2?

Thus, regulation is a scissors with one blade—fair rates can be established, but if producers decide to hold out, regulators have little authority to rectify the situation. I should hasten to note that this discussion of the institutional failures of producer regulation is not intended to whitewash the way in which the institutions, as weak as they are, have been implemented. In all candor, implementation too has had its shortcomings. Even if legislative or other institutional restrictions prevent or inhibit the effective implementation of the most efficient public policies, it is nevertheless possible to identify those roadblocks and to work aggressively for their removal. That is one of the purposes of this testimony.

In any event, it should be rather obvious that it is somewhat unfair to expect outstanding results if the tools provided are inadequate to the task, and it is perhaps also unfair to expect great enthusiasm from those assigned a task if the overriding conditions make that task next to impossible. In short, regulation and regulators could be far more successful if the institutional blockages noted here are "eliminated."

ENERGY CONSERVATION ESSENTIAL IN NATIONAL INTEREST

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1974

Mr. EVINS of Tennessee. Mr. Speaker, the House recently passed the special energy research and development appropriations bill in an effort to expedite and accelerate short-term and long-range solutions to the energy crisis through development of alternative sources of energy.

This bill includes appropriations for a number of vital and important energy research programs—including the development of the Liquid Metal Fast Breeder Reactor, which is expected to utilize uranium 30 times more efficiently than the present reactors used in nuclear power plants; other advanced reactors including the light water breeder reactor, high temperature gas reactor, gas-cooled reactor and molten salt reactors; controlled thermonuclear fusion, gas centrifuge technology, solar energy, magnetohydrodynamics and coal gasification and liquefaction, among others.

In this connection my attention has been called to a recent editorial in the Nashville Banner entitled "The Energy Binge: Driving Ourselves Back Into Crisis."

In the course of my remarks on the floor of the House during the debate on the special energy research and development appropriations bill, I emphasized the importance of conservation.

We as a nation must think conservation—we must practice conservation—we must teach our children conservation.

Indeed we have been warned that we must make conservation a way of life for the American people.

This is the tone and theme of the excellent editorial in the Banner which I place in the RECORD herewith, because of the interest of my colleagues and the

American people in this most important matter.

The editorial follows:

[From the Nashville Banner, May 2, 1974]

THE ENERGY BINGE: DRIVING OURSELVES BACK INTO CRISIS

Who believes there's still an energy crisis?

Nobody, apparently, if the binge upon which we're now embarking is an indication.

True, oil is flowing freely once again from the Middle East.

And to most Americans, it's all over—the long gasoline lines, the thermostat turndowns, the carpools, the 55 mile-per-hour speed limits, the heating oil shortages.

Indeed, since the embargo was lifted in March, automobile traffic is almost back to normal, mass transit ridership is down, many drivers ignore the slower speed limits, the carpool idea is all but dead and electricity consumption is back up.

An Associated Press survey contained these telling quotes:

"People are going back to their old driving habits"—Federal Energy Office administrator John C. Sawhill.

"Connecticut citizens have gone back to their old gluttonous ways, people drive at the old speeds, one person in a car, the car pools broken up"—Connecticut Emergency Energy Office official.

"They've gone wild again . . . they're just flying out there"—South Carolina highway patrolman.

Mr. Sawhill says Americans are only kidding themselves if they think they can go off on a toot of some kind.

"At least for the next three to five years the only way . . . to reduce our dependency on foreign (energy) sources is conservation."

Precisely. There is no other way.

Conservation became a way of life last winter. It must remain a way of life.

For one thing, the prices of gasoline will remain high. It will take time to get production up. The long-range possibility—even probability—of renewed shortages will remain.

We should not reduce our resolve to make the United States completely self-sufficient in energy as quickly as is reasonably possible.

We should never forget that embargo. We should have learned our lesson.

Energy experts agree that the energy pinch is far from over. Power brownouts and gasoline shortages could be chronic this summer unless consumers conserve fuel and electricity.

But does anybody really believe it?

Take the 55-mile-per-hour speed limit, for example. You'd never guess it is still in effect. If you do stick to that speed, everything from Volkswagen bugs to trailer trucks will leave you standing still.

The speed limit was implemented because slower speed means less gas consumed. The public that flew into a near-tantrum this winter over the Arab embargo became indignant that anyone should interfere with their right to drive, wherever they wanted, whenever they wanted, however fast they wanted.

The gasoline is flowing again. But to many, the warnings are distant and premature—as they were last fall before the crunch.

Who will be blamed when it comes again?

Not the people alone. There have been foolish moves by the government and action—or inaction—by industry.

But in a democracy these things can't happen without approval—or apathy—of its people.

At least the next time we'll have a better idea of who to blame.

IS NIXON'S TRIP NECESSARY?

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1974

Mr. FRASER. Mr. Speaker, our colleague from Wisconsin, LES ASPIN, has introduced three concurrent resolutions that address some of the foreign policy problems that arise whenever the House votes articles impeaching a President.

Friday, April 12, Lester Kinsolving's column, "Is Nixon's Trip Necessary?" appeared in the Waterbury, Conn., American. Mr. Kinsolving raises some of the issues that led me to cosponsor LES ASPIN's resolutions. These are issues that we must face. We do not ask that ongoing negotiations be curtailed during the period following impeachment and prior to the disposition of the articles of impeachment. We simply ask that these negotiations not be formally concluded during this period.

The Kinsolving column follows:

IS NIXON'S TRIP NECESSARY?

(By Lester Kinsolving)

"Another issue connected with Watergate is arising today. This is the question of how the President continues to perform his duties effectively in the national interest, even when the impeachment issue is being resolved by the country's constitutional process."—Sen. Jacob Javits, R-N.Y.

Sen. Javits' statement goes on to note: "If the President believes that because of the proceedings against him he cannot carry out his duties, he has an option under the Constitution pursuant to the 25th Amendment."

This suggestion of a possible leave of absence seemed to evoke only scorn from the President's Deputy Press Secretary, Gerald Warren, who told newsmen:

"Let me just say that the President is well aware of the various articles of the Constitution. As to his plans for the next three years, he has spelled these out for you (i.e. no resignation) and nothing has changed."

Warren was then asked by one newsman if the President really intends to go through with plans to visit the Soviet Union this year—even if he is impeached.

Warren: "The criteria or the reasons for a trip to the Soviet Union are independent of the matter you are discussing."

Question: "Are you saying that even if the President is facing impeachment, this does not weaken his negotiating position?"

Warren: "I cannot predict the future, but the considerations which go into the planning of a trip to the Soviet Union are based on foreign policy considerations, and on decisions made in this government on vital issues and that the President will take that position in his negotiations he has with the Soviet leaders, and will be dealing from a position based on strength."

This astounding official contention was questioned 16 times by a generally incredulous White House press corps. But in similar verbiage Warren doggedly and repeatedly maintained that even an impeached Nixon "would not be in a position of negotiating from weakness."

This seems only a little bit more realistic than the idea that the Emperor Maximilian of Mexico could have negotiated (from strength) a cooperative conquest of Canada with President Andrew Johnson, in May of 1867. (One month before Maximilian was executed by Benito Juarez, and one year before Johnson's impeachment trial by the Senate.)

The idea that Nixon can possibly stave off his personal gotterdammerung on the Potomac by staging a recapitulation of the detente triumph—with the Soviets used as spear carriers—is not merely fantastic. It is also dangerous to the welfare and security, not to mention the image, of the United States.

When ordinary citizens are put on trial for high crimes they are rarely allowed to leave their county or state, much less the nation.

Congressman Les Aspin, D.-Wisc., has introduced a resolution asking for a moratorium on state visits either by or to President Nixon, from the time of a possible impeachment resolution passed by the House, to its final outcome in the Senate. Another Aspin resolution asks that during this period, the President conclude no agreements with any foreign powers.

Explained Aspin: "It is important to remember that Nixon himself established a precedent for such a moratorium on diplomatic activities. Immediately after the 1968 election, President-elect Nixon asked President Johnson not to hold any summit meetings or sign any treaties for the remainder of his term in office.

Nixon was, of course, correct in making this request. The temptations of the outgoing President to give too much away, to sign a history-making treaty, were considerable—and they are exactly the same as those Nixon is now facing . . . Congress has the utmost moral responsibility to protect our national interest against a Chief Executive who might be tempted to compromise it to save his own skin, or a foreign power that might be tempted to exploit the situation."

HUMANISTIC SIDE OF POST OFFICE

HON. ANGELO D. RONCALLO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1974

Mr. RONCALLO of New York. Mr. Speaker, yesterday, I received a copy of a letter from Mr. John Martin, postmaster of the Massapequa Park Post Office, to Kristy Barrett, niece of Mrs. Verna Barrett, a constituent, who had recently registered a complaint against the local post office. Mrs. Barrett had complained that a "Me-Book" she had ordered for her niece was carelessly delivered and consequently damaged. I wanted to share the postmaster's letter, which was sent by Mrs. Barrett, so one can appreciate the humanistic side of one of our government agencies, the U.S. Postal Service. It was particularly good to receive this letter in view of all the complaints against the Postal Service.

The letter follows:

U.S. POST OFFICE,
Massapequa Park, N.Y., April 15, 1974.

Miss KRISTY BARRETT,
30 Flower Road,
Carlisle Barracks, Pa.

DEAR KRISTY: You are no doubt surprised to find this book mailed to you in a Post Office envelope. Well, there is a story that goes with the book—not in the book.

Your Aunt Verna bought this book as a gift for you. The book was sent from Cali-

fornia to your aunt by the United States Mail. The Postman delivered the book to your aunt, leaving the book in the magazine rack for her mailbox. On that day, it was extremely windy, rainy and snowy. I am very sorry to say that the wind blew the book onto the ground and the snow covered it over hiding it until the next day. Because of the rain and the wet snow, you will see that the book has been damaged. I am very sorry about this and your Aunt Verna felt very, very bad because of it. She called me and asked if I would explain to you what happened to your birthday gift.

I know that you are happy with all of your gifts. I also know from my small boy memories that a gift from far away—coming in the mail—from a nice aunt and uncle is a very special gift. Because it is a very special gift, I have written to the people who wrote your story and asked them to send another book. I hope to receive it shortly and when I do I will call your Aunt Verna and then send it on to you. You will then have two very nice favorite books. In the meantime, please have fun with this book and I wish you a very happy birthday.

Your friend,

JOHN J. MARTIN, *Postmaster.*

REVAMP FEDERAL COURT SYSTEM

HON. LAWRENCE J. HOGAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1974

Mr. HOGAN. Mr. Speaker, our judicial system is known to have a considerable backlog of cases to be tried and the delay is causing inefficiency in our judicial system. A possible means of alleviating this may be to revamp our Federal court system. This concept has been partially explored by the Commission on Revision of the Federal Court Appellate System. On the other hand, our courts have been too lenient in handing down sentences to criminals and it has resulted in many of these people being set free only to commit another crime.

WMAL, on April 3, editionalized on this issue and their remarks are deserving of the attention of each of my colleagues. I would like to have their editorial inserted in the RECORD at this point:

IN-AGAIN, OUT-AGAIN JUSTICE

Two recent crime stories may be welcome news to the local criminal community, but they sure don't offer much comfort for the rest of us.

Up in Montgomery County, Judge Plummer Shearin passed sentence on a man convicted of breaking into a home in Dickerson, beating and robbing an elderly couple, and attempting to rape the 74-year-old woman. The man pleaded guilty to eight counts. He could have gotten 200 years. Judge Shearin gave him two years.

Two years . . . and the man was already on parole from a manslaughter conviction. He's been in jail for a year, awaiting trial. That means he has only a year to serve. He's eligible for parole *right now.*

In the District . . . Police brought a man before Magistrate Jean Dwyer Wednesday. He was charged with robbing a bank on Connecticut Avenue. Magistrate Dwyer turned him loose . . . No cash bond to put up in order to get out. Friday, another bank was robbed. Police and the FBI arrested the same man. And the police say that six out of every ten persons charged with bank robbery are released on personal recognizance.

It's like having a revolving door on the court house.

Police and the public are asking a lot of questions about our judges . . . and the sentences they give. And with good reason. Judge Shearin and Magistrate Dwyer didn't do much to make the public sleep easier tonight.

DEEP SEA MINING

HON. THOMAS N. DOWNING

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1974

Mr. DOWNING. Mr. Speaker, a little over a month ago, I had the privilege of speaking on the subject of deep sea mining legislation at the second annual meeting of the National Ocean Industries Association, a young but vigorous trade association organized to serve as the legislative and administrative voice for the offshore and ocean-oriented industries at the Federal level. The well-attended 2-day meeting reflected the great and growing concern of this Nation with a whole spectrum of problems relating to increasing shortages of energy, food, minerals, and living space, and how the theme of the meeting, "Solutions From the Sea," might provide answers to ease the problems.

Among the 17 speakers and panelists heard by the delegates was our colleague, the distinguished chairman of the Committee on Merchant Marine and Fisheries, the Honorable LEONOR K. SULLIVAN.

Mrs. SULLIVAN began her remarks in the subject of "High Seas Oil Port Legislation" by recalling a statement she had made a year ago: "Whether or not the energy problem that faces the Nation can accurately be called a crisis, there is no question that we are going to have to increase our oil imports in substantial quantities. The construction of offshore ports may be the most efficient, the most economic, and the safest way to handle the increased imports."

At the conclusion of her remarks she expressed her concern at the proposal of the Select Committee on Committees to disperse the cohesive marine-oriented jurisdiction of the present Merchant Marine and Fisheries Committee. She pointed to the offshore port legislation as an example of "the overall necessity for leaving one committee the responsibility for ocean problems."

I commend Chairman SULLIVAN'S timely and thoughtful remarks to the attention of my colleagues. The full text of her speech follows:

REMARKS BY HON. LEONOR K. (MRS. JOHN B.) SULLIVAN

Mr. Chairman, Mr. Grafton, Mr. Matthews, Ladies and Gentlemen.

First, let me thank you for your invitation to join you today. When your President invited me to discuss with you the High Seas Oil Port Legislation, now pending in the Congress, I was happy to accept. First of all, I consider the legislation forward looking and important, and secondly, the people who will ultimately make it work, are represented in the audience in this room.

As you may know, my assignments in the House include serving as Chairman of the Merchant Marine and Fisheries Committee, and as Chairman of the Consumer Affairs Subcommittee of the Banking and Currency Committee. One of my responsibilities is to consider legislation necessary to protect the interests of United States citizens as consumers. The other is to deal with legislation related to the development and maintenance of an adequate marine transportation system, the reconciliation of competing ocean uses, and the proper utilization and protection of ocean resources. It has been gratifying, therefore, to work on offshore port legislation which has the potentiality for a favorable impact on both these areas of interest.

In taking a look at your program for your first conference last year, I noted that almost exactly one year ago, Brigadier General Kelley, United States Army Corps of Engineers, addressed you on the subject of "Deepwater Ports: How Do We Get There From Here?" Since my remarks today are on the same general subject, I will pose three new questions: "How Did We Get Here From There?", "Where Are We Now?", and finally, "Where Do We Go Next?"

The idea of offshore ports is certainly not a new and novel one. Members of your Association know that fact only too well. Many of them have been engaged in the design and construction, as well as the furnishing of support services, to such ports located in various place around the world. Most have been designed for export, rather than import, of commodities, particularly of oil, but the operational problems, as well as the technology and expertise, are essentially the same. There is no question that when this legislation passes, members of your Association will be actively involved in its implementation. It might be interesting to you, therefore, for me to talk about its evolvement.

For some years, it has been apparent, particularly since the closing of the Suez Canal, that the transportation economics involving the movement of oil has dictated the use of larger and larger tankers on the long hauls. It has also been apparent for some time that our present port areas are threatened with the inability to handle the increasing number of ships arriving in the United States, not to mention the increasing threat to our coastal waters and estuaries from this growing congestion. It is not surprising, therefore, that proposals have been made to utilize our offshore waters for the establishment of port terminals. Similar space needs have prompted proposals for offshore airports, offshore power plants, and other offshore facilities. Early in the present Congress, therefore, I concluded that the Committee should examine the problem areas related to these proposals.

As to the overall problem of offshore construction, I concluded that, as a follow-on to the Marine Protection, Research, and Sanctuaries Act and the Coastal Zone Management Act, legislation might be needed to insure that increased offshore activities would not constitute a threat to the marine environment. I, therefore, introduced H.R. 5091, which provided for the establishment of criteria and procedures which might provide the fullest practicable protection of the marine environment prior to the time when

any offshore construction might be undertaken.

Excluded from the coverage of the bill were the oil platforms already covered under the Outer Continental Shelf Lands Act. The second problem related to legislation that might take advantage of the transportation economics to which I referred earlier and which could, in addition to providing benefits to the consumer, also benefit the United States merchant marine, the United States shipbuilding industry, and the marine environment, and promote our national interests generally.

I, therefore, introduced H.R. 5898, which would amend the Merchant Marine Act of 1936, to provide for permit procedures whereby offshore ports or terminal facilities might be constructed and operated in the offshore waters beyond the territorial waters of the United States. As I said in announcing the hearings on those two bills, which began in June of last year and continued through eight days of hearings over a period of several weeks, "Whether or not the energy problems that face the nation can accurately be called a crisis, there is no question that we are going to have to increase our oil imports in substantial quantities. The construction of offshore ports may be the most efficient, the most economic, and the safest way to handle the increased imports. In any case, we expect to find out in these hearings."

I may say that I still agree with that statement of last June and we *did* find out in our hearings. Unfortunately, we did not at that time have advance notice of the renewal of the Mideast conflict, and the subsequent action of the oil exporting countries of the Mideast in declaring an embargo on the export of oil to the United States. This embargo action, of course, has only served to demonstrate our near-term needs for foreign oil and does not change the basic principle behind the bill. We still need to be prepared for the construction and operation of these ports so that we may move forward expeditiously at such time as the present embargo—(which I am convinced, for various reasons, is temporary)—is finally lifted.

As the Committee prepared to begin its hearings on the two bills, it was quite apparent that offshore ports would have an impact across the areas of interest to several Subcommittees. The question involved the impact upon the merchant marine and shipbuilding industry, the involvement of maritime safety and Coast Guard operations, the potential impact upon the marine environment and its resources, and the effect on the coastal zone of nearby States. For that reason, and also because of the importance of the subject, I concluded that the hearings would best be held before the Full Committee.

During the course of the eight days of hearings before the Merchant Marine and Fisheries Committee, a total of more than 40 witnesses appeared, including your own President and the representatives of two companies in your Association, with particular expertise and background in this subject. The information your representatives furnished to the Committee was extremely helpful to the Members of the Committee in understanding the problems involved and in arriving at ultimate decisions on the final language of the bill. In addition to the witnesses, the Committee reviewed various studies from both the public and private sectors relating to the economic as well as the environmental impact of offshore ports for the importation of oil.

At the conclusion of the hearings, the staff was directed to carefully consider the testimony and the documents submitted and to draft new language which reflected, as well as it could, the various viewpoints presented. That draft was used as a briefing paper through which the staff then reviewed the testimony and the proposed language with the Members of the Committee. During the briefing, various Members raised issues on the draft language and suggested the inclusion of additional items for final Committee consideration. This was done.

Subsequently, the Committee spent four days of mark-up during which all facets of the bill were considered in detail and ultimately reported H.R. 5898, with an amendment in the nature of a substitute for the language in the original bill.

Where are we now? The answer is that we have moved no further but we are not yet "spinning our wheels". When we appeared before the Rules Committee prior to the termination of the First Session, other pressing matters related to the energy crisis prevented our being heard on our Rule request. We again appeared before the Rules Committee on January 22. During the course of the hearings before the Rules Committee, two issues were raised by Members of the Rules Committee.

One related to the question of whether the language of H.R. 5898 was sufficiently strong to prevent the takeover of the High Seas Oil Ports by foreign investors who would then operate those oil ports in their own interests rather than in the interests of the United States. The other issue was whether the bill contained language that would properly protect existing port areas from unacceptably adverse impact through diversion of traffic from those ports. The Rules Committee then voted to delay the granting of a Rule until the Merchant Marine and Fisheries Committee could consider the two issues raised by Rules Committee Members. Amendatory language has since been drafted which will, in part, handle those issues.

And now perhaps I should tell you what the bill does. It provides for the issuance of licenses to construct High Seas Oil Ports to be located outside the territorial seas of the United States in waters of the Continental Shelf where very large crude carriers with drafts up to 100 feet may be unloaded without risk of grounding and without the congestion of existing ports. The authority for issuing the construction licenses is vested in the Secretary of the Interior, the responsible officer for present lease activities on the Shelf, which on a use basis must be carefully coordinated with the location of proposed High Seas Oil Ports, including their pipeline connections to shore.

Before issuing a license, the Secretary must make a specific determination related to the capability of the licensee, the guarantee of access, the impact upon other high seas uses, the evaluation of national security interests, and the potential economic impact upon existing nearby ports. In addition, he must carefully consider all potential environmental effects and must insure that the location, the design, and the operational requirements represent the best alternatives available to insure the least possible impact on the surrounding environment. In doing these things, he must carefully coordinate his proposed actions with other interested Federal agencies and must carefully consider the viewpoints of affected States. In the latter case, he may not issue a license for a project which, in its shoreside impact, would be inconsistent with State requirements.

The bill also extends to the High Seas Oil Ports the provisions of certain existing Federal law relating generally to vessel control, vessel construction standards, environmental protection measures, rate structures for pipeline oil transportation, navigational safety, and personnel safety measures. The Secretary of the Department in which the Coast Guard is operating would be responsible for the supervision of the port operation. Finally, the bill creates a no fault liability fund to be derived from user fees, which would be available to satisfy claims resulting from damage inflicted to property within the territorial limits of the United States as a result of an oil pollution incident occurring at the oil port.

In a recent issue, the Oil and Gas Journal contained an editorial which was critical of the speed with which the Congress moves and in particular implied that the delays in enacting an offshore ports bill were caused by conflicts between three House Committees. Let me respond to that suggestion briefly. While there is no question that the Congress sometimes moves at a snail's pace in enactment of legislation, that is not always bad. In fact, it enables Members to carefully consider all problem areas and to attempt to accommodate various viewpoints in arriving at an ultimate legislative solution. In the present case, any delays because of Committee jurisdiction have resulted in my firm conviction that if possible all interested Committees should support one piece of legislation on the issue. When the Merchant Marine and Fisheries Committee began its consideration of the problem, bills on the same subject were also pending in the House Public Works Committee and in the House Interior and Insular Affairs Committee. At an early point, I contacted the Chairmen of those two Committees and suggested that we should keep each other informed of the progress of our hearings and that ultimately we should look to a common solution. During the development of H.R. 5898, the staff of my Committee was able to work closely with the staff of the House Interior and Insular Affairs Committee and the ultimate language of the bill reflected many of the views of that staff and of some of the responsible Members of that Committee. Unfortunately, we were unable to achieve the same degree of coordination with the Public Works Committee, and that Committee ultimately reported H.R. 10701 as its legislative solution.

Since the action of the Rules Committee, the Chairman of the Public Works Committee has contacted me and suggested that perhaps now we might be able to consider language which would resolve the differences between our two bills. The present major differences between the two bills, aside from the details in drafting techniques, are: (1) that H.R. 10701 creates a five-member commission to control both the construction and operation of the port facility, whereas H.R. 5898 places the authority for each in a single agency; (2) H.R. 10701 provides for an exclusive preference to an adjacent coastal State should that State apply for a permit; and (3) H.R. 10701 authorizes an adjacent State to assess a fee on the use of an offshore port, even though that port will lie outside its territorial limits, such fees designed to reimburse the State for costs which the State may incur, attributable to the construction and operation of the oil port.

Additionally, H.R. 10701 introduces a new subject by including a Title which prohibits the exclusion of any person, on the ground of sex, from participating in or any such person being denied the benefits of or subject to discrimination under, any program or activity under this Act, or otherwise the jurisdiction of the Army Corps of Engineers. Let me just comment that I am somewhat uncertain of the necessity for including such a Title.

The attempt to reach compromise language is now in progress. I hope that it will be successful. We may find on the other hand that a few of the basic differences cannot be resolved and will have to be resolved

when the legislation is considered on the Floor of the House. If the first of these occurs, I am certain that we can move forward quickly to enact this very timely and important legislation. If the second ensues, and agreement cannot be reached, I am prepared to return to the Rules Committee and seek a Rule on our bill, with such amendments as the Committee may desire to include. In any case, I am determined that a decision will be made at an early date because I firmly believe that unless we move forward in time to complete action and send the matter to the other body, we will not be successful in enacting legislation during the present Congress. For me, that result is unacceptable.

And now before concluding, I would like to turn to a related subject which is of special interest to me and to all of us at this time. As you know, the Bolling Select Committee on Committees has been considering a revision of Committee jurisdiction in the House, as well as changes in the House Rules. This initial tentative proposal last December included a recommendation that the House Merchant Marine and Fisheries Committee be abolished, a notion which I and all the constituent jurisdictional entities of the Committee viewed with alarm and concern. After subsequent reconsideration, the Select Committee now has decided to leave the Committee in existence but to substantially curtail its jurisdiction.

We had suggested a name change to something like, "Marine and Ocean Affairs", but the Select Committee decided to keep the name Merchant Marine and Fisheries with the jurisdictions of merchant marine, Coast Guard and fisheries. The Select Committee proposes to realign other Committees and create new Committees such as the Committee on Energy and the Environment. In my opinion, some of these suggestions fly directly in the face of logic. Under these proposals we would lose the following present jurisdictions: Panama Canal to Foreign Affairs; wildlife to Energy and Environment; and oceanography to Science and Astronautics.

I would like to dwell just one moment on the proposed changes with respect to oceanography. As I just mentioned it is proposed that our oceanography jurisdiction would be transferred to Science and Astronautics. At the same time, the Select Committee would transfer ocean dumping to Energy and Environment, Coastal Zone Management to Energy and Environment, Sea Grant Colleges to Science and Astronautics, and seabed mining to Energy and the Environment.

For the life of me, I do not see how you can put ocean dumping and coastal zone management in the new Committee on Energy and Environment and the parent oceanography over in Science and Astronautics. It is my impression that the purpose of the Select Committee was to streamline and improve the workings of the House. If we just take this one example of oceanography which was formerly one unit with all the entities in our Committee and which is now split all over the place, I cannot see improvement. I can only see that where there was unity and cohesiveness there will now be a dispersion of this unified jurisdiction and chaos.

I can point to the bill which we have been discussing today as just one example of the overall necessity for leaving in one Committee the responsibility for ocean problems. This bill impacts on marine transportation, on marine safety, on the marine environment, and on the State coastal zones, all of which at this time lie within the jurisdictional area of the Merchant Marine and Fisheries Committee. With the realignment, several aspects of that responsibility would be split off and consideration of similar problems would again point up jurisdictional conflicts.

I can point to the creation of your Association as another example. There are many organizations and associations which are concerned with various aspects of the oceans along with other problems, for instance the American Petroleum Institute. And yet you found more than a year ago that a significant void existed. As a result you formed an association the value of which has been demonstrated by its rapid growth by joining together otherwise disparate groups which met in their ocean interests. I think your example could be cited as the industry counterpart to the same legislative needs in the House.

I also suggest that the recent adoption by unanimous vote in the other House of Senate Resolution 222, authorizing a National Ocean Policy Study, recognizes the same need. I am aware that your President has taken the time to express his views to the Select Committee. I only hope that the Members of that Committee will find the time to give his views the careful consideration which they deserve. If so, perhaps the results may be different than presently indicated and we can be allowed to continue in our efforts to legislate in a comprehensive and responsible manner.

NEWSLETTER QUESTIONS IMPACT OF MEETINGS ON WORLD TRADE

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1974

Mr. EVINS of Tennessee. Mr. Speaker, a recent newsletter printed by the Liberty Lobby discussed certain secret meetings of some of the world's leaders in government and international finance.

The newsletter raises questions about the purpose and subsequent consequences of these meetings, particularly in regards to advocacy of increased foreign aid—milking the U.S.A.

Because of the interest of my colleagues and the American people in this matter, I place in the RECORD herewith excerpts from the Liberty Lobby newsletter concerning this meeting.

The newsletter follows:

SECRET WORLD SUMMIT CONFERENCE: 1974 MEETING

For three years, Liberty Lowdown has kept a close watch on the secret Bilderberg meetings, which are held each year at a different resort in Europe or the United States. Since 1971, no publicity is permitted until after the conference. The 1972 meeting was held in Knokke, Belgium and in 1973 at Saltsjobaden, Sweden. Liberty Lowdown learned of these two meetings too late to send a reporter. Extensive digging finally developed the time and location of the 1974 meeting, which was attended by the Rothschilds, Rockefellers, Wallenbergs and other billionaire international financiers or their proxies.

In 1971 Liberty Lobby first penetrated the outer hard shell of secrecy which surrounds this clandestine and sinister group. In May of that year they met in Woodstock, Vt., at a luxurious hotel owned by Laurance Rockefeller. This was fully reported in Liberty Lowdown No. 100. With the single exception of the local paper in Vermont, which could not ignore the event, the only other news source which reported on it was the Washington Observer. It was deliberately suppressed by all other media in the U.S.

Following the 1971 Bilderberg meeting unusual world events happened in rapid succession. There was the severe dollar crisis of August, resulting in vast profits for the "insiders" and the first devaluation of the dollar. The Bilderberg floating dollar policy has put an end to the financial independence of the United States and signals the impending collapse of the American economy.

The 1971 meeting, which broke policy with previous meetings in that two Russians and two Red Chinese attended, also presaged the Nixinger policy of "detente," following Rockefeller trips to the U.S.S.R. and Red China, followed in turn by Kissinger and Nixon, followed by vast oil and grain deals with communists . . . etc.

ALPINE CONSPIRACY

This time, the Bilderbergers met at Megeve, France, a village nestled in the French Alps about 20 miles from Switzerland. The secret conferences were in the luxurious Hotel Mont d'Arbois, owned by Baron Edmond de Rothschild. Security surrounding the Megeve meeting was even more strict than that in Woodstock three years ago. * * *

Few reporters were in Megeve, all of them French, but no wire service was permitted to carry news of the meeting. No publicity appeared anywhere in the world except for the local French paper which had to carry a story because no one in the area could ignore the obvious fact that something very important was happening.

The guests arrived at the Geneva Airport beginning Apr. 18 and were whisked over the Swiss-French border in a caravan of Mercedes-Benz, Rolls Royce and Cadillac limousines—each one preceded and followed by heavily armed and uniformed Swiss and French police.

THE AMERICAN CONNECTION

From the U.S. came both David and Nelson Rockefeller. Since the time of their grandfather, John D. Rockefeller, Sr., this family has worked hand-in-glove with the Rothschilds.

Only one top-level publisher was invited, Henry A. Grunwald, managing editor of Time. In 1971 Grunwald's opposite number in Newsweek attended, Elliott Osborn. Newsweek in 1971 carried no mention of the meeting and Time will not, either, unless forced to by publicity elsewhere.

In deference to women's lib, perhaps, this year the Bilderbergers invited a woman, Mrs. Miriam Camps, a senior research fellow for the Council on Foreign Relations. Also representing the C.F.R. was James Chace, managing editor of the C.F.R. periodical Foreign Affairs. The Rockefeller-funded, tax-exempt C.F.R. has the responsibility of disseminating the decisions of the Bilderbergers to American "intellectuals."

Another top Rockefeller man in attendance was Emilio G. Collado, executive vice president of Exxon Corp., the world's largest oil company, which reports record profits resulting from the Mideast war, the oil boycott and rising oil prices.

Only politicians who have proved their unquestioning loyalty to the Rockefeller-Rothschild cabal are invited to Bilderberg meetings. They must be willing tools of the superrich internationalists and must pose as liberals and "friends of the working man." Nationalist and anti-communist political figures are never allowed inside a Bilderberg meeting.

Representing the military was Gen. Andrew J. Goodpaster, Supreme Allied Commander in Europe, who, incidentally, was listed in the "International," not the U.S., Section.

KISSINGER HAD PLANS

Secretary of State Henry A. Kissinger was invited. He planned to attend, as he usually does. Kissinger is now recognized by even foes of Liberty Lobby as the most powerful man in America, far outstripping Nixon. At the last moment, however, Kissinger sent his regrets and dispatched two of his deputies, Helmut Sonnenfeldt, Counselor of the Department of State and Winston Lord, significantly the Director of Planning and Coordination for the "American" State Department.

Sonnenfeldt is a notorious leftist and internationalist who always receives the finest press coverage and is obviously chosen for a rapid rise in the Rothschild-Rockefeller world secret government. He has repeatedly transmitted classified U.S. documents to a foreign power (Israel). During the reign of J. Edgar Hoover, security risk Sonnenfeldt was under intensive scrutiny by the F.B.I. and his telephone was tapped for more than a year prior to Hoover's mysterious death.

Key factotum in setting up the Bilderberger meetings is Joseph E. Johnson, president emeritus of the Carnegie Endowment for International Peace, a tax-free group best known for its detailed plan for the invasion of South Africa by U.N. troops and the murder of its White inhabitants. Johnson has the job of transmitting invitations to selected persons to attend the annual Bilderberger meetings. Actual arrangements for the hotels, security and transportation are left to the permanent Bilderberg office in The Hague, Holland.

In a rare private interview with the close-mouthed Johnson, the Liberty Lowdown reporter managed to get him to reveal that the agenda for the Megeve conference included the Mideast and petroleum, NATO and the Common Market. Johnson also admitted that this time no Russians, Chinese or Arabs were invited.

The list of leaders from other nations who attended is also known to Liberty Lowdown. Heading the list, of course, is H.R.H. Prince Bernhard of the Netherlands, front man for and chairman of the Bilderberg organization. The list includes Edgar Faure, president of the French National Assembly; Helmut Schmidt, Germany Minister of Finance; Giovanni Angelli, president of Italy's gigantic Fiat Co.; Marcus Wallenberg, the richest and most powerful financier in Sweden; Denis Healy, Great Britain's Chancellor of the Exchequer and of course Baron Edmond de Rothschild of France—host of the meeting and owner of the hotel and grounds on which it was held—and his cousin, Guy Rothschild of England. The total number of those attending was about 120 plus, of course, hundreds of retainers and security personnel.

DELETE THE EXPLETIVE

HON. GEORGE McGOVERN

OF SOUTH DAKOTA

IN THE SENATE OF THE UNITED STATES

Tuesday, May 7, 1974

Mr. McGOVERN. Mr. President, as Members of Congress, we must maintain our objectivity during the inquiry and possible trial of Mr. Nixon. But I cannot resist passing on to my colleagues an impeachment slogan proposed by one of my South Dakota constituents: "Delete the Expletive."

FEDERAL CIVILIAN EMPLOYMENT, MARCH 1974

HON. GEORGE H. MAHON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1974

Mr. MAHON. Mr. Speaker, I include a release highlighting the March 1974 civilian personnel report of the Joint Committee on Reduction of Federal Expenditures:

JOINT COMMITTEE REPORT

Total civilian employment in the Executive, Legislative and Judicial Branches of the Federal Government in March 1974 was 2,835,648 as compared with 2,827,186 in the preceding month of February—a net increase of 8,462. Total pay for February 1974, the latest month for which actual expenditures are available, was $2,812,146,000.

Employment in the Legislative Branch in March totaled 34,682—an increase of 160, and the Judicial Branch decreased 69 during the month to a total of 9,300. These figures are from reports certified by the agencies as compiled by the Joint Committee on Reduction of Federal Expenditures.

Civilian employment in the Executive Branch in March 1974, as compared with the preceding month of February and with March a year ago, follows:

	Full-time in permanent positions	Change	Temporary part-time etc.	Change	Total employment	Change
Monthly change:						
February 1974	2,443,838		339,457		2,783,295	
March 1974	2,451,893	+8,055	339,773	+316	2,791,666	+8,371
12-month change:						
March 1973	2,430,948		326,870		2,757,818	
March 1974	2,451,893	+20,945	339,773	+12,903	2,791,666	+33,848

Some highlights with respect to executive branch employment for the month of March 1974 are:

Total employment of executive agencies shows an increase of 8,371 during the month to a total of 2,791,666. Major increases were in Health, Education, and Welfare with 3,244 and Defense agencies with 2,796. The largest decrease was in Postal Service with 2,196.

The full-time permanent employment level of 2,451,893 reflects an increase during the month of 8,055 primarily in Defense with 1,785, Health, Education, and Welfare with 1,721, Postal Service with 1,267 and Treasury with 1,022.

FISCAL YEAR 1974, THIRD QUARTER

During the first three quarters of fiscal year 1974 total employment in all three branches of the Federal Government increased 11,091 to a total of 2,835,648. Some points of interest are:

Employment in the legislative branch decreased 246 since June 1973 and the judicial branch increased 560.

Employment in the executive branch experienced a net increase since June of 10,777 to a total of 2,791,666. Major increases were in civilian agencies with 21,308, offset by a decrease of 10,531 in Defense agencies.

Included in the total for March 1974 are 2,451,893 employees in full-time permanent positions, an increase of 30,186 since June 1973. Major increases were in Postal Service with 15,071, Treasury with 5,911, Veterans with 2,189, and HEW with 10,449 (largely due to the conversion of certain public assistance grant programs from State to direct federal administration).

Full-time permanent employment at the end of the third quarter, March 1974, totaled 2,451,893—28,707 under the budget projections for June 30, 1974, the end of the fiscal year. Civilian agencies are over the projections by 9,403 and the military agencies are under by 38,110. These comparisons are summarized as follows:

	Civilian	Military	Total
June 1973	1,434,426	987,281	2,421,707
September 1973	1,429,574	973,922	2,403,496
December 1973	1,449,641	982,832	2,432,473
March 1974	1,464,703	987,190	2,451,893
June 1974, estimate	1,455,300	1,025,300	2,480,600

In addition, Mr. Speaker, I would like to include a tabulation, excerpted from the joint committee report, on personnel employed full time in permanent positions by executive branch agencies during March 1974, showing comparisons with June 1972, June 1973, and the budget estimates for June 1974:

TABLE 1-B.—PERSONNEL EMPLOYED FULL-TIME IN PERMANENT POSITIONS [1] BY AGENCIES OF THE EXECUTIVE BRANCH DURING MARCH AND COMPARISON WITH JUNE 1972, JUNE 1973, AND BUDGET ESTIMATES FOR JUNE 1974

Major agencies	June 1972	June 1973	March 1974	Estimated June 30, 1974 [2]
Agriculture	82,511	81,715	78,384	80,200
Commerce	28,412	28,300	28,338	28,600
Defense:				
Civil functions	30,585	29,971	28,651	28,700
Military functions	1,009,548	957,310	958,539	996,600
Health, Education, and Welfare	105,764	114,307	124,756	[3] 123,900
Housing and Urban Development	15,200	15,820	14,992	14,800
Interior	56,892	56,771	57,240	58,900
Justice	45,446	45,496	47,321	48,900
Labor	12,339	12,468	12,255	12,700
State	22,699	22,578	22,547	23,400
Agency for International Development	11,719	10,109	9,406	9,900
Transportation	67,232	67,885	67,805	69,500
Treasury	95,728	98,087	103,998	104,700
Atomic Energy Commission	6,836	7,145	7,308	7,400
Civil Service Commission	5,260	5,911	6,301	6,100
Environmental Protection Agency	7,835	8,270	8,702	9,200
General Services Administration	36,002	35,721	35,915	37,200
National Aeronautics and Space Administration	27,428	25,955	25,512	25,000
Panama Canal	13,777	13,860	13,637	14,000
Selective Service System	5,791	4,607	3,348	3,100
Small Business Administration	3,916	4,050	3,924	4,100
Tennessee Valley Authority	14,001	13,995	13,513	14,000
U.S. Information Agency	9,255	9,048	8,821	9,100
Veterans Administration	163,179	170,616	172,805	173,400
All other agencies	33,499	34,610	35,521	37,300
Contingencies				2,000
Subtotal	1,910,854	1,874,424	1,889,539	1,942,700
U.S. Postal Service	594,834	547,283	562,354	537,900
Total [4]	2,505,688	2,421,707	2,451,893	2,480,600

[1] Included in the total employment shown on table 1.
[2] Source: As projected in 1974 budget document submitted by the President on Feb. 4, 1974.
[3] Excludes 4,000 positions involved in proposed transfer of St. Elizabeths Hospital to the District of Columbia.
[4] March figure excludes 963 disadvantaged persons in public service careers programs as compared with 1,134 in February.

MELVIN LAIRD

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1974

Mr. STEIGER of Wisconsin. Mr. Speaker, when I first came to Washington in 1967, I was most fortunate in having as my neighboring Congressman a man who had been an earlier alumnus of the Wisconsin State Legislature. That man, Melvin Laird, was of immeasurable help to me, giving me the kinds of insights I needed to do this job better. I am sure there are many others in the House today who share this feeling.

Melvin Laird is now out of public life for the first time in 28 years. He's now with the Reader's Digest, after serving as a Wisconsin State Senator, U.S. Representative, Defense Secretary and Special Counselor to the President. Though he is no longer actively involved in politics, he is no less respected as a politician—and as a conscientious, knowledgeable spokesman for the interests of the American people.

Nick Thimmesch in the May 5 Potomac magazine offered an excellent portrait of Melvin Laird. He traced Mel's career, but more important, he captured the facets of the man that cause all of us—and the American people—to respect and care for him as a dedicated public servant and as a human being. I commend the article to my colleagues' attention.

BACK-ROOM MASTER IN WAITING

(By Nick Thimmesch)

Melvin Laird is out of public life now for the first time in 28 years. This hardly rates a headline, but it says a lot about a career. Even with 28 years in the game behind him, Laird isn't retiring. But what happens to these men who seem always with us in public prints and pictures, telling us what's best for the Republic and the world, what democratic means should be followed to reach our Excelsior on earth?

So many fade into law firms, corporate tiers, the mazes of consultant firms or foundations, or the sanctuary of a university. Robert S. McNamara left Defense and was almost able to hide out at the World Bank. Senators like George Smathers, Charles Goodell and John Sherman Cooper are seen on the streets and occasionally at cocktail parties, but one knows they won't be back in political life.

Others, like, say, Joseph Califano, fold into the top law firms, and bob into print often enough to suggest they will be back. Many found themselves in late middle age before realizing there will be no restoration of Camelot. And now and then one sees senior men who are unnoticed legends—Tommy (The Cork) Corcoran, James Rowe or Benjamin Cohen from the moss-covered, but once exciting New Deal.

But Laird is 51, and though Herblock probably wept mightily at losing Laird's dome-head, the complex politician from Wisconsin is hardly ready for some Republican Valhalla. Mel Laird went to Reader's Digest, or did he?

"He comes in at nine now and leaves at five," reports Laurie Hawley, Laird's secretary for seven years. "That's the biggest difference. At Defense it was 15 hours a day, and sometimes, he stayed until two or three in the morning."

We usually remember him, surrounded by charts and graphs, as he pled for the utensils of national security or understanding on the war. For many years, he was famed as one of the Hill's most skillful operators, and before that, as a precocious State Senator in Wisconsin, once described as a leftist Republican. The legislative years were his happiest.

Then, the firehorse Laird, called to replace the suddenly departed John Ehrlichman. Laird dutifully tried to make the best of a bad war, and temporarily neutralized some of President Nixon's adversaries. But the Watergate-plagued White House was not a haven for the professional politician.

So on February 1, Laird left it all for his first try at an authentic private life. At first, he vacationed in Florida, golfed, and read some books. But he soon went back to work.

He has a professional title or two now. But really, Laird is the Master Back-Room Dealer in Waiting.

Besides earning his pay from Reader's Digest, he performs a battery of free services—chairing a project on national energy problems for the American Enterprise Institute; consulting for the Defense Department; a few speeches; providing over-all direction, as chairman, of the Wolf Trap Foundation for the Performing Arts; and most of all kibitzing with old friends.

He takes time, on occasion, to talk with a newsman, which is what he did with me a few weeks ago.

"I love Washington," Laird tells you, with that look which has launched a thousand useful compromises. "I keep in contact with many people in government. I go up to the Hill to have breakfast or get my hair cut, and stay around and visit with congressmen like Tip O'Neill or John Rhodes.

"I play golf with Ken Rush and George Schultz on weekends," says Laird.

"I go see Henry (Kissinger) because he's got problems with our European allies. I have friendships with many in their parliaments and governments, men like Helmut Schmidt and Dennis Healey, because, you know, we're all politicians. Henry doesn't know them the way I do. They're upset because Henry believes it is easier to deal with dictators and Communist leaders than elected officials in democratic countries. You know, politicians have a constituency, and that's the way it goes. We must maintain democratic forms of government. They have election in Europe. They speak out and express opinions. Is that bad?"

Laird thunders a bit and the eyebrows arch, before his eyes crinkle from the smile following. How many congressmen, admirals, generals, cabinet officers have been warmed to the argument this way?

He still works it on Vice President Gerald Ford and others he visits in the White House. "Jerry ought to get into some substantive issues now," Laird says. "That will happen. I tell him he must portray himself as a loyalist to the President, and not give the impression he promotes himself. Jerry must promote the country, and not any idea of succeeding the President. I've been as tough as I can be on that.

"I talk with the President, too. My advice has been followed, but it's so painful getting them to do it. They came around too late in providing materials on Watergate. The President insists on being his own lawyer and press secretary. Len Garment and Charles Alan Wright and Fred Buzhardt took it. I think St. Clair will take it too. But they'll be giving up more to Pete Rodino's committee.

"One thing I wanted and didn't get was for St. Clair to have his own spokesman, so his operation would be separate from the White House. But Ziegler speaks for him, and it looks as though St. Clair is under the President.

"The President has lost ground in the past couple of months, by getting caught up in legalistic arguments, but he won't be indicted by the House. And I have to believe him when he makes it clear to me that he won't resign.

"If he'd only know that the House isn't

out to get him. I have faith in John Doar. He was a law partner with Warren Knowles who stood next to me in the Wisconsin senate years ago. I helped bring John Doar to Washington in the Eisenhower Years. He is a good man.

"I talked to Rodino about Doar before he came on. I am awfully disappointed in Pete voting against Jerry Ford's confirmation as Vice President. The real measure of a politician is whether, in certain instances, you vote your conscience or your constituents. It's easier to vote your constituents. You're a more lasting politician when you vote your conscience. Pete didn't do that on the Ford vote."

Laird gets as passionate talking about health legislation as he does about nuclear balance, impeachment or energy problems. He is a man of Congress. He likes ideas to clash, and the combatants to then wrap their arms around each other in resolution.

He doesn't like the atmosphere in Washington now.

"There are too many people paranoid on both sides," he says, "There is so much feeling of suspicion and distrust, between the congressional and executive branches. One reason that Congress has so low public acceptability, is that they fight each other personally inside the system. In my years up there, we had confrontation of ideas, which is essential to our system, but we tried not to get personal. I've never seen the personal distrust we have now."

Perhaps the most curious part of Laird's career was his shortest—the eight months he served as domestic counselor to the President.

Laird was pushed through the heavy black gates of the White House by Congress, and the most vigorous pushers were an angry, determined band of Republican leaders, as fed up with the vault-mentality as they were with Watergate.

"Mel can do the job if the old man will let him," pronounced Barry Goldwater. "He's got to make Nixon one of the boys. Otherwise, Mel will leave. The President can no longer hide the weaknesses of the White House. We're counting on Mel because he's never lost anything he started."

Republicans and Democrats too, hoped for a new era in White House-Congressional relations. "It's about time they got a professional politician down there," said Senate Majority Leader Mike Mansfield. Congressman Les Aspin said, "I don't think he'll be a presidential yes man. He'll tell the president what he has to hear. He might even box him in on some occasions."

Up with Old Mel, chewer of Corona Tabacalleras, sipper of Manhattans, arm-around-the-shoulder guy. Down with the arrogant amateurs whose secretaries answered some of Washington's top people with, "Would you give me the subject of your call, please?"

So Laird trekked up to the Hill where he could sit (and still does) in the House barber shop to get that fringe of spiked hair cut, and kid with "the fellows." He went around to the bureaucracy's departments to visit long-neglected cabinet officers and their staffs. The word got around that Mel was down there and could do something.

So the phone calls came, in fives and tens, and then incessantly, as Hill people said, "You're the only one who can help me with this, Mel." And one day Laird hollered in to his secretary, "Who in the hell is handling sewers here?"

In the summer of 1973, Laird worked his will. He got Mr. Nixon to agree to sign a bill designating August 15th as the cut-off date for bombing in Cambodia. (He had a tougher time convincing Congressional friends that Nixon would keep his word.)

Nixon relented on questions that John Ehrlichman might have waved off, with an "absolutely not." Some $200 million restored for the Upper Great Lakes Commission; a reversal of the planned phase-out of grants to young scientists-in-training; a manpower training bill; a four-year agricultural program; highway bills with emphasis on mass transit; an education bill. The logjam of domestic legislation was broken by Laird, the Main Street American out of Marshfield, the Master Politician.

He sorely wanted Ziegler moved into another job. Laird had always managed to defang an angry press, and he knew the press was livid over Watergate. Without mentioning Ziegler, Laird told me one day last summer, "There're too many smart-asses around here. We've got to make some changes. I've got to get the President to open up. I wouldn't have come here, if I didn't think it would work. If I'm not making a contribution, I'll leave. I would rather be away from it."

Laird wheedled. Congress restored cuts in foreign aid, thus assuring $1.1 billion for South Vietnam. Nixon tentatively accepted Laird's push for a Legal Services Program. Nixon agreed to put a health insurance program into the State of the Union. Another shove for welfare reform. Then Laird pressed on Congress to move the H.E.W. bill, the first in two years.

So Mel Laird used his weight, pressing Nixon and pressing congressmen and Senators, but he didn't change the President's set view of the world about him much.

On a January afternoon, he told me a vote on impeachment could be forced, and that would be good, because impeachment would fail by 120 votes. Still, he was appalled with the President's income-tax returns, even though there might have been good explanations for controversial deductions. "I have been on the public payroll all my life," he told me. "I get my money from the taxpayer. That's why I avoided claiming marginal stuff. If anybody wants to read my tax returns, they are on file in Madison, Wisc., and they can get them for a dollar."

Laird was a mixture of satisfaction and disappointment that day.

"Where I had a responsibility," he said, "the President never gave me a problem. We moved stuff through. You know, I never lost a vote on the Hill all the time I was at the Pentagon. There was no fun at the Pentagon, I had responsibility for the war.

"I had to push him (Nixon) on that bombing cutoff. You know Henry Kissinger wanted more bombing. But that decision on the cutoff was good for Congress and the administration. The South Vietnamese can handle them. They have enough pilots. It's their foot soldiers who are important. If there is no will, it's their own tough luck. We have done everything that we told them we were going to do. That's what Vietnamization is all about. The fighting will continue for 20 years.

"I could never understand why Henry (Kissinger) urged a world alert last October (during the Middle-East war). Why call a world alert? I never called for one, and we had tougher situations than that. There are ways of doing it, partially, or with a show of the flag, but a world alert wasn't the way. Look at what it did to our European friends."

Barbara Laird says, "I'm old fashioned, and when you marry a person, you go with his calling. My husband's was politics. Politics doesn't have to put a family to a special test. A person is a person, no matter what his life is—being a doctor, lawyer, or what. It's a bunch of bunk to say that my life would have been different had Mel not been in politics."

Barbara Laird was in his career from the beginning, and "we grew up in politics." She thinks Laird is out now, but she isn't sure, "you never say never," she says absolutely, "I don't make judgments for him, I only give my opinion."

During one of the more heated moments in the national dispute on Viet Nam the Lairds' eldest son, John, was photographed marching in an anti-war demonstration at the University of Wisconsin campus at Eau Claire. This caused quite a stir in the press. "Mel and John discussed the war and didn't agree," Barbara Laird says. "But John always respected his father. The children were always interested in the political process. They didn't like the cartoons and criticism of their father but they understood them." She says "you'll have to ask the children if they are Republicans."

The "children" are John, 26, married five years, and teaching in Los Angeles; Mrs. Allison Kelley, 22, president of the senior class at the Univ. of Tenn.; and David, 19, at the University of N.C.[66] I am proud of Allison," says Barbara, "because the mayor of Knoxville gave her an award for her class's Rape Crisis Center."

Barbara Laird makes it clear that their home is not in the Kenwood section of Bethesda; rather, it's across River Road in the Springfield section. They have lived in the three-story house for 17 years. They often go out to dinner parties and sometimes give dinner parties at home. Years ago, the Lairds would go back to Marshfield for summer vacations, but since the children have grown, Mel and Barbara prefer to go to John's Island, about 70 miles north of Palm Beach. Still their roots are in Wisconsin and Laird frequently visits Marshfield to see his mother, now in her mid-80's, who lives alone.

VITAMINS, FOOD SUPPLEMENTS, AND FREEDOM OF CHOICE

HON. BARRY M. GOLDWATER, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1974

Mr. GOLDWATER. Mr. Speaker, today I join my colleague from California, Congressman CRAIG HOSMER, on his discharge petition for the bill, H.R. 643. It is a sad day when Members of the House of Representatives must resort to such a parliamentary device in order to bring before the full House important legislation. What is at stake is the basic, essential freedom of each and every American to choose the content and quality of his dietary food supplements.

Under the guise of labeling standards, the Federal bureaucracy has again moved to tell the American citizen that the Government knows what is good for him. Worse, this presumption can have the force of law. Congressman HOSMER has introduced legislation that would preserve such basic choices for the individual. His legislation is currently bottled up in committee and cannot receive the complete congressional attention it deserves.

Americans are sick and tired of being pushed aside, stepped on, and otherwise presumed upon by a leviathan bureaucracy that presumes we are all incompetent drones incapable of making healthy choices. It is stupidity to classify vitamins in such a way as to have them regulated like dangerous drugs. H.R. 643 seeks to undo the damage of the administrative decisions of the FDA, and to let Americans eat and live in peace. I urge my colleagues to carefully consider H.R. 643. I am sure they will see its merit and will support its consideration by the full House.

COUNCIL'S 75TH ANNIVERSARY

HON. MARGARET M. HECKLER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1974

Mrs. HECKLER of Massachusetts. Mr. Speaker, I was recently very honored to appear at the 75th anniversary celebration of the St. John's Council 404, Knights of Columbus, in Attleboro, Mass. This hearty organization of men dedicated to the principle of charity, religion, and patriotism is a living tribute to the goals of the group's original founders. Members of St. John's Council have been and continue to be active, contributing members of the Attleboro community. In these times when it is often fashionable to disregard the lessons of the past, the St. John's Council 404 respects its own history as it moves toward becoming a healthy 100 years young.

Mr. Speaker, I place in the RECORD a recent editorial from the Sun Chronicle which aptly describes the organization and notes its many contributions to the community at large.

The editorial follows:

[From the Sun Chronicle, Apr. 6, 1974]

AS 404 BECOMES 75

In 1899, a group of men that included the late Sylvester McGinn, traveled in one of the worst snow storms of that winter from North Attleboro to Attleboro to institute a council of the Knights of Columbus.

Their belief that the ideals of that relatively new fraternal society would appeal to the Catholic men of Attleboro has been borne out by the events of the past 75 years. St. John's Council 404, Knights of Columbus, is celebrating its diamond jubilee with a series of events. Principal events of the celebration will be the attendance of the Knights at Mass tomorrow in a group and a Communion breakfast afterward at the council home.

Many of the older members of the council remember how the late Mr. McGinn enjoyed recounting the details of the trip to Attleboro for the organizing of the new council. He told it each time with the same enthusiasm that he undoubtedly had the first time he told it. Those who knew him and knew the early leaders of St. John's Council form a link between its beginnings and its present day.

When the 50th anniversary of the council was observed, there were several charter members on hand. They are gone now but their imprint on the council continues. The 50-year members who will be honored on Sunday are today's link between the earlier days of the council and the Knights of today.

That the founders built well and that their successors have been faithful to such principles as charity, religion and patriotism that the Knights of Columbus espouses is indicated by the fact that the local council, celebrating its diamond jubilee, is a strong organization.

St. John's Council often has contributed to health and charitable institutions in Attleboro. It also has contributed to the cultural life of the city with such enterprise as sponsorship of debates and through awarding prizes for essay contests. The council has contributed to recreation in the city through sponsorship of athletic teams, especially baseball, and musical groups.

As individuals, its members have been and are found in the industrial, commercial, legal, educational, protective, judicial and governmental life of the city. The members of St. John's Council have been, by adhering to the principles of their Order, good citizens of the community. Joyous salutes to the council's 75th birthday, therefore, go beyond the membership. So too does the belief that the council will continue to serve its church and its community as it moves on toward its 100th anniversary.

AGAINST "NADERISM"

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1974

Mr. CRANE. Mr. Speaker, despite the fact that polls show greater disillusionment with Government on the part of the American people than ever before, there remain those who advocate additional Government controls of and intervention in the American economy.

Thus, when a problem arises which Government has helped to cause, such as the shortage of oil—due in large measure to Government controls on the price of natural gas and import quotas limiting the amount of petroleum which could be brought into the country—there are many who call for the nationalization of the oil industry. To treat a problem with its cause, of course, is illogical. Yet, this kind of thinking is all too prevalent in our country at this time.

Anthony Harrigan, executive vice president of the U.S. Industrial Council, notes that—

America is experiencing an antibusiness binge in which every corporate mistake or imperfection, from a defective can of tuna to a single oil spill off the California coast, becomes an excuse for slowing technological development, proposing new economic controls and urging nationalization of private enterprise.

Mr. Harrigan points out that—

No evidence has been produced indicating that a shift to a socialist or maximum-regulation society would make the American people any wealthier. To replace big business with big government is hardly a progressive step. In country after country, economic controls and nationalization have been a disaster.

Unfortunately, business has been reluctant to speak up in its own defense and in support of our traditional system of private enterprise. It is high time that it initiated such a defense, for the facts are clearly on the side of free enterprise and against the imposition of additional government controls.

Writing in the New York Times of April 17, 1974, Mr. Harrigan concludes his article this way:

The foes of a free economy set out several years ago to create a crisis of confidence in capitalism. That's the meaning of the Nader movement. Using sensational charges against business, they have endeavored to create hostility toward the economic system that has enriched our nation. In considerable measure, they have succeeded. If economic freedom is to survive in this country, businessmen must fight back in the forum of public opinion.

I wish to share this important article with my colleagues, and insert it into the RECORD at this time:

[From the New York Times, Apr. 17, 1974]

AGAINST "NADERISM"

(By Anthony Harrigan)

NASHVILLE.—America is experiencing an antibusiness binge in which every corporate mistake or imperfection, from a defective can of tuna to a single oil spill off the California coast, becomes an excuse for slowing technological development, proposing new economic controls and urging nationalization of private enterprise.

This shrill, crusade against business is as absurd and unfair as it is hurtful to the public. The deficiencies of business are nothing as compared to the excesses of unions with their monopolistic power used to paralyze cities and transportation systems.

Yet business is increasingly subjected to smear attacks and to near-totalitarian demands such as Sen. Henry M. Jackson's call for placement of Government representatives on the boards of energy companies. In the view of the critics of business, everyone has rights except the corporation.

The current Naderized antibusiness atmosphere has produced proposals for radical change in the United States economic system, including demands for Federal chartering of business, deconcentration of large corporations, mandatory placement of union representatives on boards of directors, and switching authority to Government for location of plants, choice of products and control of advertising. In effect, there would be a take-over of stockholder rights without due process.

No evidence has been produced indicating that a shift to a socialist or maximum-regulation society would make the American people any wealthier. To replace big business with big government is hardly a progressive step. In country after country, economic controls and nationalization have been a disaster.

It is dismaying that the anti-business big lie finds any acceptance. The increases of wealth in this country have been the result of activity by individuals and corporations, not Government. The managerial failures of the Federal Government are notorious. The Postal Service can't deliver mail with dispatch; how can anyone believe that bureaucrats could do a better job developing oil resources than companies with decades of experience and global expertise?

Antibusiness groups have proliferated in recent years. They would strip business management of the right to manage. They regard profit as a dirty word. Congress has responded with a barrage of regulations covering numerous industries. Thus, today, we have a condition or regulatory overkill.

Where business has gone wrong is in failing to stand up for its rights against those who seek totalitarian controls over private property. Unhappily, many large companies have sought to appease the enemies of free enterprise.

They have resorted to soft public-relations campaigns instead of battling against Naderism with the most important weapon, truth. These instances of corporate cowardice have only produced more extreme attacks on business.

Ironically, some of the big oil companies that have been drawn and quartered in public long have been among the most tame and meek corporations. They have engaged in ecology-fad advertising and substituted lyrical humbug for tough talk about the disastrous effects of excessive Government regulation.

The foes of a free economy set out several years ago to create a crisis of confidence in capitalism. That's the meaning of the Nader movement. Using sensational charges against business, they have endeavored to create hostility toward the economic system that has enriched our nation. In considerable measure, they have succeeded. If economic free-

dom is to survive in this country, businessmen must fight back in the forum of public opinion.

RESOLVED: TO HEREBY SUPPORT HISC

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1974

Mr. ASHBROOK. Mr. Speaker, it has been a distinct honor for me to be able to present the views of so many fine organizations who have made recent representations on behalf of the House Internal Security Committee which would be banished to oblivion by a resolution—House Resolution 988—proposed by a small handful of House Members flying in the face of the overwhelming vote of confidence given to HICS year in and year out by the vast majority of the House Members.

Today, as I have done in the past few weeks, I am happy to share with my colleagues the following material: a letter to selected Congressmen from the national office of the Catholic War Veterans which represents 50,000 veterans, from its National Commander Neil G. Knowles, dated March 13, 1974, and a resolution from CWV's King County Chapter; a letter to the House leadership of both parties of April 16, 1974, from the executive vice president of the National Association for Uniformed Services, Brig. Gen. Hallett D. Edson, retired, a veterans organization which embraces all of the military branches; and a mailgram from Otto Dohrenwend, chairman, and William Rizzuto, commander of the American Legion Chapter of Westchester County, N.Y., addressed also to selected House Members.

The material follows:

THE CATHOLIC WAR VETERANS

DEAR CONGRESSMAN: We have heard of a recommendation of the Select Committee on Committees that the Committee on Internal Security be discontinued and that their functions be assigned to the Committee on the Judiciary.

The Catholic War Veterans, U.S.A., support the continued existence of the Committee on Internal Security and asked that its 1974 budget request be approved and that the recommendation of the Select Committee on Committees be disapproved.

We are of the opinion that to put these functions in the jurisdiction of a subcommittee of the Judiciary Committee would greatly diminish the good work this Committee has done in the past and will continue to do in the future.

The internal security of this country is too great a problem to be handled by a committee where it will only be a portion of the entire thrust of that committee. Again, we ask for your support of the budget request for the House Internal Security Committee and your rejection of the Select Committee on Committees as regards the House Internal Security Committee.

Respectfully yours,

NEIL G. KNOWLES,
National Commander.

CWV–KINGS COUNTY CHAPTER RESOLUTION

Whereas the House Internal Security Committee has been a force against those who would overthrow our present form of government and,

Whereas activity against our form of government is on the upswing e.g. the Symbionese Army of Liberation and the American Revolutionary Party involved in the two current kidnappings and,

Whereas the Select Committee on Committees has recommended the transfer of the mandate of the H.I.S.C. to the Committee on the Judiciary and,

Whereas in this transfer the individuality of this thrust against our domestic enemies would be severely diminished,

Now, therefore, be it Resolved that the Catholic War Veterans of Kings County Chapter do hereby support the House Internal Security Committee and urge approval of its 1974 Budget Appropriation and be it,

Further Resolved that we oppose the action to abolish this committee and transfer its function to the Committee on the Judiciary and be it,

Further Resolved that copies of this resolution be sent to the Majority and Minority Leader of the House of Representatives, the Representatives from the County of Kings and be it,

Further Resolved that the membership of Kings County Chapter be urged to write to their congressman to support H.I.S.C. and its existence and budget allocation.

NATIONAL ASSOCIATION OF UNIFORMED SERVICES

We are most concerned with various proposals that would tend to reduce the effectiveness of the House Committee on Internal Security, chaired by Representative Richard H. Ichord of Missouri.

Our membership have spent their total careers in maintaining our country's security, and we wish to insure that every effort is made to retain this security. The work performed by the highly trained, experienced and dedicated staff of Mr. Ichord's HCIS is absolutely essential to our country's defense against internal and external forces inimical to our national interests. Reorganizing the committee system to reassign the HCIS as a subordinate element of any other committee, particularly the already overworked Judiciary or Government Operations Committees, would be tantamount to emasculating its true effectiveness.

We urge that every effort be made to continue the House Committee on Internal Security as a separate committee and that further consideration be given to extending its powers to include the broad fields of espionage and organized crime.

Sincerely,

HALLETT D. EDSON,
Executive Vice President.

THE AMERICAN LEGION, WESTCHESTER COUNTY, N.Y.

The American Legion, Westchester County, N.Y. urges continuation House Committee Internal Security and granting requested appropriation for this vital bulwark against subversion attacking body politic, particularly our Youth and educational, religious, penal institutions.

Crime, violence, terrorism, kidnapings, guerrilla revolutionary warfare increasingly rampant.

For decades CPUSA, fronts, fellow-travelers have sought destruction of all Internal Security including House Committee. In 1957, "Operation Abolition" became major objective.

Bolling Committee efforts to transfer HISC functions to Judiciary should be rejected. Emasculation of HISC would represent suicidal defeat for USA.

OTTO DOHRENWEND,
Chairman.

WILLIAM RIZZUTO,
Commander.

LOS ANGELES POLICE RELAY RUN

HON. THOMAS M. REES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1974

Mr. REES. Mr. Speaker, it is difficult to repay the men and women who protect us in our communities—our policemen.

This year National Police Week will be celebrated in May. To mark the occasion a group of police officers representing the Los Angeles Police Revolver and Athletic Club of the Los Angeles Police Department will run in relays from the steps of the Capitol to the city hall in Los Angeles—a total of 3,820 miles in just under 20 days.

This feat alone deserves special commendation. But these men are not participating in the run for commendation, but for policemen everywhere, seeking recognition of the "cop" as "one of us, just a regular guy who has the same likes and dislikes, sense of satisfaction, and so forth." This accomplishment will be uplifting to the morale of the American people everywhere.

The run starts on May 10. It will be completed on May 28—in record time.

The officers will be running in this event on their own time and at their own expense. They are: Lt. Frank Mullens, Sgt. Bob Hickey, Sgt. Al Shearer, Officer Dick Bonneau, Officer Bob Burke, Officer Pat Connelly, Officer Ed Esqueda, Officer Chuck Foote, Officer Donald Hall, Officer Frank Janowicz, Officer Bob Jarvis, Officer Dick McKenna, and Officer John Rockwood.

Special commendation is due the progressive-thinking administrators in the city of Los Angeles for their role in encouraging this event. These include Mayor Thomas Bradley and Chief of Police Edward Davis, as well as members of the Los Angeles Board of Police Commissioners—James G. Fisk, Salvador Montenegro, Robert I. Weil, and Samuel L. Williams.

Backup personnel involved in the project are: Race directors, Chief George Beck, Comdr. Charlie Reese, Capt. Rudy Deleon; communications director, Comr. C. Kirby; public relations directors, Mr. Hal Phillips and Officer Norm Conn; sponsor coordinator, Mr. Bob Hogue; race coordinator, Officer Bob Burke; information coordinator, Officer Dennis Humphry; team captain, Officer Chuck Foote; coach, Officer Pat Connelly; doctor, Sgt. Ron Kiser; mechanic, Sgt. George Dewit; drivers, Lt. Ron Breiter, Sgt. Bob Van Gelder, Sgt. Bill Guiney, Sgt. Ed Brown, Sgt. Elmer Puellegrino, Sgt. Dick Wuerfel, Officer Jerry Lewis, and Officer George Moore.

Many forward thinking, civic minded firms and individuals are assisting in this worthwhile undertaking, the foremost of which is the Juvenile Opportunities Endeavor Foundation, which has lent manpower for a major fundraising campaign to underwrite the costs of the run. With the cooperation of Daylin, Inc., the Beverly Hills, Calif., company out of which grew the JOE Foundation, Amnon Barness, Daylin chairman of the board

has allowed expertise in several areas to become a part of the relay of good will.

Among those who are assisting are Chic Watt, senior group vice president of Daylin; Peter Grant and Ron Rieder, director and associate director of communications for Raylin; Hal Phillips, Daylin public relations consultant, and Ruth Frauman, executive director of JOE, as well as many other Daylin employees and their families. Through JOE, arrangements are being made for youngsters to run with the police officers in certain cities to foster better relations between "kids and cops," the name given this program.

In addition, the following firms and organizations are participating as sponsors: Lawry's Associated Restaurant, Los Angeles Hilton Hotel, Nike Sports Shoes, Southern California March of Dimes, Southern California United Cerebral Palsy, Sports Coach Motor Homes, Investigator Joseph Wambaugh, Western Council of Private Fleet Operators, and World's Wristwrestling Association, Inc.

This run will establish better rapport between our policemen and the people they protect, especially the youth, making people proud of their accomplishments.

I ask every Member of this Congress be present on Friday, May 10, 1974, at 10 a.m. on the steps of the Capitol to show their support and encouragement for these men as they embark on their amazing feat.

I am also asking the Congress of the United States of America to join in paying special tribute to the men of the Los Angeles Police Department and wish them every success in their endeavor.

A SECOND LANGUAGE

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1974

Mr. DERWINSKI. Mr. Speaker, I have consistently supported a bilingual educational program, and have emphasized my belief that Americans tend to disregard the great advantage of possessing a second language.

Therefore, I insert an editorial by radio station WIND, Chicago, Ill., broadcast April 27 and 28, which deals with the frustrations involved with Chicago Spanish community's language barrier:

[Editorial from WIND radio]

A SECOND LANGUAGE

The inability to speak English, in an English-speaking world, is an obstacle to basic survival. Filling out an application form, taking a test, getting a job are all but impossible if you can't speak English.

For thousands of Chicago's Spanish community, the language barrier is a cruel reality. Effective education in the public schools and city colleges has moved slowly to meet the need and even these programs miss the many Spanish-speaking, who are beyond school age, have neither the time nor the wherewithall, or don't know an English program is available.

Even so, there's a time lag and this means that those social agencies that should, and must help those in need, have Spanish-speaking personnel available to answer the phone and meet with people who come in for help. Not only to communicate, but to preserve an individual's dignity.

The attitude that all who cannot speak English are stupid is an arrogant assumption and a truly stupid attitude.

If you've ever been in a situation where English was not the language spoken, you know the humiliation of attempting to communicate with the total vocabulary of a two-year-old. And, you know the feeling of relief when you found a sign printed in English, or someone who spoke English.

The language barrier must not be allowed to keep Chicago's Latino community separated from the rights that are theirs. And all too often, that is the case.

YOUNG PEOPLE TODAY

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1974

Mr. HARRINGTON. Mr. Speaker, a series of interviews with college students in the Boston area appeared in the Globe magazine of May 5. It seems to me that with the passing of large, but nonviolent demonstrations, we too easily lose sight of the hopes, aspirations and ambitions of young Americans. Yet, it is these young men and women who will shape the future of our Nation.

The interviews by Antonio Mendoza, including one with Roann Costin, a constituent of mine and a former intern in my Washington office, give us an all too rare glimpse into what makes many young people tick, and I think they deserve the attention of each of my colleagues.

Therefore, I would like to insert the article in the RECORD at this time.

The text follows:

VIEWPOINT OF THE COLLEGE SENIOR—1974

EIGHT HARVARD STUDENTS TELL HOW THEY FEEL ABOUT THEMSELVES, THE WORLD AND THE FUTURE—AND THERE SEEMS TO BE QUITE A GAP BETWEEN THEIR MOOD AND THAT OF THE 1960'S

(Interviews by Antonio Mendoza)

For some time, I've been baffled by the college student of 1974. From what I read in the media it seems that college students spend all their time in a nook in the stacks, cramming for exams, worrying whether they will get into the law school, business school or medical school of their choice.

When they aren't studying, they spend their time mapping their life for the next 50 years. Or when they want to relax, they are taking ballroom dancing classes at MIT or streaking down the campus. I graduated from college eleven years ago, and although streaking then took place mostly indoors, everything else sounds vaguely familiar. What baffles me is that so much happened in between. Could it be that the 10 years between Selma and McGovern's defeat has left only a dim imprint in the minds of today's graduate? It's not a simple question and I offer no clear answers, but here is what eight students of the Harvard class of 1974 have to say.

Peggy Yanow

"My sister was here two years ahead of me. She was in the middle of the whole anti-war thing. Now you can feel a change in the mood. It's a little frightening. Everyone is a lot more concerned over their careers. Supposedly, a large portion of the incoming classes are pre-med, very more self-centered rather than politically oriented. Our class is sort of in the middle. It's hard to explain. Part of it is the coming down climate, after the strikes, the protests, people are disillusioned.

"We had all these strikes to get things changed, we worked for political candidates that didn't get elected and then Nixon's grotesque victory. A great amount of energy was devoted to political activity here. When that died, the reaction was to go back to work, to your little stack in the library.

"I feel pretty confident about the future, because everything in the past has worked out for me. I don't even have any gripes about being victimized as a woman. Personally, I find it hard to recognize that there even is discrimination. Nothing has stood in my way just because I'm a woman. I wanted to come here, and that was OK. I wanted to work in the Harvard Lampoon, and that was OK. The Lampon had been traditionally an all male organization and sophomore year they opened up to women. I joined and have enjoyed it tremendously. I wanted to get into a good law school and that was OK. So, it's hard to gripe.

"I liked Harvard a lot. I liked living in Lowell House, which was opened to women during my sophomore year. I liked living with men, it was a nice atmosphere. I think attitudes will change when the men and women who are contemporaries are in a position of power. The men, just from having lived with women, not just in Harvard, but in any college . . . I don't see how they could possibly have opinions that women aren't capable. They see women doing exactly what they are doing, and just as well. I think it would be hard for a Harvard graduate to have a Radcliffe secretary."

Phil Gelston

"I'm going to law school next year. I got into the Harvard Law School, I've sent in my deposit which means that I'm definitely committed. After that, I plan to go to New York and practice down there in a Wall Street type practice. I love the city and spend a lot of time there. Life there can be seen as a distortion, but it's a distortion I would like to live. I enjoy that kind of thing, the important thing is not to take anything too seriously. I'm looking forward to the rat race, it sounds kind of funny, but I enjoy pressure. I feel ambitious, I like to push as much as I can, the rat race is one of the pluses of New York for me. I guess I anticipate to do real well, right now I'm confident that I can.

"I'm sort of infamous among my friends as being one who is a little more concerned with money than most. In a way, a great part of that is a put-on. A way of being a character around here is to take an unusual position. On the other hand, I hope to be comfortable, and my idea of comfortable is what a lot of people consider being way above comfortable. I like to think that I want to have enough money so that I could do anything I felt important without having to worry about money, and that includes, say I have kids, sending my children to college etc. Part of it is my wanting to be in New York, which is an expensive place.

"When I came to Harvard, I entertained the idea of being President of the United States, and that idea is gone. It was sort of ridiculous. There was very little happening politically when I got here. Freshman year there was still some anti-Vietnam stuff going on, which I did become involved in, the non-radical anti-war movement. That disappeared during the summer, and was replaced by McGovern. I wasn't wild about him. I considered him to be a lost cause. Instead, I started doing Harvard politics, which is a world unto itself. I still have politics in my blood, but the scale has changed.

But I like the feeling of having influence; power is a dirty word.

"The whole sixties thing I sort of missed. While it was happening, I was going to a public high school in Indianapolis. I remember, as a senior, the Kent State thing happened, and among all my friends, there were only two of us who felt outraged. That's the kind of environment I had.

"In a funny way for me Watergate is more important than the sixties thing. I could visualize myself as perhaps being caught in that situation. Remove the Nixon element and put in a Bobby Kennedy, someone who I did like, and then I might be caught up and suddenly start doing stuff and rationalizing it because the end was so important. I know that won't happen now. I'm going to question things more. It's a warning as to what can happen."

Winifred White

"I went to a white suburban high school in Milwaukee. Coming here, I found people getting all riled up about things that I hadn't even heard of before. I was somewhat aware of black issues, just because I'm black, but it was really interesting to get here. There are a lot of ethnically aware people here. Most of my friends are third world people. We share certain feelings . . . it's easiest to relate to people like me.

"I'm aware of political type problems. I also feel a certain helplessness. When I was a sophomore, the blacks at Harvard took over Massachusetts Hall, and there was a big march about Vietnam. That was the last big demonstration that I took part in. Nothing really was done by the administration, I felt ignored. A lot of my friends feel the same way. Yet I don't think students are less concerned, especially black students, because I know most black students are involved in black affairs in the university or the community. It's done on a smaller scale. A lot of people are working in teaching programs in Roxbury. Also students are more serious about their studies than when I first got here. I don't think it's a matter of wanting to go out and earn money, at least most of my friends aren't concerned with that. It's more a matter of being in a position in the future where you can be effective.

"The women's movement has also been scaled down, but I think that's a good thing. When I first came to Radclife, the women's movement was so high pitched that people were getting excited over things that I thought were sort of trite. Women were throwing their bras into the river and stuff like that. To me that was silly . . . still, there are problems. Sometimes I wonder, what am I doing here. Here are all these Radcliffe women, working their heads off, and they are quite capable, and then you read the magazines about Radcliffe alumnae and you don't really know what a lot of them do when they leave here, you hear about them marrying Harvard men and you never hear about them again. I find that real scary.

Last Saturday I went to the farmworkers dinner. They had movies and I couldn't believe it. It really struck me . . . the kinds of conditions these people were living in. To me it was like slavery. I'm so far removed from that, I couldn't believe it. In my mind this little voice was saying that this couldn't happen. All this is totally illegal, they fought against it in the 60s and 50s and it all should have been taken care of by now. When you live at Harvard you start thinking that all this direct oppression and racism doeosn't exist any more, that it's all more subtle . . . I want to get out and find out just what is going on, because I don't think you can find out here."

Carlos Sandoval

"I feel that I'm caught up between three or four cultures. I'm half Puerto Rican, half Chicano, and I've been raised in the U.S. I'm trying to arrive at some sort of synthesis. I'm trying to decide if I should be involved in the community, and if so, at what level. Whether I have a responsibility to go back to the Chicano community where I was raised or should I act as an individual and do exactly what I want to do and screw everything else. The first year I was here, I came to a politicized campus. The Chicanos that were here were very active and they laid the heavy radical trip on me and I was almost convinced that the revolution was coming and I had to take a stance. I became president of the Harvard Radcliffe Raza, a Chicano organization. Then things calmed down and I took a leave of absence. I pulled out. All my life, since I was 12, I've been pushed as a 'leader,' and I've always felt I had this responsibility. Well, I needed to go away from that. I went to California and bummed around, and basically indulged myself. I came back and now I'm coming out of that.

"One thing that I've decided is that I'm more individually oriented than I thought. That has been part of my acculturation into the Anglo society. I want personal satisfaction and if working with the Spanish community brings me that, then that's fine.

"I've tried here not to make a big deal about the fact that I'm Latino. For me, that's being on the defensive. My experience, at home, has made me Latino enough, there's no way that I can get rid of that, and there's no way that I want to. Whatever I do, I carry that with me. So I try not to think—I'm going to do this because I'm Latino, or I'm going to do this because I'm Anglo. But it's not easy.

"Being at Harvard has been a double-edged sword, it has allowed me to get away from the community, allowed me to develop as an individual the way I want to, and yet it has made me forget a lot of things about my culture. In a sense, I can't go back to the barrio after all this. Right now, I want to get out of here and start working, probably in publishing. I feel a responsibility to start earning money to support my parents, who are getting old. My father works 12 hours a day at hard labor. My mother has always worked over 40 hours a week and taken care of our home. In fact, my mom raised her brothers and sisters, and I don't want to go too much into all that because she's sensitive about her family's history, and then, afterwards, raised my brother and me, and now she is raising her third generation, my brother's daughter. She went through a lot, and I feel more than gratitude. So I realized I've been living under an illusion here. I've begun to take for granted what is actually a luxury. People here are fairly wealthy. They talk about trips to Europe at the drop of a hat, and I had begun to expect that."

Bart Hopkins

"First of all, I've been trying to free myself of the notion of a professional orientation because that is a dead end for me. What I see is, when you're a kid you go to school and you learn that, then you go to Harvard and you learn 'everything,' then you go to law school and you learn that, then you start a practice which builds up, move to suburbia and by the time you're fifty you can play golf three times a week. I don't want that. I see myself as an individual developing continually. In terms of what I'm actually doing, already I'm doing a hodge-podge of things, and I don't think that is actually going to change . . . I did apply to law school and I got accepted. But I turned it down. I guess I did it to please my father. I didn't want it to look to my father that I didn't go to law school because I couldn't. I'm just not ready to map out a life-course.

"My thesis here was on Jamaican revival church music. I went to Jamaica this summer and found myself going to church a lot. All they do in church is music; even when they preach, they do it to rhythm.

"The way I ended up in Jamaica was a coincidence. I met a Jamaican Jesuit priest in Boston last year. He writes church songs and needed a folk guitarist to do some recording. I said OK, thinking that it would be an interesting experience, but I wouldn't get too tied up in it. The net result was that I got totally involved. I did a lot of arranging and recording and ultimately ended in Jamaica and did more recording there.

"My most immediate prospect is to go back to Jamaica and possibly teach school there and do some more music. But I don't envision staying there because I'm American. It takes a lot of energy to be constantly bridging cultural barriers. Then, I don't know. But for some reason, I have this great confidence that I will ultimately do something in my terms; I doubt that I will be illuminating the entire world, but I'm going to make myself a life."

Roann Costin

"I feel confident, excited and ready to get out of Harvard and move to something else. My life here has been a very positive and happy experience for me. Prior to coming here, I felt I had done extremely well academically, but I never felt challenged. Here I didn't have to worry about that. I also learned about my own limitations, and that feels OK. And yet, I feel I've done well academically. In sports, I made the all-American women's swimming team. All that gives me confidence . . . not that everything is going to work out. There's going to be hurt and pain, but I feel I will make it through. That's one thing that a long distance swimmer learns. Win or lose, you have to persevere and you are going to make it through.

"I think that the athletic woman is something that is new and revolutionary and people don't really know how to react to it. When a man does sports, there's this stereotype that people have, big, brawny and brainless, and here I am standing 5–3 and 115 pounds and a Cliffy, and I don't feel that stereotype. People want to know—are you a jock, or an intellectual, and is it possible that you can be both and still be a woman? The thing is, women in athletics are challenging one of the more traditional male roles, and they don't know how to react . . . I don't see myself as a standard-bearer for the woman's cause, but I want a full, deep, meaningful life and if traditional male roles hinder me in reaching that goal, then I will be confronting men.

"Politically, I'm in a way inactive. I see myself, and my class in general, as aware of what goes on politically. Rather than attempt to bring some kind of solution we sit and criticize and remain passive. I think that instead we have turned to individual development and concern for our own being. I guess they say that this is an academically oriented class, that all we do is study. But I think people are very aware. We won't be marchers and demonstrators but maybe this kind of individual development will bring some kind of solution."

Paul Rutecki

"I'm going to medical school. Yet I don't plan to be your typical doctor with all the values that the medical profession seems to hold. I'm a little bit weary of falling into the system. Right now, though, I plan to finish medical school, then settle someplace in a small town . . . get married. I don't like big cities too much . . . you always have to deal with what I call the system. You have judgments from your peers coming at you from every direction, and in a way, it leads one towards conformity. In a small town I feel I'll have more personal freedom and people might accept me more for who I am. Having less people available in a small town won't be a handicap. I don't set values on people. People interest me enough and you have the capacity to know only so many peo-

ple at one time anyhow. Suburbs don't interest me a bit. My mother calls them ghettos, and I agree.

"I think I'm going to like medicine, but I'm going to have to be very careful about what I see in the medical profession. I sort of think of myself as a radical and a nonconformist. I guess I'm going to be conforming somewhat by just becoming a doctor, but I don't want to conform any more than I have to. I'm not too worried about the future. A number of people have told me that I'm overconfident about the future. Who knows, they might be right. I'm only afraid of going to medical school and changing my mind about all the idealistic notions that I have. But I don't think so."

Fran Schumer

"I've spent most of my time here working on the Harvard Crimson. I've been the supplement editor this year. I'm interested in being a journalist . . . I feel a conflict when I have to decide what to do when I graduate. I'm a social studies major and mostly I have been studying American society from a radical perspective. I would like to continue to learn without going to graduate school. If there is a newspaper that reported truly meaningful news rather than news that sells newspapers, then I probably would want to work for it. Something like I. F. Stone's Weekly. But there aren't many papers around like that. So I might have to settle for something more conventional. And besides, I come from what you might call a lower middle class family. It's important for me to have the kind of money that you can do things with. I like taking vacations, seeing good movies, drinking good wine, and anything that is sort of expensive, and that becomes a factor in what I do. I want a job that allows me to do these things. It's a problem. I've spent four years here, writing in the Crimson about how we should have a socialist democracy . . . writing for an audience that is not like the mass audience out there, and it's hard, you almost feel like an elitist . . . you tell people, no, you shouldn't be interested in last night's murder, or what is happening to the Republican Party, but you should be interested in what is happening in Chile. I guess some newspapers are better than others, but usually you have to take a job wherever you can get one.

"To your question of settling down sometime and if I'm going to raise a family, well, I sort of push that into the background. On the other hand, I come from a background where the best thing a woman can do is have a career and get married. I kind of respect that but I don't see it happening for a while. It's not easy, it's not easy going home and having a grandmother say I just want to see you as a bride before I die. I guess when you are a journalist you have to be willing to move a lot, to take risks. I worry about it. When I came here, I thought I had it made. But it turned out to be a pretty bad experience, so I don't know how things in the future will turn out. Even here at Harvard so few people go out and get jobs when they graduate, they keep studying. I understand why people here do that, but it makes it harder when you don't. I guess you can say I'm somewhat scared."

11500 BANANAS ON PIKE'S PEAK

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1974

Mr. HOSMER. Mr. Speaker, according to H.R. 11500 if you are a coal mine operator you are no good and must be discriminated against.

This inane bill would establish such stringent restrictions on mine operators that it would be almost impossible to surface mine for coal without returning the mined land to its approximate original contour, no matter how nutty or expensive that would be.

Yet, at the same time, the bill authorizes the Secretary of Agriculture to pay an 80 percent subsidy to landowners who are not coal operators to reclaim abandoned lands in accordance with sound soil conservation practices. That is, for some odd reason, he can reclaim 30 acres, no more. It makes a fellow wonder what is magic about 30 acres. If it is a good idea for that many, why not for all the mined land the farmer owns? And coal operators, too?

But mind you, if a coal operator owns the land, he cannot reclaim the land in accordance with good soil practices at all. He has to put it back to its original contour, no matter how wretched nature herself had contoured the land before mining began.

All that leads me to believe any bill like H.R. 11500 which imposes such erratic requirements must be irrational. In fact, H.R. 11500 makes as much sense as trying to grow bananas on Pike's Peak. It ought to be buried and a decent bill substituted, one which respects both the Nation's environmental values and its energy needs.

MICHIGAN MEMBERS OF THE NATIONAL EDUCATION ASSOCIATION OPPOSE NATIONAL POSITION IN FAVOR OF FORCED BUSING

HON. ROBERT J. HUBER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1974

Mr. HUBER. Mr. Speaker, some months ago, when I learned that the National Education Association here in Washington had joined in an amicus curiae brief with the NAACP in favor of busing for our Detroit area schoolchildren, I publicly asked the question as to whether the membership of the Michigan Education Association had been asked their opinion. Judging by the fumbling and stumbling that took place, following my announcement, the membership had not been polled.

In substantiation of my point, I recently received petitions bearing the names of 230 persons in or near my congressional district which stated the following:

We, the undersigned National Education Association members, are opposed to the National Education Association supporting the National Association for the Advancement of Colored People position favoring the Detroit cross-district busing desegregation case. We have never been given the opportunity to vote on this issue.

I salute these members of the NEA who were willing to sign and send me this petition. This proves to me once again that whether it is a big educational lobby, or big government, the views of the rank and file are usually not asked for, let alone considered.

MR. SAM SIEGAL

HON. ED JONES

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1974

Mr. JONES of Tennessee. Mr. Speaker, I would like to take the opportunity today, to honor Mr. Sam Siegal, of Bruceton, Tenn. Sam is past president of H.I.S. and has been mayor of Bruceton for 18 years. I have known Sam for several years and have the utmost respect for him as a man and as a civic leader and humanitarian.

Following is the text of an article on Sam Siegal which appeared in the Jackson, Tenn., Sun on Sunday, May 5:

SAM SIEGAL: A HAND, EXTENDED

(By Ellen Dahnke)

BRUCETON.—Talk to anyone in Carroll County or even surrounding areas about a civic campaign, crusade or promotion and it's likely that at least one name will emerge as a major participant—Sam Siegal.

While consumers coast-to-coast are familiar with the Henry I. Siegal Corporation (H.I.S.) brand name on slacks and shirts, the senior vice-president has managed to stamp his own unique brand on myriad projects in the community and state.

If local residents refer to him as "Sam" it is not out of disrespect, but indicates the kind of rapport Siegel has established with his neighbors.

Mayor of Bruceton for 18 years and one-time president of H.I.S., the Polish-born Siegel has run the gamut from his beginnings as an assistant plant manager in the Dickson plant to making specially ordered shirts for a President of the United States.

As he traces his diverse accomplishments in an interview in his home here, Siegel recalls laughingly that when brother, Henry, first sent him to Dickson in 1936, "I didn't think I wanted to stay."

Siegel had only been in the United States one year, working in an H.I.S. plant in Scranton, Pa., when his brother sent him to Dickson as an assistant plant manager.

"You can imagine. I came from New York to Dickson," Siegel recalled in his still-thick accent. "I thought I was in the wilderness."

"People didn't understand me—they still don't," he laughed, "and I didn't understand them."

"I wanted to go home."

However, he recollects, his sister prevailed upon him to stay and buy a car.

"I was determined to leave and had already started packing," Siegel remarked. "She got after me and told me to get a car and go out and have some fun."

Siegel bought the car—"a beautiful Hudson, it had everything"—and he stayed in Dickson—at least four years.

In 1940, Siegel was transferred to Bruceton where he became plant manager. He has not left yet, and, even though he does not intend to seek another term as mayor in August, he plans to stay.

He became president of H.I.S. in 1945 and held that position until about 1949 when the company went public.

"When my brother died, my family thought that perhaps it would be best to go to New York and help out with the business. He recalled. "I asked my wife what she wanted to do and she left it to me to decide. I decided to stay."

Siegel traces his success, both in business and privately, to "staying close to people. Helping them out when they need it."

One of his memorable experiences grew out of a request from President Lydon Johnson to the late Gov. Buford Ellington—a

request that spawned a friendship Siegel is particularly proud of.

President Johnson, Siegel observed, "had an unusually large neck, size 22 inches."

His friendship with the late President began when Johnson admired a shirt worn by Ellington at a White House meeting.

Ellington called Siegel and told him the President wanted "three or four dozen shirts." Siegel filled the order and was invited on several occasions to the White House for dinner—once with the prime minister of Israel.

A picture of the Siegels with the late President hangs on a wall of his den. Fittingly enough, they are standing in front of a portrait of fellow Tennessean, Andrew Jackson.

Siegel's friendship with Johnson continued through the years and, at least, on one occasion caused a flurry of excitement in the Siegel home one Christmas morning.

Siegel recalled that his daughter answered the telephone that morning and started screaming excitedly, "Daddy, Daddy, It's the President of the United States!"

Siegel calmly took the phone and Johnson asked him where a promised package of shirts was. As it turned out, Siegel remembered, Johnson's secretary forgot to deliver the package to her boss.

On a more somber note, Siegel recalls that President Johnson called him "about two weeks before he died."

"He said we were getting older and why wouldn't we come to his place in Texas, and ride and enjoy ourselves," Siegel says. "I was sick myself at the time and I'll always regret that we didn't get to see him again."

Siegel, himself, is something of a legend in his part of the country. Almost from the first, Carroll Countians recognized Siegel as a man who gets things done. He, however, contends, "I just don't know how to say no."

"First they asked me to take over the Red Cross drive," Siegel recalled. "Without really knowing it, I was getting involved."

The still-buoyant Siegel, despite his 60-odd years and some health problems, remembers proudly that the group raised over $600 "more than anyone had ever raised in this part of the country."

From then on, Siegel was asked to help with just about every charitable organization on fund-raising drives. In addition, Siegel has offered his home to honor everyone from the youths at Sheriff's Youth Town in Jackson to the winning Trezevant basketball team.

Siegel has participated in rejuvenating the Democratic Party in the county, sponsoring several dinners and meetings to spark interest in the party and promote activity.

On another occasion, Siegel thought the Bruceton high school football team deserved some support in a post-season game with a Memphis team in Jackson. Not to be stopped by a mere problem with transporting local fans, the innovative Siegel, arranged for a train to take "anyone who wanted to go" over to Jackson.

"We had thousands," he recalled. "People from Camden, Huntingdon, McKenzie and Bruceton—we took everyone."

"It was wonderful," but he adds ruefully, "we were beaten terribly."

In 1956, he was elected mayor of Bruceton—a post he still retains after 18 years, although he reminds that he won one time by only 13 votes.

Even as he approaches the end of his last term as mayor, Siegel isn't slowing down. His current project is aimed at constructing a recreational facility for the some 900 school children in the Hollow Rock-Bruceton school system.

Siegel hopes to persuade parents of school children to donate money for the construction of the badly needed facility. Already, he has started a personal door-to-door campaign, trying to raise the estimated $40,000 to construct a baseball field, swimming pool and tennis courts.

GOVERNMENT SPENDING: WHERE DOES YOUR TAX DOLLAR GO?

HON. WAYNE OWENS

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1974

Mr. OWENS. Mr. Speaker, in the past 7 years, we have endured a rise in inflation of 43 percent. Inflation is currently increasing at an annual rate of 10 to 16 percent, depending on which index one uses. The time is long overdue for the Federal Government to deal with the causes of inflation and not rely solely on intermittent price controls to curb rising prices.

Excessive Government spending is frequently blamed for high prices and vanishing purchasing power. The relationship between a succession of budget deficits and rising inflation is an indisputable fact. And $300 billion budget proposals raise the central question: Where is all that money going? Last month when American taxpayers were working frantically to complete their income tax forms, most could feel assured that their money is going to pay for activities which are at least hypothetically justified as being in the public interest.

With outlays approaching $300 billion, one can expect a minimal amount of waste and duplication. But some examples of Government spending seem implausible. Let us take a look at where some of your tax dollars have gone in the last few years:

WHERE YOUR TAX DOLLARS WENT

$70,000 went to study the perspiration given off by the Australian aborigines.

Some money could possibly been saved on the aborigine project if only the State Department had prevailed upon Turkey to lend the Australians the odor measuring machine we purchased for them for $28,361.

$250,000 a year to maintain 13 government members of the Interdepartmental Screw Thread Committee.

$35,000 in two years produced two Defense Department films showing military people how to brush their teeth.

$80,000 for design and $230,000 for "environmental testing" of a prototype zero gravity toilet that the National Aeronautics and Space Administration is building.

$660,000 to construct the Hockey Hall of Fame.

The Navy spent $375,000 to find out if Frisbees can be used to carry flares over battlefields. Unfortunately, they can't.

$19,300 study commissioned by the Department of Health, Education, and Welfare to find out why children fall off tricycles.

Storage costs of $59,000 per year to maintain 1500 tons of feathers in the government stockpile program.

$35,000 for one year of chasing wild boars in Pakistan.

$50,000 to study the lifeviews of the Gaujiro Indians in Colombia.

$117,250 a year for the Board of Tea Tasters. This doesn't count the extra sipping done by the Board of Tea Appeals.

The Queen of England received $68,000 for not planting cotton on her plantation in Mississippi. The Ford Motor Company got only $14,000 for not planting wheat and Libby-McNeil received $19,000 for growing no cotton.

Yugoslavia's Marshal Tito garnered $2 million to purchase a luxury yacht.

$6,000 went to study Polish bisexual frogs.

$85,000 was consumed learning about the "Cultural, Economic, and Social Input of Rural Road Construction in Poland.

$20,000 to study the blood groups of Polish Ziotnika pigs.

$5,000 to collect rare moss in Burma, and another $8,000 to track down specimens of a certain Burmese ant.

$15,000 to find Yugoslavian lizards, and $5,000 to learn all about Yugoslavian Intertidal Hermit Crabs.

$121,000 to find out why people say "ain't."

$71,000 to compile a history of comic books.

$5,000 for an analysis of violin varnish.

Los Angeles received $203,979 to extend travelers' aid to migrants lost on the freeway.

$5,000 to a scholar who labored to write the poem "Lighght." That's not the title—that's the poem.

Experts investigating the construction of the C–5A cargo plane found proof of the Defense Department paying $111 for a pin. Overall construction was so inefficient that if your family car were built on the same methods with similarly inflated labor costs, it would have to be priced at $100,000.

The bureaucrats who devise these important projects need a rest now and then. The Alaskan Chateau in Anchorage is maintained for their exclusive use (provided they make $20,000 or more or are members of the military above the rank of major). For $3 a day, these public servants can unwind in steam rooms, sauna, sun rooms, massage rooms, a gym, and a cocktail lounge. The bill for salaries alone at the Alaskan Chateau totals more than $100,000 per year.

Mr. Speaker, I am not claiming that all of these expenditures were completely unjustified. What I am trying to say is that both the Congress and the executive branch must scrutinize much more critically the outlays of public moneys.

Both the House and Senate have passed the Budget and Impoundment Control Act of 1974 in order to provide effective congressional review of budget proposals. The bill would establish budget committees in each House to oversee the entire budget-economic picture. It would provide for the setting of targets for total expenditures. Congress would be able to determine whether a budget surplus or deficit would be warranted in light of the economic situation. Congress could formulate a comprehensive legislative budget whose priorities could be compared with those of the President's budget. Finally, every Federal program would have to justify its very existence in light of the need to reduce Government waste and duplication. This measure will hopefully be ready for the President's signature this summer. Nothing demonstrates the need for this historic budget reform legislation more than the foregoing list of questionable Government expenditures.

METRIC CONVERSION AND SMALL BUSINESS

HON. WILLIAM LEHMAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1974

Mr. LEHMAN. Mr. Speaker, today I voted against H.R. 11035, the National Metric Conversion Act, despite the fact

that I believe that the United States must proceed with conversion.

My objection to the bill centered on the manner in which the bill was considered, which did not permit any amendments to be offered to assist small businesses with meeting the extra costs associated with the retraining of employees in the metric system, and the expenses of those employees who would have to provide their own metric tools and equipment.

I had hoped that the committee would include in its bill the recommendations of the Small Business Committee that financial and technical assistance be provided for small firms. As these recommendations were not incorporated in the bill before the House today, I could not support it.

FIFTY-FOUR YEARS OF SERVICE TO EDUCATION

HON. ALAN STEELMAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1974

Mr. STEELMAN. Mr. Speaker, Mrs. Bonnie L. Gentry, principal of the Ben F. Tisinger Elementary School in Mesquite, Tex., is retiring this month from an active role in education after 54 years of continuous service as both teacher and principal in the public schools of Texas.

Mrs. Gentry's dedication to children and young people has been quite evident since her career began in 1920 at Prairie View, Rockwall County, in a two-teacher school. From there she went to Nadine, a one-teacher school in Rockwall County. Then she taught at Caddo Mills Elementary and Royse City Elementary. Mrs. Gentry then went back to Caddo Mills as principal of the high school. She came to the Mesquite Independent School District in 1951. Ben F. Tisinger Elementary in the Northridge area opened in 1957 and Mrs. Gentry became the first principal.

Mrs. Gentry is past president of the Dallas County Elementary Teachers Association, past president of the Mesquite Teachers Association, and past president of the American Association of University Women—Mesquite Branch. She has served as secretary of the Mesquite Council of Women's Clubs; as parliamentarian. Mesquite City Council of Parent-Teachers Associations; and is a member of Delta Kappa Gamma—Epsilon Chapter—Society.

Other organizations that Mrs. Gentry has been active in include: Grand Chapter of Texas, National Education Association, Texas State Teachers' Association, Mesquite City Council of Parent-Teacher Associations, Ben F. Tisinger PTA Executive Board and Association, American Association of University Women, Order of the Eastern Star—Caddo Mills Chapter, and Mesquite Chamber of Commerce. Mrs. Gentry has been awarded both an honorary life membership in the Texas Congress of Parents and Teachers Association and an honorary life membership in the National Congress of Parents and Teachers Association, the highest honor given in the PTA.

Church, community, and family activities have always been important to Mrs. Gentry. She and her husband, Clarence, a retired farmer, are long time residents of Royse City, Tex. They are both active members of the First Christian Church in Royse City where she has taught an adult Sunday school class for over 25 years.

We, as members of the Texas delegation, are proud of Mrs. Gentry, of what she has accomplished and of her dedication to excellence in education. We are delighted to have this opportunity to pay tribute to her.

A list of the Texas congressional delegation follows:

John G. Tower, U.S. Senator.

Wright Patman, Member of Congress, First District.

Charles Wilson, Member of Congress, Second District.

Lloyd M. Bentsen, U.S. Senator.

James M. Collins, Member of Congress, Third District.

Ray Roberts, Member of Congress, Fourth District.

Alan Steelman, Member of Congress, Fifth District.

Olin E. Teague, Member of Congress, Sixth District.

Bill Archer, Member of Congress, Seventh District.

Bob Eckhardt, Member of Congress, Eighth District.

Jack Brooks, Member of Congress, Ninth District.

J. J. (Jake) Pickle, Member of Congress, 10th District.

W. R. Poage, Member of Congress, 11th District.

James C. Wright, Jr., Member of Congress, 12th District.

Robert D. Price, Member of Congress, 13th District.

John Young, Member of Congress, 14th District.

E. (Kika) de la Garza, Member of Congress, 15th District.

Richard C. White, Member of Congress, 16th District.

Omar Burleson, Member of Congress, 17th District.

Barbara Jordan, Member of Congress, 18th District.

George H. Mahon, Member of Congress, 19th District.

Henry B. Gonzalez, Member of Congress, 20th District.

O. Clark, Fisher, Member of Congress, 21st District.

Bob Casey, Member of Congress, 22nd District.

Abraham Kazen, Jr., Member of Congress, 23d District.

Dale Milford, Member of Congress, 24th District.

MISS HOPE OF NEW YORK STATE—RITA A. RYBARCZYK

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1974

Mr. KEMP. Mr. Speaker, Miss Rita A. Rybarczyk, R.N., Erie County's Miss Hope 1974 has been named Miss Hope of New York State by the American Cancer Society.

Miss Rybarczyk, a pretty, 24-year-old graduate of Canisius College, and the Sisters Charity Hospital School of Nursing in Buffalo, is presently specializing in cancer related nursing at Strong Memorial Hospital.

Rita will be the official representative of the society, symbolizing progress in care and treatment to cancer patients through research, education, and service.

The rampant, treacherous effects of cancer will touch almost every family in the United States. Cancer research and the implementation of that research have made great strides in controlling and removing malignancies from victims of cancer, but the nature of the disease—its many forms, and deceptive causes—have made it by far the most dreaded cause of illness and death in this country.

Rita and the American Cancer Society are the symbols of hope for hundreds of thousands of Americans that cures will be found—perhaps in our lifetime—to free us from the tragedies of cancer.

I salute Miss Rybarczyk, and the many other medical professionals and paraprofessionals, and the society itself, for their outstanding dedication to finding a cure for cancer, and to easing the suffering of victims whose only true hope rests with them.

NATIONAL CONFERENCE ON NATIONAL HEALTH INSURANCE AND PRIVATE PHILANTHROPY

HON. WILLIAM R. ROY

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1974

Mr. ROY. Mr. Speaker, private philanthropy has been a major support of our health care facilities in the past. Not only has private philanthropy reduced the Federal and State costs of health facilities and programs, but also it has provided the opportunity for the cooperation of interested community citizens with the health facilities which deliver care to them. As a physician, I am well aware of the contribution made by concerned philanthropists, of all economic levels. It would be very unfortunate if any law we write would slow down, or prevent entirely, this excellent source of voluntary action from continuing.

That is why I find myself interested in the upcoming National Conference on National Health Insurance and Private Philanthropy, sponsored by the National Association for Hospital Development, in Washington on June 19, at the Quality Motor Inn on Capitol Hill. The major question of the conference will be: "Will your hospital's private philanthropy program die out because of National Health Insurance?" As the cochairmen of the conference point out, their discussions with congressmen and staff indicate that little serious thought has been given to this question.

So that my colleagues may have the opportunity to think about this matter, I introduce into the RECORD at this point the letter of invitation that has been mailed by the cochairmen to hospital administrators, foundation leaders, and hospital development officers all across the country:

THE NATIONAL ASSOCIATION
FOR HOSPITAL DEVELOPMENT,

JACK HERMAN,
Regional Vice President,
New York-New Jersey Region:

DEAR FRIEND: Will your hospital's private philanthropy program die out because of National Health Insurance?

It is clear that hospital finances already have been affected profoundly by Medicare, Medicaid, and the recent cost control program of the Federal government. The prospect is for much more of the same with National Health Insurance, which is only months away.

Your hospital's continued development depends upon private giving. Yet, are you aware that there is no mechanism in any of the proposed National Health Insurance bills to provide for the continuation of private giving? Indeed, our personal conversations with congressmen and their staffs indicate that almost no thought has been given to this vital matter.

Certainly all Senators and Representatives should be aware of the need to continue this kind of philanthropy. As community leaders, they should know that as NHI standardizes costs, delivery of care, and financing, private philanthropy may well die out, and with it will go much of the community interest and pluralism so necessary for creative health institutions. Further, they should know that the total cost of health care to the Federal government would be reduced by legislated encouragement of giving.

We invite you to attend our conference, at which we intend to probe this matter deeply with Congressional and Administration leaders and their staffs, as well as other health public policy experts. We intend to bring the results of this conference directly to the Congress so that its members may know the depth of the problem and our concern.

We don't have much time to develop this issue, and we need all the insights and viewpoints we can get. Join us.

Sincerely,

I. BREWSTER TERRY,
Regional Vice President,
Mid-Atlantic Region.

VETERANS AND SURVIVORS' COMPENSATION INCREASES

HON. WAYNE OWENS

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1974

Mr. OWENS. Mr. Speaker, spiraling inflation and continuous increases in the cost of living have had a disastrous effect on those living on a low, fixed income. Among those hardest hit are the more than 2 million veterans and their families who rely for their survival in whole or in part on VA compensation checks.

I was pleased, therefore, to join with my colleagues today in voting to unanimously accept H.R. 14117, the veterans and survivors' compensation increases. This legislation is designed to provide much-needed increases in the amount of compensation payments to veterans with a service-connected disability or to surviving dependents of veterans who have died from such a disability.

The Senate has already passed a similar bill. I urge the conferees on this legislation to move with dispatch, to enable speedy final consideration of this most needed measure.

MATTER OF IMPEACHMENT

HON. WILLIAM L. HUNGATE

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1974

Mr. HUNGATE. Mr. Speaker, at a time when the House is considering the serious constitutional matter of impeachment, I believe the following article may be helpful:

EXECUTIVE IMPEACHMENT: STEALING FIRE FROM THE GODS

(By Timothy Walthall)

INTRODUCTION

Impeachment is something of an enigma to most people. To the uninitiated, it often appears as some sort of constitutionally authorized congressional witch-hunt, wherein a vindictive legislature takes its revenge upon the hapless officer. Legal practitioners are piqued that commonly accepted legal precepts do not apply to this curious form of "legislative justice."

The law of impeachment is unique in American jurisprudence as perhaps the only area in the formulation of which the judiciary takes no part. There has been no legislation to fill out the frail constitutional framework left by the founders. Prior impeachments are of diminished importance because of the way that they have been resolved and by the fact that they are not binding upon the men who make the law. There is no federal commonlaw or case law and no judicial opinions as such to rely on. There is only the mystical *lex Parliamentaria* to guide the disposition of impeachments.

Only slightly less misunderstood than impeachment itself is the single instance of presidential impeachment we have had: the Johnson impeachment.

Due to a resurgent interest in the topic, and the great questions it raises, a fresh look at this inveterate mechanism of executive removal is appropriate. In particular, just what does the House of Representatives, and ultimately the Senate, consider when they decide whether or not to remove one or both of our governments highest magistrates? What must a man do to warrant his impeachment? Are the lawmakers ever under any duty to impeach? Should they be? What (if any) alternatives are available and desirable to impeachment as a process of removing the Chief Executive?

Finally I should point out that I have tried as much as possible to limit the scope of my comments to executive impeachments. The subject is of particular interest at this time and judicial impeachment is an area well-covered in the literature. Though there is a great deal of overlap, the two areas involve somewhat different policy considerations and therefore deserve separate treatment.

THE ENGLISH BACKGROUND

Impeachment as used in the Constitution is a generic term applied to a proceeding by the legislature to remove a civil officer of the United States from his office upon charges. Technically, the word impeachment applies only to the initial accusation made by the House of Representatives. The actual removal cannot be accomplished until the accused is tried by the Senate upon the charges preferred by the House. In order to better understand impeachment in the United States resort must be taken to its origin and use in England.

Impeachment as a legal entity emerged in England during the heroic struggle between King and Parliament sometime in the mid-fourteenth century. Since time immemorial English monarchs had been accruing an awesome reserve of power, until it had bordered upon the absolute. When Parliament took to reversing this tradition, to transferring some of the sovereign power to themselves, the members developed the process of impeachment.

But impeachment was not aimed at the king himself. In that day, no member of Parliament would have dared to suggest that the king was not above the law. What was attacked was the concept that his royal ministers were likewise immune. Parliament claimed the right to remove and punish the king's ministers who would overawe and were therefore beyond the reach of the common law courts. Impeachment would be their means. As Edmund Burke put it: "It is by this tribunal that statesmen who abuse their power are tried before statesmen and by statesmen, upon solid principles of state morality."

So it was that impeachment, like its kindred Attainder (or the Bill of Pains and Penalties) and Address to the King was a device, a "political weapon" really, fashioned by Parliament to curb the immense power of the king by controlling his appointees. To be sure, in its early uses, impeachment was a blunt instrument. The members did not limit their power to the king's minions; impeachment was, in theory at least, applicable to all subjects of the king, lest a wily Tudor circumvent Parliament's authority by employing "non-officials" to implement his policies. Then, too, impeachment had a much greater deterrent effect: punishment upon conviction knew no bounds and occasionally included death.

Most important, Parliament declined specific identification of what would constitute an impeachable offense. This again to avoid being outflanked by their resourceful sovereign. Instead, it was left to be defined by the course of the *lex parliamentaria*, that law which Parliament made up to suit the needs of the case before it. As a matter of practice, articles of impeachment usually included a recitation that the accused stood impeached for "high crimes and misdemeanors" which one author has described as "general official misconduct" and has included everything from high treason to rendering an unconstitutional opinion to giving "bad advice" to the king.

One point, however, becomes clear upon examination of the impeachments entertained by the House of Lords: impeachment would lie for conduct which could not be considered criminal at common law. In English practice before 1737, "the greatest possible variety of offenses, not indictable, were nevertheles held proper causes for impeachment." The phrase "high Crimes and Misdemeanors" was, as Brown puts it, "* * * a generalization as broad as the mischief against which the process of impeachment guards." For the evils are too insidious and the political craft too elusive to predetermine what would be impeachable. An examination of some of the English articles of impeachment exhibited by the House of Commons will bear out this contention.

In 1450, the Duke of Suffolk was impeached for "procuring offices for persons who were unfit and unworthy of them" and for interfering with justice by stopping writs of appeals in criminal prosecutions. The Duke admitted some of the articles, denied others and threw himself upon the mercy of the king. The House of Commons called it treason, but the king would not acquiesce in this. Instead he banished the Duke from the kingdom for five years for what he considered misdemeanors.

Article I exhibited against Attorney General Yelverton in 1621 accused him of jailing persons "refusing to enter into bonds to restrain their own trades" before he had authority to require the bonds. He was, in short, enforcing laws of his own making. This is arguably criminal. But Article VI charged that he had commenced suits, and failed to

prosecute them. To be sure, the Attorney General was either harassing his foes or neglecting to prosecute his friends to the extent that it merited the attention of Parliament. Yelverton was fined and imprisoned in the Tower at the King's pleasure.

The infamous Duke of Buckingham was impeached on a variety of offenses in 1626 including attempting to convert the king of England (then Prince of Wales) to Catholicism by various devices; failure to guard the high seas as the great admiral of the United Kingdom; and procuring offices and honors for himself and his relatives, thereby preventing the deserving from so doing.

Chief Justice Scroggs was accused in 1680 of having discharged a grand jury before it made its presentments, and of having arbitrarily granted general warrants in blank. These articles, like the others set out above, charged abuses of discretionary power, but were certainly not crimes as we know them.

Raoul Berger has organized the English impeachment charges into five inclusive categories: (1) misapplication of funds; (2) abuse of official discretion; (3) neglect of duty; (4) encroachments on and contempts of Parliamentary prerogative; and (5) charges groups under the general rubric of corruption. Classes (2) through (4) of these predominantly non-criminal in nature, while groups (1) and (5), though more often criminal, need not be.

Vinerian Lecturer Richard Wooddeson's appraisal of impeachable offenses does not conflict with Berger's. Though Wooddeson characterizes impeachments as criminal prosecutions, the offenses he then describes could not have been indictable at common law. Thus, he declares:

". . . if a lord chancellor be guilty of acting grossly contrary to the duty of his office, if the judges mislead their sovereign by unconstitutional opinion, if any magistrate attempt to subvert the fundamental laws, or introduce arbitrary power . . . where a lord chancellor has been thought to have put the seal to any ignominious treaty, a lord admiral to neglect the safeguard of the sea, an ambassador to betray his trust, a privy counsellor to propound or support pernicious or dishonarable measures, or a confidential advisor of the sovereign to obtain exorbitant grant or incompatible employment; these imputations have properly occasioned impeachments; because it is apparent how little the ordinary tribunals are calculated to take cognizance of such offenses or to investigate and to reform the general policy of the state."

This last remark points to the crucial distinction between the law of parliamentary impeachments and the common law. The common law protected the king's peace against disturbances arising from disputes between individual citizens. The role of the commonlaw courts was mainly passive. They were not meant to set or direct national policies. This has always been a function of the legislature and the executive in a republic.

The High Court of Impeachment played a very different role. Its very purpose, as related above, was to regulate the policies of the state; it passed judgment upon the highest ministers of the state. Needless to say, the standards by which public officers, who formulate and administer governmental polices, are judged will be different from those used for private citizens. When a commoner is negligent, only his victim suffers the consequences; when the lord high admiral neglects to safeguard the sea, the very existence of the nation is at stake.

If Parliament hoped to effectively influence governmental policy, it must in some way control those who would implement it. As other means were restricted at that time, this was left in large part to impeachment. It acted as the means by which Parliament could monitor the affairs of state. As such, though judicial in form, impeachment was essentially a legislative process. English impeachments were then more legislative than adjudicatory. They put Parliament's stamp of disapproval upon certain state policies by removing their principal adherents.

But the animus of legislation is politics. Therefore, to say that impeachments are legislative is also to say that they are *political* in nature. This fact, coupled with unlimited jurisdiction and punishment, at times produced untoward results in English impeachments.

CONSTITUTIONAL PROVISIONS

Six disjointed references in the constitution set out the rudiments of the law of impeachment in the United States. The first two confer exclusive jurisidiction upon Congress to prosecute and try impeachments. Article I, sec. 2, cl. 5 reads:

"The House of Representatives . . . shall have the sole power of impeachment."

This is the power to accuse only. Article II, sec. 3, cl. 6 completes the delegation of power:

"The Senate shall have the sole power to try all impeachments. . . ."

This clause also outlines the essential elements of procedure to be observed in impeachments:

"When sitting for that purpose, they shall be on oath or Affirmation. When the President of the United States is tried, the Chief Justice shall preside: And no person shall be convicted without the concurrence of two thirds of members present."

This last proviso was included, we are told, to "break the force of faction," to insure that the head of state is not carried away by partisan whim. Yet a two thirds consensus puts a heavy burden on the prosecution which is justified only when weighed against the gravity of Presidential removal.

But this provision alone cannot prevent a pretext removal of the President. It can only require that the faction reach two thirds of the Senate before proceeding. More likely is the danger that a President's abuses will be continued through the obstinance of a partisan *minority* in the Senate. One should also keep in mind that, in the end, impartiality depends upon the fair judgment and good conscience of the Senators. And this, in turn, can be assured only by good sense and a sober choice by the voters.

Mindful of the excesses under English practice, the framers carefully provided that:

"Judgment in cases of Impeachment shall not extend further than to removal from office, and disqualification to hold and enjoy any office of Honor Trust or Profit under the United States; but the party convicted shall nevertheless be liable and subject to indictment, trial, judgment and punishment, according to law."

Two other clauses make reference to impeachment only to remove doubt concerning its effect on other provisions of the Constitution. Article II, sec. 2 excludes impeachment from the domain of Presidential pardons. This is to prevent the undoing of Congress' work by executive fiat and to avoid the anomaly of putting the President in a postion to pardon himself. The other provision (Art. III, sec. 2, cl. 5) exempts impeachments from the rule of jury trial in criminal cases.

The essence of the impeachment power is contained in Article II, sec. 4:

"The President, Vice President, and all Civil Officers of the United States, shall be removed from office on impeachment for and conviction of Treason, Bribery, or other high Crimes and Misdemeanors."

This is the removal clause. It prescribes who may be impeached: basically all *civil officers* up to and including the President. Thus, it does not include military officers, who are not civil servants, but who are removable by the President. To provide otherwise would certainly impinge upon the President's prerogatives as commander-in-chief. Also not included are federal *employees*, who are dismissable for cause by their superiors. Clearly the impeachment mechanism was aimed at a relatively small, manageable group of semi-autonomous administrators: federal judges, cabinet officers, the Vice-President, and of course the Chief Magistrate.

It differs markedly from the English model by limiting the impeachable class to *political* office-holders. This, coupled with restrictions upon the legislature's power to punish, underscore the Framers' recognition of impeachment as a political exercise, quasi-judicial in its procedure only.

Yet it is not who may be impeached, but what for, that gives the legislators headaches. The Constitution limits the offenses to "Treason and Bribery or other high Crimes and Misdemeanors." Treason and bribery are clear enough at law. The latter is of ancient significance and avails itself easily enough to statutory definition; treason is defined in the Constitution. Discernment of the content of the phrase "high Crimes and Misdemeanors" determines the scope of the impeachment power.

THE STANDARD OF IMPEACHABILITY

The intended scope of this "delphic" phrase of the Constitution has been the focal point of controversy since the earliest of American impeachments. The question to be resolved is whether the term was intended to include misbehavior not made criminal by statute. The decided weight of authority indicates that it does include such "non-criminal" offenses.

The arguments advanced in favor of a narrow construction of "high Crimes and Misdemeanors" proceed mainly from the text:

(1) According to well-known principles of statutory construction, the terms "Crimes" and "Misdemeanors" are to be taken with the same meanings they had at commonlaw;

(2) The language used in the Constitution in referring to impeachment indicates an intent on the part of the framers to make it a criminal proceeding;

(3) In order to preserve the other branches from the partisan retribution of Congress "high Crimes and Misdemeanors" should be limited to individual offenses.

(4) Impeachment for less than indictable offenses would violate other provisions of the Constitution.

It is indeed a well known principle of statutory construction that terms not defined in the instrument should be construed as having the ordinary meaning they assumed at commonlaw. And this cannon has been applied to the Constitution in numerous cases. This being the case, some writers have urged that "high Crimes and Misdemeanors" be interpreted in their ordinary commonlaw sense. In 1787, so the argument goes, a misdemeanor at commonlaw was only a lesser criminal offense than a felony. If this meaning be accepted, of course impeachments would lie for nothing less than indictable offenses.

A second theory in support of a narrow reading is that an intent of the Framers to limit impeachable offenses to indictable crimes appears from the language used in the sections referring to impeachment. This view was most recently advanced by Brant who remarks:

"Running through all of the clauses on impeachment are words and phrases connoting criminality."

Thus, references in the Constitution to "conviction" (art. III, sec. 4), "try" and "Convicted" (art. I, sec. 3, cl. 6), "judgement" (art. I, sec. 3, cl. 7), as well as the specific

exemptions of impeachment from presidential pardons (art. II, sec. 2, cl. 1) and from the right to trial by jury (art. III, sec. 2, cl. 3) have been cited as evidencing an intent to make impeachment one more aspect of the criminal process. Brant contends that this shows an intent to make impeachment a criminal proceeding. It then follows that such a proceeding could take cognizance of only indictable offenses.

To resolve these questions resort may be had to five sources: (1) the text of the Constitution; (2) the English precedents; (3) the debates of the constitutional convention; (4) the constitutional commentators; and (5) American precedents.

As to the text, there are compelling arguments against taking "high Crimes and Misdemeanors" in their commonlaw sense. To begin with, even if a misdemeanor is only a lesser felony at commonlaw, both are "crimes." Hence, the inclusion of the word "misdemeanor" within the phrase "high Crimes and Misdemeanors" is already accounted for in the word "crimes."

Such a construction was approved in *Kentucky* v. *Dennison*. That case involved the meaning of "crimes" in the Extradition Clause of the Constitution. The court took the view that the word was meant to include "every offense forbidden and made punishable" by the law of the state seeking the extradition. The court went on to say that "[t]he word 'crime' of itself includes . . . what are called 'misdemeanors' as well as treason and felony." This was subsequently confirmed in *Ex Parte Reggel*.

However, if "misdemeanors" in included in "crimes," it is superfluous verbiage in the Constitution. It imputes to the framers an intent to add the term as a "precaution" against Congress' overlooking minor violations of the law. But this interpretation is contrary to another, equally well-recognized rule for construing statutes applied to the Constitution in *Holmes* v. *Jennison*. There the court said:

"In expounding the Constitution . . . every word must have its due force, and appropriate meaning . . . No word in the instrument, therefore can be rejected as superfluous or unmeaning . . ."

This was a necessary conclusion to prevent recalcitrant executives from construing a statute to a nullity for his own purposes.

A better rendition of the phrase "high Crimes and Misdemeanors" is given by Simpson who suggests that:

"The word 'crimes' was used to negative the thought that the only criminal offenses for which an impeachment would lie were "treason" and "bribery"; and the word misdemeanor was used to negative the thought that only 'crimes' were impeachable."

Again basing the argument upon the internal logic of the constitutional provisions, it does not neecssarily follow that impeachment is limited to indictable crimes. Art I, sec. 3, cl. 7 provides that "the [p]arty convicted shall nevertheless be liable and subject to Indictment, Trial, Judgement and Punishment according to law." But this in no way implies that only those subject to indictment may be impeached. All the clause does insure is that deposed officers could not claim immunity from civil prosecution under the double jeopardy clause of the fifth amendment, or otherwise. This argues for the broader interpretation of the removal clause: if impeachment were a criminal process, "a new trial *would* constitute double jeopardy."

Likewise for the exemption of impeachment from the necessity of jury trial or from the power of presidential pardons. These provisions were set down to prevent an impeached or removed officer from exploiting otherwise apparent inconsistencies in the Constitution, not to demonstrate the criminal nature of the process. Otherwise, an accused might claim violation of his right to jury trial or a removed officer might be reinstated by the President rendering the impeachment negatory.

These provisions serve rather to distinguish impeachments from other judicial proceedings. They accent the legislative prerogative asserted by impeachment.

Nonetheless, the text of the Constitution can not be read in a vacuum. The phrase "High Crimes and Misdemeanors" had meaning applied by the English usage. It was a "term of art" with a fixed technical definition: a "known thing" so to speak. It will do at this point to reiterate those features of English impeachments most salient for the purposes of this discussion. First, the term "high Crimes and Misdemeanors" was in no wise limited to crimes indictable at commonlaw; and second, though judicial in form, the process was primarily a legislative function.

That the framers were aware of the narrow application of the term can hardly be doubted. In fact, several references were made throughout the convention to the trial of Warren Hastings just underway in England. In addition several exchanges during the debates indicate that the term was intended in its narrow parliamenetary sense.

On September 4, 1787, the Committee of Eleven (as it was known) reported a draft which included a provision of the impeachment of the President "for treason or bribery." When debate on this provision was taken up on September 8th, George Mason of Virginia inquired:

"Why is the provision restrained to treason and bribery only? Treason as defined in the Constitution will not reach many great and dangerous offenses . . . Attempts to subvert the Constitution may not be treason as above defined. . . . As bills of Attainder which have saved the British Constitution are forbidden, it is all the more necessary to extend the power of impeachment."

He moved to add "maladministration" after "bribery." But fellow Virginian, James Madison, objected that "[s]o vague a term will be equivalent to a tenure during pleasure of the Senate." Mason then offered "high Crimes and Misdemeanors" in place of "maladministration."

From Farrand's notes there was no further debate on the question and the form was accepted by a vote of eight states to three. Since Madison did not object, it may be presumed that he at least interpreted the phrase more narrowly than maladministration. But if "high Crimes and Misdemeanors" were not to reach the "great and dangerous offenses" including "[a]ttempts to subvert the Constitution", Mason would not have offered it. From this discussion alone it may be concluded that the convention accepted as properly impeachable something less than treason or bribery, including subversion of the Constitution, which would not require a violation of a statute. Yet at the same time the offense must be something more than maladministration.

Madison subsequently shed some light on exactly what was intended by the phrase "high Crimes and Misdemeanors" in the course of a debate in Congress on a bill to establish the Department of Foreign Affairs. "The danger," he posited:

". . . consists merely in this: the President can displace from office a man whose merits require that he should be continued in it. What will be . . . the restraints that operate to prevent [such an abuse of power]? In the first place he will be impeachable by this House, before the Senate, for such an act of *maladministration;* for I contend that the wanton removal of meritorious officer would subject him to impeachment . . ." (emphasis mine).

Here Madison does admit that *some* kinds of maladministration should be punishable by impeachment. This also shows Madison's belief that impeachable offenses need not be indictable. Surely no one could argue that removal of meritorious officers is an indictable crime in the absence of a statute. Thus, even though they did not say so specifically, all indications are that the delegates intended the phrase to be read in its parliamentary sense as a term of art. Just the coincidence of using the exact words of English impeachments is too compelling to conclude that the framers intended a different meaning.

If the convention debates themselves did not clarify the meaning they would give the words "high Crimes and Misdemeanors," yet another maxim used in the construction of statutes comes to our assistance. Early on it was decided by our courts that words otherwise undefined in the Constitution should be construed according to their sense well known and accepted at the time of writing. Later, in *Pennock v. Dialogue*, the Supreme Court decided that:

"When English statutes are adopted, the known and settled construction of those statutes is incorporated into the American acts or has been received with all the weight of English authority."

The same must hold true for technical terms of art imported from English law.

Finally, in 1838, the High Court confirmed that, in the construction of the Constitution, the Court "must look to the history of the time, and ascertain the old law, the mischief and the remedy. No suggestion could be more appropriate for interpreting "high Crimes and Misdemeanors." It would seem from this that the English usage must at least be used where no contrary intent is clearly evidenced.

To be added to these considerations is the fact that the majority of commentators who have participated in this debate agree that the President is impeachable for less than indictable offenses. J. N. Pomeroy's statement is fairly typical:

"The importance of the impeaching power consists . . . in the check which it places upon the President . . . [who is] clothed with . . . ample discretion . . . The danger to be apprehended is from an abuse of this discretion. But at this very point where the protection should be certain, the President . . . is beyond the reach of congressional legislation. Congress cannot . . . interfere with the exercise of a discretion conferred by the Constitution. . . . If the offense for which the proceeding may be instituted must be made indictable by statute, impeachment . . . becomes absolutely nugatory against those officers in those cases where it is most needed as a restraint upon violation of public duty."

And it might be added, if this discretionary power is not regulated by statute or censurable by impeachment, the perpetrator has the free rein of tyranny.

It is perhaps one of the gravest omissions of the founders that they did not specifically provide that impeachment would lie for administrative abuses of constitutional magnitude. It was no doubt their intent; the debates attest to that. The desire to set some limit on executive power in favor of Congress is interspersed throughout Farrand's *Debates*. The point was no better put than by George Mason, author of the Bill of Rights and the most staunch defender of the humanitarian ideal of his time. Mason put the critical question to the delegates in this way:

"No point is of more importance than that the right of impeachment shall be continued. Shall any man be above justice? Above all shall that man be above it, who can commit the most extensive injustice?"

Others of the delegates were in substantial agreement. James Madison "thought it indispensable that some provision should be made for defending the community against the incapacity, negligence and perfidy of the Chief Executive." Gerry observed that "A good magistrate will not fear [impeachments]. A bad one ought to be kept in fear of them. He

hoped the maxim would never be adopted [at the convention] that the chief magistrate could do no wrong." Ben Franklin wryly pointed out that in the case of a bad ruler, without impeachment the people's only recourse would be to assassination. Davie considered it "an essential security for the good behavior of the Executive."

The convention was not without dissenters. Rufus King and Charles Pinckney were concerned with the independence of the Executive. Governor Morris wanted the offenses "enumerated and defined," but was persuaded by the debate that "the Executive ought . . . to be impeachable for treachery, corrupting his electors and incapacity." It is significant that these dissents were overruled at the convention.

Despite all their foresight, the framers perhaps underestimated the resourcefulness of those with more base motives and mediocre talents in carving out exceptions to meet their needs. They did not foresee a Congress filled with men of any less intellect and ability or fortitude than themselves. They treated it as a matter of course that a President would be upbraided for abuses, regardless that they were arguably legal. Their omission here is perhaps justified by an admitted desire to avoid too narrowly specifying the prescribed actions. However, the addition of a phrase such as "or abuses of constitutional authority whether legal or not" would have covered the crucial activity.

The problem caused by this "delphic" phrase in the Constitution becomes apparent upon an examination of the American impeachments.

RESIDENTIAL CONDOMINIUMS

HON. WILLIAM LEHMAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1974

Mr. LEHMAN. Mr. Speaker, residential condominiums and cooperatives have mushroomed through the United States, and now and in the immediate future will represent the major source of reasonably priced housing in this country available to young newly formed families and senior citizens. The State of Florida stands in the forefront in the development of these types of housing, there being more than 300,000 residential units in Florida which fall within these categories.

The feature which is a common denominator in these types of housing developments is that the unit owners assess themselves through their associations or corporations for all of the expenses required to administer, manage, maintain, and operate the areas or facilities common to all of the residential units. This would include such elements as lawn maintenance, parking areas, streets and sidewalks, roofs and exteriors of buildings, hallways, elevators, laundry rooms, trash and garbage removal, and a host of other necessary functions common to all of the residential units.

The assessments must also encompass reserves for depreciation, obsolescence, and replacement of equipment and facilities used in common. What this amounts to is that the individual unit owners contribute their moneys into a common fund to be dispensed by themselves through their associations or corporations for the common good as they see fit. By no stretch of the imagination can these funds be considered as taxable income to the associations or corporations since they are not payments to the associations or corporations for services rendered, and the amounts to be collected and dispensed are solely the determination of the unit owners.

The Internal Revenue Service has rendered a number of rulings on the tax status of condominiums based on the Internal Revenue Code of 1954. In section 501(c) of the Code, 19 types of organizations are exempted from taxation. However, in Revenue Ruling 74–17 (26 CFR 1.501(c)(4)–1) condominium housing associations are held not to qualify for exemption under sectior 501(c)(4) of the Code. None of the other 18 types of organizations remotely relate to condominiums or cooperatives.

Further, Revenue Ruling 70–604 (26 CFR 161–1), as amended by Revenue Ruling 71–11, implies that any excess of assessments over expenses in the management, maintenance or operation of a condominium must either be returned to the unit owners or applied to the following year's assessment as otherwise it will be taxable as income. This ruling makes it impossible for a condominium, and by analogy a residential cooperative, to build up reserves for depreciation, obsolescence or replacement without the payment of taxes on the funds reserved. Since the reserve funds are in effect the savings of the unit owners, this is akin to saying that if one starts the year with $100 in his or her savings account and then ends the year with $200 in the account, the additional $100 savings somehow becomes taxable income to the saver.

In order to avoid this unfair result, I have introduced H.R. 14630 to provide an exemption from income taxation for cooperative housing corporations and condominium housing associations. Such a bill is vitally necessary for these types of housing if they are to remain a viable means to provide housing at a reasonable cost to the majority of our young families and our senior citizens.

H.R. 14630

A bill to amend the Internal Revenue Code of 1954 to provide an exemption from income taxation for cooperative housing corporations and condominium housing associations

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 501(c) of the Internal Revenue Code of 1954 (relating to list of exempt organizations) is amended by adding at the end thereof the following new paragraph:

"(20)(A) Cooperative housing corporations (as defined in section 216(b)(1)).

"(B) Any organization formed for the purpose of managing, operating, and maintaining the property within a condominium housing project which is owned in common by the owners of units within such condominium housing project, if—

"(i) membership in such organization is limited to the owners of units within such condominum housing project,

"(ii) no member of such organization is entitled (either conditionally or unconditionally) to receive any distribution from such organization except on a complete or partial liquidation of the organization; and

"(iii) 80 percent or more of the gross income of such organization consists solely of amounts received from the owners of units within such condominium housing project.

"(C) For purposes of this paragraph, the term 'condominium housing project' means any condominium project substantially all the units of which are used by individuals as residences."

SEC. 2. The amendment made by the first section of this Act shall apply to taxable years beginning after December 31, 1974.

[From the Miami Herald, April 16, 1974]

CONDOMINIUM ASSOCIATIONS HIT BY IRS RULING

(By Sylvia Porter)

To all the other questions now being raised about ownership of condominiums has just been added the exceedingly serious one of federal income tax liability—for this past Jan. 16, the IRS ruled that condominium owner associations are no longer exempt from the federal income tax. This new ruling, of which few condominium owners are even aware, opens new traps for both prospective buyers and current owners of condominium residences.

Previously, these associations, which represent the owners of condominium units and which manage the community, had been exempt under Section 501(c)(4) of the tax code. This provision provides "for the exemption from federal income tax of civic leagues or organizations not organized for profit but operated exclusively for the promotion of social welfare." IRS's finding in January was that "since the organization's activities are for the private benfit of its members, it cannot be said to be operated exclusively for the promotion of social welfare. Accordingly, it does not qualify for exemption."

What are the major ramifications for condominium unit owners as a result of this tax ruling?

First, says James I. Laughlin, director of Community Association Services of Arlington, Va., owners must realize that money not spent for operating expenses—such as lawn maintenance, salaries, heating, etc.—may be subject to taxation as retained earnings.

Most likely, Laughlin adds, "IRS will treat community associations as corporate entities whether or not they're formally incorporated, and a corporation's retained earnings are taxable. Of course, the accumulated and unspent reserves are not retained earnings, but it may take court action to establish this." Questions of accounting and bookkeeping controls—questions most owner associations never even ask—will now become crucial in determination of the association's tax liability.

To you, the condominium owner, the tax liability will be reflected directly in the amount of your assessment, with more taxes inevitably meaning higher assessments.

Second, long-term improvements funded from the owner association's reserves may be interpreted as "constructive dividends" by the IRS.

If the IRS so determines, to you, the owner, this may mean that the equivalent cash value of the improvement would become income for tax purposes for each and every owner at the time of sale. Crucial to this interpretation would be how your organization's bylaws are drawn and how its operating procedures are set up.

Stresses Laughlin: "There is no general rule which will be uniformly applicable. In some cases, the owner association will be able to do very little to ease the tax burden imposed by this ruling because of the way its bylaws and Master Deed are drawn. In other cases, changes can be made to ease the impact of the ruling"—if the owner association learns of the need to act and takes the appropriate action.

What, then, should you do?

As a prospective buyer of a condominium unit, check to make certain that the developer from whom you're buying is aware of the new nonexempt status of the owner association.

At a minimum, the developer should consult a tax expert to see that the Master Deed, the association bylaws, and accounting procedures have been set up to take into consideration this new factor of tax liability.

As a current owner of a condominium, immediately seek all legal means for avoiding tax liability for any surplus funds or reserves. There are many possible solutions, depending on how your Master Deed and bylaws are drawn. For the steps to take, you will have to have professional counsel.

(P.S. The sense of the January ruling was extended on March 6 to homeowner associations generally. Some howeowner associations will still be tax-exempt—but most organized to administer and protect architectural features or to manage recreational and other amenities from which the general public is excluded, will no longer be exempt from federal income taxes. Be warned.)

POLISH NATIONAL HOLIDAY

HON. JOHN P. MURTHA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1974

Mr. MURTHA. Mr. Speaker, the Polish National Holiday, May 3, is a day that all freedom-loving people can heartily commemorate. It is that moment in Polish history, in 1791, when in peaceful agreement the Polish Constitution was adopted by the Polish Parliament.

The significance of this document lies in that fact that at one stroke it eliminated the most fundamental weaknesses of the Polish legislative and social system.

Americans, many of whom can claim Polish ancestry, have been instructed in the sovereignty of the people; this is the primary postulate in the Polish Constitution of 1791.

The light of liberalism to be found in this Constitution was formulated in these words:

All power in Civil society should be derived from the will of the people, its end and object being the preservation and integrity of the state, the civil liberty and the good order of society, on an equal scale and on a lasting foundation.

It is quite clear from the philosophy of government evident in the May 3d Polish Constitution that the American and Polish people drew inspiration for their respective constitutions from the same source.

That is why in the United States, wherever Americans of Polish descent live—and many reside within the limits of the 12th Congressional District—this holiday is observed with appropriate exercises throughout the month of May; to pay tribute to the Polish Nation and to remind fellow Americans that Poland was one of the first pioneers of liberalism in Europe.

Our thoughts go out today to those men and women in Poland, 90 percent of whom are still devout, church-attending members of their faith, who cannot commemorate this proud occasion.

Let us not forget, in these days of détente, arms limitation, and the easing of tensions, the bitter lessons of history.

It may well be that today is an even more important time to reaffirm our love of freedom and liberty. It is a time to remember the common hopes and dreams we share with the people of Poland. It is a time to inspire our younger generations with the need to maintain our democratic ideals.

With the millions of Americans of Polish ancestry, I gladly join in this moment of commemoration.

TIME FOR VALUE ANALYSIS

HON. LARRY WINN, JR.

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1974

Mr. WINN. Mr. Speaker, our fellow Americans expect us to make wise decisions in the expenditure of their hard-earned tax dollars. And we respond with our own best efforts in this regard. But it is difficult to save the taxpayers' money without just deleting programs or cutting costs across the board.

I have been involved for the past several years in seeking positive and workable ways in which the Federal Government can perform to the best of its ability those things expected by its citizens while still holding the line on expenditures. I can attest to the fact that there are ways to save the tax dollars of America without sacrificing particular policies or programs. Across-the-board cost cutting, or the "meat-ax approach," practiced in the name of economy, seldom solves problems. Most generally that kind of action merely delays the inevitable crisis yet to come.

One creative way to save tax dollars is through the use of techniques such as value engineering—also called value analysis. Though the use of this buck-stretching system is not limited to construction-related activities, I would like to commend to your reading a document prepared by the General Accounting Office, dated May 6, 1974, and distributed to Members of Congress. The title of this report to Congress tells the story: "Need for Increased Use of Value Engineering, A Proven Cost Saving Technique, in Federal Construction."

According to the report:

Value engineering as applied to Federal construction should be a creative process for identifying and removing unnecessary construction costs while maintaining the required quality and performance of the facility. It should analyze the functions for which the facility will be used and identify alternatives in its construction that will reduce overall costs of building and using the facility for the functions intended.

I am a strong proponent of the use of value analysis—engineering—throughout the Federal Government. Its methodology can as easily be applied to operations and procedures as they are to manufacturing and construction.

This is a technique whose time has come and which you will be hearing more about. I commend to you a close reading of the GAO report.

A CONSERVATIVE EDITOR FACES FACTS

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1974

Mr. CONYERS. Mr. Speaker, William Randolph Hearst, Jr., the editor-in-chief of the Hearst Newspapers has published an extraordinary column about the disclosures contained in the transcripts made public by the President. Because Mr. Hearst departs from his previous position, I insert it in the RECORD at this point to call my colleagues' attention to the way one man faced facts:

[From the Hearst Newspaper, May 5, 1974]

A FACING OF FACTS

(By William Randolph Hearst, Jr.)

NEW YORK.—This is a very tough column for me to write, but events this week make it imperative. The essence—or lead as we say in the newspaper business—is that President Richard M. Nixon has made it impossible for me to continue believing what he claims about himself in the Watergate mess.

That's about the most reluctant statement made here in the last 20 years. It probably will disappoint, surprise and maybe even shock a lot of people. If so, they will have nothing on the disappointment, surprise and shock I have felt in reading those transcripts of the White House tape recordings during the past few days.

Now any more or less regular reader of these weekly editorial comments knows how consistently the President has gotten my backing—and properly so. Even his worst enemies now have to admit that his strategy for ending the Vietnam War was correct. And absolutely no one can fail to praise his many remarkable initiatives toward a more peaceful world.

It also was proper—certainly in my book—to continue to back and defend the President as strongly as possible when the Watergate scandals began leaking all over the place. As a loyal American, to me it seemed only natural and necessary to be loyal to the nation's elected leader; to accept his explanations and deplore the excesses of his accusers. At the very least, like everyone else, he should be presumed innocent until proven guilty.

That was my consistent position, expressed here many times and in many ways. Not that it was easy. In my heart I often felt he probably knew a lot more than he admitted. And it certainly became obvious, despite his claims of executive privilege and national security, that he was far from being as forthright as the people and the Congress had a right to expect.

The real reason for his uncooperative stalling tactics is now abundantly and terribly clear. It is all in the tape transcripts he finally was forced to make public. Even in their heavily edited and possibly inaccurate form, the transcripts add up to as damning a document as it is possible to imagine short of an actual indictment.

Maybe, technically, the President still is justified in claiming he knew nothing in advance about the Watergate break-in, or of the initial cover-up efforts. The point is that those shameful tapes reveal a man totally absorbed in the cheapest and sleaziest kind of conniving to preserve appearance, and almost totally unconcerned with ethics.

The man seems to have a moral blind spot. To me it is simply astonishing that he would make the transcripts public with the avowed belief that they would exonerate him. They may not actually amount to a conviction of criminal behavior. Perhaps the kindest way of putting it is that they amount to an un-

witting confession, in which he stands convicted by his own words as a man who deliberately and repeatedly tried to keep the truth from the American people.

I am not being heartless or simple minded about this. Over the years I have known quite a few Presidents and am very much aware of the often ruthless—even deplorable—actions made necessary by the pressures of their awesome power. But I have never heard anything as ruthless, deplorable and ethically indefensible as the talk on those White House tapes.

The voices on the tapes, even the censored parental guidance version, comes through like a gang of racketeers talking over strategy as they realize that the cops are closing in on them. Scene after scene sounds like a corny old movie. How can we cover up this and that? How much dough do we need to pay off so and so? Who's going to take the rap for this and that?

An odd fact is that the Boss in these sessions—to this reader, at least—fails to radiate even a whiff of the authority of Edward G. Robinson in the movies, or even Chicago's Big Bill Thompson in real life. Instead the other members of the gang all clearly felt free to keep coming up with tricky ideas and chew them around with as much apparent authority as the chief.

In this sharing of power, this speaking as equals, the atmosphere was solely one of intrigue and self-protection. If any of the participants—ever—gave any consideration to what was right for the nation instead of themselves, then I must have missed it in the thousands of words I have waded through.

Think how impossible it would have been for any of the founding fathers or for Abraham Lincoln to have tolerated two minutes of it.

I also think of Eisenhower—as easy-going a President as we ever had. He instantly chopped off his strong right arm, Sherman Adams, the man who was running the country for him, when his chief aide committed the impropriety of accepting gifts from a man seeking business with the government.

To Lincoln, to Ike, and to most of our Presidents, the White House itself had to be just that—a house of pristine integrity, both in reality and appearance.

The symbol of America's faith in its government is sullied beyond measure when it is used as headquarters for a gang whose main concern is the maintenance of personal power—at any cost.

As was declared in the opening paragraph, this is a tough column for me to have to write. Perhaps some of what has been said is overly tough. Certainly it is not my intention to join the persecutors of Richard Nixon.

All the same, honesty and a natural concern for my country's dignity compel me to face the facts. This is something that Richard Nixon, unhappily for both himself and the nation, has repeatedly refused to do in the Watergate affair.

As noted, it is amazing to me that he doesn't seem to realize how damning those tape transcripts are. Even more amazing is the fact that an astute politician, which he is, failed to realize that cleverness is no match for demonstrable truth.

From the very beginning of Watergate I thought he would sit tall and straight in the saddle. His White House cleanup at least partially confirmed my expectations. But then he proceeded, in one razzle-dazzle move after another, to show that he was going to resist Congress and the press in their every effort to get the full truth.

Practically all of his troubles, including the impending threat of impeachment, would have been avoided if he had only had the honesty to tell the whole truth right away. Lacking that, he certainly should have stuck by his original contention that nobody has a right to examine the intimate records of the presidency.

Over a year ago, in this column, the opinion was expressed that only the Supreme Court has the authority to decide whether such records may be opened or not. It was the President's steady retreat from defiant positions, plus the suspicious and renewed attacks each retreat created, that finally compelled him to release at least part of them.

He released them only because he had to, finally, and because he somehow thought the censored versions would do him some good with the public. God knows what the unexpurgated tapes would show.

Incredible? It sure is.

Sickening? Just read the transcripts.

Today, sitting here in a kind of stunned sorrow, it is hard for me to imagine why any informed person would not see the inevitability of impeachment.

STENNIS SPEAKS ON U.S. SPENDING

HON. EARL F. LANDGREBE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1974

Mr. LANDGREBE. Mr. Speaker, I thought my colleagues might be interested in the following article by Mr. Ben Cole of the Indianapolis Star. The conclusions that we are led to are not pleasant and serious consideration should be given to the points Mr. Cole makes.

The article follows:

CONGRESS HANDS TIED ON 72 PERCENT OF U.S. SPENDING, STENNIS SAYS

(By Ben Cole)

Congress has tied its own hands so that nearly three-fourths of the $304 billion budget for fiscal 1975 is uncontrollable, Senator John Stennis (D-Miss.) declared yesterday.

Stennis, in an analysis of the budget-making process, found that the administration proposes $344 billion in gross outlays for the coming fiscal year. Of this, he said, $248 billion—or 72 per cent—is relatively uncontrollable by the appropriation process.

"This means that actions taken by Congress in past years have preempted appropriation discretion and control over nearly three-fourths of the proposed spending for fiscal 1975."

Stennis said this uncontrollable part of the Federal budget creeps higher year by year. In fiscal 1967 it amounted to 59 per cent of the budget; in 1970 it was 64 per cent.

"For example," Stennis said, "in the last six fiscal years, Congress, through its actions on appropriations bills, reduced administration requests for new budget authority by approximately $33 billion.

"But during that same six-year period, Congress approved in legislative measures outside the regular appropriations process authority which exceeded the budget estimates by slightly over $40 billion. For this 'backdoor spending' practice and its adverse effect on budget control, Congress itself is solely to blame."

Stennis said he believes the Senate Appropriations Committee can reduce the proposed $304 billion budget for 1975 by $3 billion.

Seven of his subcommittees projected cuts totaling $5.7 billion: defense, $3.5 billion; foreign operations, $1.3 billion; housing and urban development and space, $613 million; legislative, $13.5 million; military construction, $120 million; transportation, $69 million; Treasury, U.S. Postal Service and general government, $130 million.

Three subcommittees said they would make budget increases totaling some $2.7 billion: Agriculture, $93.8 million; labor and health-education-welfare, $2.4 billion; public works and atomic energy, $180 million.

Three other subcommittees said they would make every effort to keep their appropriations within the budget requests: District of Columbia, Interior Department, and State, Justice, Commerce and the Judiciary.

Stennis said, "I wish to emphasize that each individual member of Congress has the responsibility for helping put our fiscal affairs in order. Unless we have the will—unless we exercise restraint in authorizing new programs—unless we weigh and accommodate priorities so that spending is kept within the bounds of revenues—we will never be able to establish a sustaining and durable fiscal policy that is most essential to national solvency and a stabilized economy."

THE BOOK OF REVELATIONS

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1974

Mr. HANNA. Mr. Speaker, the continual fluctuation of Presidential posture toward Watergate has created a mood of cynicism and dissatisfaction with politics among our citizens that cannot be lightly regarded by any of us. As the newest chapter in this tragedy unfolds, I wish to address myself here not to the narrow question of whether the transcripts prove the guilt or innocence of the President, but rather to the larger question of their impact on public confidence in the Nation's highest office.

One cannot fail to be dismayed and disturbed at the language used by and to the President as revealed in the transcripts. Before their release, the Office of the Presidency was regarded with high esteem and honor by all. The image of the Office cannot fail to be tarnished by the tone and demeanor of the White House staff during conversations with their "leader." Their view of the function of the Oval Office was as a tool for political manipulation, rather than to provide moral leadership for the country.

Furthermore, the transcripts show that the President, who sees himself as the leader of the free world who will bring peace in our time, cannot even offer leadership to his own staff. The degree to which he is subject to the pressures and influences of his two closest advisors is astonishing, even to those of us who have never supported the President, but still viewed him as decisive and determined. No such strength of purpose is shown in the face of the suggestions and influence of these two men. The President presented by the transcripts is the pitiful subject of the pressures of his aides, unable to make any constructive input and unwilling to provide leadership and direction.

With all the remonstrances, denials and objections coming from the White House, it is disturbing as to what was not said. For in no place can one find the strong, direct command from the President, "Do not do that." One single, clear, clarion call from his lips saying, "Don't do it" is absent in any shape, form or style.

Regardless of their bearing on the ultimate decision of the Congress on the issue of Mr. Nixon's tenure in office, the transcripts will undoubtedly have a damaging impact on his capacity to instill confidence in the American people or to provide leadership to his own administration or to the heads of state of our allied nations. Furthermore, the transcripts have dealt a devastating blow to the already shaky confidence people have in our political system. The next President will, we can be sure, face a crisis of confidence which will require years to erase. Our job in the Congress must be to do all we can to rebuild confidence in the system generally by acting decisively on the problems which face the country. It ill behooves us to simply lament the absence of leadership and the decline of stature of the Nation's highest office. We must, as best we can as an institution, fill the vacuum created by the President's handling of Watergate over the past several months.

ON TARIFF SUSPENSION BILLS

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1974

Mr. VANIK. Mr. Speaker, today, the House of Representatives considered four minor tariff suspension bills, relating to zinc, methanol, feathers and down and carboxymethyl cellulose salts.

Whenever we have one of these tariff bills, it seems to be something that is needed by a specific company or two. Certainly, all consumers benefit—but there are other areas of tariff relief which might be of even more use to the average consumer.

For example, in January, the President asked for a suspension of the tariff on wheat. It was feared that we might have exported ourselves out of wheat—and we would have to import some wheat from Canada to meet spot shortages. Fortunately, that situation has not developed. Nevertheless, it might be a good idea to suspend this tariff. Between March of 1973 and March of 1974, the Consumer Price Index shows enormous increases in the cost of wheat products. The cost of white bread to consumers increased 33.6 percent. The cost of flour rose by 60.3 percent. Pastry items went up 21.8 percent.

In addition, there is a tariff on a number of tinned and canned meats. True, meat prices have been falling recently—partly because consumers simply refuse to pay sky-high prices for beef and have changed their eating habits. But there are many forms of tinned and canned meats—which do not compete with domestic products—which are generally low-cost items, used by people on fixed and low incomes, which are subject to tariffs. Supplies and prices of these items have always been artificially raised by the meat import quota and the fear of the imposition of the meat import quota, as well as by tariffs. For example, between March of 1973 and this March, the price of hamburger rose 18.1 percent, canned hams rose 25.3 percent, hot dogs went up 17.5 percent, bologna rose 19.1 percent.

I am a sponsor of bills to repeal the Meat Import Quota Act, and the tariffs on wheat and tinned and canned meats. I would hope that in the future, when the Committee on Ways and Means and the House considers some of these specialized tariff relief bills, it could also consider some more-broad-based relief for the consumer.

CONSUMERS PAY FOR ENERGY INDUSTRY AD BLITZ

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1974

Mr. ROSENTHAL. Mr. Speaker, the oil industry is spending millions of dollars trying to convince the American public that it is the Caesar's wife of the energy crisis. The culprits, they would have everyone believe, are Government, environmentalists and, the people themselves.

The bill for this multimedia advertising blitz is being passed on to consumers because energy prices are raised to pay for the ads, and to taxpayers whose share of the tax burden is increased because the advertising costs are deducted as business expenses. The public also is being cheated in yet another way—it is the victim of an informational brownout on the truth behind the energy crisis.

Over the past 18 months, the oil industry has spent an estimated third of a billion dollars on advertising, most of it on politically oriented messages rather than product promotion.

Sixteen House and Senate Members have joined me in asking the Nation's broadcasters to provide free air time for public interest alternative advertising under the FCC's fairness doctrine to respond to this advertising blitz. This would assure that the public is fully and fairly exposed to all sides of the energy crisis controversy. Federal law requires that broadcasters present all divergent, responsible viewpoints on controversial issues of public importance.

Some broadcasting executives contend there is no need for alternative advertising because the industry advertising is adequately balanced by news coverage. This is not so.

News reporting presents an objective view of events. It is not expected to counter politically oriented advertising, whose sole purpose is persuasion. That is why it is so important that citizens have the right to communicate in the same format used so heavily by the oil industry—the 30- or 60-second spot during prime viewing time.

An important precedent for alternative ads was established last December when the FCC ruled two Georgia broadcasters had violated the fairness doctrine by refusing free time for citizen groups to respond to commercials by the Georgia Power Co. in support of rate increases.

Although the fairness doctrine applies only to broadcasters, we would like to see the print media voluntarily provide free space for citizen responses to the energy industry's lobbying campaign. Letters to the editor, guest columns such as this one and even editorials cannot begin to compete with page after page of oil company political advertising.

We are not disputing the industry's right to tell its side of the story, only its monopolistic hold on costly media advertising. The real issue is one of access—access to the news media, to the public, and to the policymakers in Government.

In order to assure that access, 413 individuals directly connected with the oil industry contributed $5.7 million to President Nixon's reelection campaign in 1972. The latest dividends on that investment came when the President vetoed the oil price rollback, and when 70 former oil industry executives were given top policymaking jobs in the Federal Energy Office.

Only when the media provide free public service air time and print space for responses to the energy industry's political advertising campaign will they be fulfilling their legal and informational obligations.

MRS. SYLVIA KOZOROSKY, WOMAN OF THE YEAR

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1974

Mr. FORD. Mr. Speaker, it is always an honor to cite outstanding achievements made by the fine citizens of the 15th District of Michigan which I have the honor to represent. I am happy to report that the Westland City Council recently honored Mrs. Sylvia Kozorosky, as Woman of the Year. Mrs. Kozorosky was nominated for this honor by the Wayne/Westland Community Schools Senior Citizens Club.

Because of her outstanding leadership in the community and her many contributions to the city of Westland, particularly in her work with senior citizens, this fine woman surely deserves such recognition.

Mrs. Kozorosky is a loving wife, a devoted mother of five children, and a well-organized home maker. She has dedicated her time and boundless energies toward betterment and improvement of her family and her community. She participates in a variety of activities with her family as well as the community. She finds work with people of all ages a source of gratification.

Among her notable achievements is her work with the Wayne/Westland Community Schools Senior Citizens Club. Mrs. Kozorosky's special activities with senior citizens include: The Bicycle Club, square dancing, the Jessie Polka Girls, choral group, baking contests, talent show, fashion show, and senior citizens' newspaper. Special yearly awards: Senior Citizen of the Year, Grandmother of the Year, Grandfather of the Year, King and Queen of Hearts. Fund-raising projects

for the Senior Citizens Club: Cookbook, bazaar, raffles, bingo and auctions, and 50–50 raffles. She also makes arrangements for interesting trips, entertainment and guest speakers.

Mr. Speaker, let Mrs. Kozorosky's achievements serve as an example of outstanding citizen service to all Americans.

EDITORIAL SUPPORT FOR A HOUSE URBAN AFFAIRS COMMITTEE

HON. HERMAN BADILLO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1974

Mr. BADILLO. Mr. Speaker, a week ago I announced my intent to offer an amendment to create a standing Committee on Urban Affairs in the House when the committee reform bill is brought to the floor. Editorial comment to date has been strongly in favor of the proposal, with the New York Post, WINS Radio, and the New York Daily News publicly endorsing the concept of a committee devoted to the interests and concerns of the Nation's cities.

In urging my colleagues to support my amendment, I would like to share with them the views of leading opinion-shapers in New York City by printing the statements in full in the RECORD:

[From the New York Post, May 2, 1974]

RESTRUCTURING THE HOUSE

Many months of work have been devoted by Rep. Bolling (D-Mo.) and his colleagues to plans for restructuring the House standing committees. They present some plausible alternatives to some of the panels now sitting.

But there are also some discouraging disappointments in the reform plan and, conceding that its authors are being relentlessly bombarded with belated ideas and demands, it does seem important to object to the omission of a new "urban affairs" committee.

As presented by Rep. Badillo (D-N.Y.), its sponsor, the urban committee proposal would be entirely consistent with the overall reform plan for consolidating committee responsibilities and grouping areas of related interest. The proposed panel would assume jurisdiction for housing, economic development, mass transit, urban development and clearly allied issues.

The idea for such a consolidation is familiar. It is reflected in the title of the federal Department of Housing and Urban Development. And there is reason to think that an urban-oriented committee could more efficiently assess and expedite critically needed legislation for metropolitan regions—where most Americans live.

[From the Daily News, May 6, 1974]

MORE CLOUT FOR CITIES

Rep. Herman Badillo (D-Bronx) has proposed that a standing committee on urban affairs be set up in Congress to oversee all federal urban housing, mass transit and development programs. It's about time!

Some 70% of America's people live in metropolitan areas. Yet no single committee handles their interests.

Housing, transportation and other federal city programs are spread all over the lot in scores of separate committees and subcommittees.

The farm bloc, with less than 10% of the population, exerts tremendous power through the Agriculture Committees when farm bills come up. A large urban bloc, working through a single committee, would wield a far mightier hammer to advance the interests of city dwellers.

Reform of the present antiquated, inefficient Congressional committee system is long overdue. A select committee, headed by Rep. Richard Bolling (D-Mo.), has devised a drastic change that would consolidate present mishmash groups more realistically, bar members from sitting on more than one major body, and create much needed new budget panels to watchdog overall federal spending.

Badillo's urban committee plan is not yet included in the reform measure. It should be. But the bill faces powerful opposition from big labor and big business, together with old-line Democrats like chairman Wilbur Mills of the House Ways and Means Committee. Mills will try to knock it on the head to keep the vast powers of his precious fiefdom.

Congressmen from urban areas should fight tooth-and-nail for these committee changes and give neglected city folks the representation they deserve.

[Editorial from WINS radio]

NEEDED—A HOUSE URBAN AFFAIRS COMMITTEE

(By Robert W. Dickey)

New York Congressman Herman Badillo plans to offer what we think is a very sound amendment to the committee reform legislation being considered by the House of Representatives. He will propose that a standing committee on urban affairs be created to provide a coordinated approach to the problems of our cities and densely populated metropolitan areas.

As matters currently stand, city representatives must deal with numerous committees in trying to initiate and continue programs which are vital to the solution of urban problems. Many of these committees are dominated by rural lawmakers who have little or no personal knowledge of city problems. And, as a result, much legislation of crucial importance to cities and their neighboring suburbs does not get fair consideration.

The proposed urban affairs committee would have jurisdiction over all laws and programs with a substantial impact on cities such as housing and urban mass transportation. Both these areas of vital concern have been badly neglected under the present committee structure.

In addition, the committee would provide regional planning for urban affairs, including matters of mutual concern to nearby cities or to cities and their suburban neighbors. Almost 69% of the people live in the nation's 243 metropolitan areas, of whom 31% live in the central cities.

We think it's time for a coordinated effort to solve their problems and a house urban affairs committee would be a constructive step in the right direction.

FAIR HOUSING MONTH

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1974

Mr. MOORHEAD of Pennsylvania. Mr. Speaker, I rise to pay tribute to the U.S. Department of Housing and Urban Development on the sixth anniversary of the passage of title VIII of the Civil Rights Act of 1968.

Title VIII made it unlawful to discriminate against any person—on the grounds of race, color, religion, or national origin—in the sale or rental of housing, in the financing of housing, or in the provision of brokerage services. Throughout the Nation, the month of April was observed as "Fair Housing Month."

Although many Federal departments and agencies are involved, to one degree or another, in housing—and I mention the Department of Agriculture and the Veterans' Administration as only two examples—the primary responsibility falls upon HUD. HUD has therefore taken a strong leadership role in enforcing the provisions of equal opportunity in housing. Beyond that, the Department has instituted many active programs of voluntary compliance and affirmative action—with builders, realtors, financial institutions, corporations, States and local communities, bar associations, and a host of others—as a key ingredient of assuring fair housing for all our citizens.

I would particularly commend the Secretary of Housing and Urban Development, the Honorable James T. Lynn, his Assistant Secretary for Equal Opportunity, Dr. Gloria E. A. Toote, and all the dedicated people of HUD, for their efforts in making equal housing opportunity a reality.

IN MEMORY OF JOHN GRINER

REMARKS

OF

HON. ROBERT N. C. NIX

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1974

Mr. NIX. Mr. Speaker, I wish today to ask for a solemn moment of tribute to one who was a veritable giant of the labor movement in this country, one John F. Griner, president emeritus of the American Federation of Government Employees, who recently succumbed after struggling to overcome a long illness.

Under his tutelage as president, AFGE became the largest union in the Federal sector. I was always amazed at the man's ability to accomplish so much in organization, administration and membership relations. I say this because it always seemed to me that Mr. Griner spent so much of his time on Capitol Hill. His sound and considered advice was invaluable to me—and, I know, to many of my colleagues. For if it came from Griner, you knew it reflected the wants and needs of the rank and file membership, not just some executive board or self-serving leadership cabal. John never lost the common touch and sympathy, a loss, I feel, that often subverts the thinking of many who rise to power and prestige.

His was a desire and goal that is in all decent men—to serve his fellow workers with honesty, with deep concern for the ordinary member, and yet with the tenacity and diligence that characterizes one who believes in achieving his mission.

John Griner led his union to a high plateau and established a basis for future growth and influence. At his death he

was, I am sure, content in the knowledge that the aegis has been assumed by a capable and dedicated successor, Clyde Webber, whom I feel confident will carry on in the fine tradition we have come to expect of the American Federation of Government Employees.

NEW DIRECTIONS IN HIGHER EDUCATION

HON. WILLIAM LEHMAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1974

Mr. LEHMAN. Mr. Speaker, it has recently come to my attention that a consortium of 12 Southern States are planning to pool their higher education resources into what some have called an academic common market.

Under the proposed program, the States will pool selective graduate programs, so that out-of-State students could participate in these courses of study without paying out-of-State tuition charges.

I am inserting below an article describing this plan which recently appeared in Regional Action, a publication of the Southern Regional Education Board, for the attention of my colleagues. Not only does this plan maximize our higher education resources, but assists our graduate students as well.

The article follows:

[From Regional Action, March 1974]

AN ACADEMIC COMMON MARKET—SOUTHERN UNIVERSITIES PIONEER IN AN EFFORT TO SHARE THE COSTS OF EXPENSIVE GRADUATE EDUCATION

(By Richard Wilson)

[EDITOR'S NOTE: The following is a major excerpt from a feature story prompted by the publication of SREB's Academic Common Market bulletin which describes the first-year offering of 116 uncommon graduate programs pooled for selection by states participating in this reciprocal agreement. Residents of these states are now applying for fall enrollment in the program.]

Spiraling costs and limited enrollments—persistent problems for many highly specialized graduate programs in American universities—may be overcome in the South if a soon-to-be-launched cooperative program among the region's universities succeeds.

At least 12 states are planning to pool selective graduate programs in an Academic Common Market and open them to students of other states without charging out-of-state tuition. More than two years and numerous background papers have gone into the planning for the Southern Regional Education Board (SREB)-sponsored program expected to get under way this fall.

The common market is intended to broaden educational opportunities by making available to students various programs not offered in their home states—and at a reasonable cost. Equally important, it should eliminate the need for each state to consider development of its own graduate programs in all fields.

"Traditionally, as new needs have developed and enrollments have increased, states have responded by developing their own programs, since high out-of-state tuitions discourage movement of residents across state lines for similar programs already in existence," SREB President Winfred Godwin says.

The common market, Godwin adds, offers an educational alternative to costly and often unnecessary duplication of academic programs.

Thirty-one Southern universities . . . have already pooled more than 100 "uncommon" graduate programs for the upcoming 1974–75 academic year. And more than 20 programs in other states—ranging from study in coastal and oceanographic engineering at the University of Florida to Ph.D. work in nuclear engineering at Georgia Tech—will be available to Kentuckians through the common market.

University of Kentucky offerings through the common market include either master's degree or Ph.D. work in musicology, toxology, agricultural engineering and metallurgical engineering and materials science. The University of Louisville is pooling master's degree programs in community development, expressive therapies and systems science.

Dr. William Hovenden, an SREB official and overall coordinator of the common market, said in a recent telephone interview . . . that states were asked to use three criteria in determining their common market contributions:

"We asked that programs chosen be ones not available in one or more of the regional states, ones that could handle more students and ones with quality."

Other schools that do not grant doctoral degrees, such as Kentucky's regional universities, may be asked to submit programs in the future. Hovenden added.

Dr. Michael J. Gardone, associate research director of the Kenutcky Council on Public Higher Education and this state's coordinator for the common market, said in a recent interview that the program would have little impact on graduate enrollments at either UK or UL.

"I don't see it ever amounting to hundreds of students (traveling across state lines), but if only 10 students a year are helped by the common market, it's worthwhile," Gardone added.

Students interested in common market programs apply for admission to the schools offering their preferred programs. Verification of their residency is also necessary before they can be accepted and have out-of-state tuition waived.

Among the other study courses available to qualified Kentuckians are Ph.D. fields in biomathematics, fiber and polymer science, wood and paper science at North Caroline State; a Ph.D. in criminology at Florida State and master's and doctoral work in classics at the University of North Carolina.

Hovenden acknowledges that the common market will widen educational opportunities. But its main reason for existence, he adds, is to better utilize existing campus facilities. The SREB official likens the common market to stand-by, reduced rates offered by airlines. . . .

"[It's] the same way with these programs. Once you've committed yourself in terms of faculty, capital outlay and equipment and you have only three-quarters as many students as you can handle, why not go ahead and fill that program up, even at a reduced tuition rate?

"It's going to mean additional revenue from tuition even though it is not as high as out-of-state tuition. Of course, if you continue to charge the high out-of-state tuition, you'd probably discourage a lot of students from coming across state lines—in fact, that's what's been happening," Hovenden said.

The common market will be SREB's second student exchange program. It already administers "contract programs" through which its member states "buy" slots for their residents in certain high-cost, high-demand programs at other states' universities within the region. Students pay only residential tuition for these programs. . . .

"If a school has a high-demand, high-cost professional program, it just would not be wise to let in large numbers (of students at reduced tuition rates) from other states unless you get something in return. In this case, you do. It's money," Hovenden said.

But in the common market, he added, the payoff is not money, but the opportunity for states to share each other's academic programs.

ACADEMIC COMMON MARKET STATE COORDINATORS

Prospective students should contact their home state Common Market coordinator to obtain specific information about the graduate programs available to them through this cooperative effort. Here is a list of those coordinators:

ALABAMA

Dr. William D. Barnard, Associate Director for Academic Affairs, Commission on Higher Education, Suite 1504—Union Bank Building, Montgomery, Alabama 36104.

ARKANSAS

Mr. Gary D. Chamberlin, Associate Director, Department of Higher Education, 401 National Old Line Building, Little Rock, Arkansas 72201.

FLORIDA

Dr. Allan Tucker, Vice Chancellor, State University System of Florida, 107 West Gaines Street, Tallahassee, Florida 32304.

GEORIGA

Dr. James E. Boyd, Vice Chancellor for Academic Development, University System of Georgia, 244 Washington Street, S.W., Atlanta, Georgia 30334.

KENTUCKY

Dr. Michael J. Gardine, Jr., Associate Director for Research, Council on Public Higher Education, Capital Plaza Office Tower, Frankfort, Kentucky 40601.

LOUISIANA

Mrs. Sharon Beard, Assistant Executive Director, Louisiana Coordinating Council for Higher Education, Box 44362, Capitol Station, Baton Rouge, Louisiana 70804.

MARYLAND

Mr. Eugene Stanley, Staff Specialist, Maryland Council for Higher Education, 93 Main Street, Annapolis, Maryland 21401.

MISSISSIPPI

Dr. Charles Q. Coffman, Associate Director for Planning, Board of Trustees of State Institutions of Higher Learning, P.O. Box 2336, Jackson, Mississippi 39205

NORTH CAROLINA

Dr. Robert W. Williams, Associate Vice President for Academic Affairs, Box 2688, University of North Carolina, Chapel Hill, North Carolina 27514.

SOUTH CAROLINA

Dr. Frank E. Kinard, Assistant Director, Commission on Higher Education, 1429 Senate Street, Columbia, South Carolina 29201.

TENNESSEE

Dr. Thomas F. Stovall, Associate Director of Academic Affairs, Tennessee Higher Education Commission, 908 Andrew Jackson State Office Building, Nashville, Tennessee 37219.

TEXAS

Dr. David T. Kelly, Head, Division of Program Development, Coordinating Board, Texas College and University System, P.O. Box 12788, Capitol Station, Austin, Texas 78711.

VIRGINIA

Mr. Gordon K. Davies, Associate Director, State Council of Higher Education, 10th Floor—911 E. Broad Street, Richmond, Virginia 23219.

WEST VIRGINIA

Dr. Keith S. Turner, Director of Special Projects and Administrative Services, West Virginia Board of Regents, 1316 Charleston National Plaza, Charleston, West Virginia 25301.

LIVING WITH INFLATION

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1974

Mr. HARRINGTON. Mr. Speaker, we all know that inflation continues in the American economy, and that the Government has failed for more than 5 years to effectively come to grips with it.

What we too easily lose sight of is the effect that inflation all too often has on American men and women—not only the poor, but all Americans.

An article appeared in the May 6 Wall Street Journal, "A Young Couple Finds Life Has Few Frills on a $12,000 Salary," by Urban Lehner, which profoundly demonstrates the crisis in which this continued inflation plunges millions of Americans.

It seems to me that this article deserves the attention of each of my colleagues, and therefore, I would like to insert it in the RECORD at this time.

The text follows:

A YOUNG COUPLE FINDS LIFE HAS FEW FRILLS ON A $12,000 SALARY

(By Urban C. Lehner)

ELLICOTT CITY, MD.—Everything had gone wrong at headquarters for Trooper First Class Hugh Thomas (Tom) Moore of the Maryland State Police; so when he arrived home to find one of his children crying, he lost his temper. It was irrational, he admits with chagrin—"kind of like when you have a hard time and you kick the cat for no reason."

The Moores don't have a cat, but Tom Moore did have his eyeglasses in his hand as he swung his arm in a gesture of frustration. The glasses slipped out of his grasp, flew across the room and crashed into a metal stand for a flowerpot, smashing one lens and snapping the frame.

And *that*, Tom says, "really threw me into a spin. We try not to buy on credit except in an emergency, but I just don't have the $60 they want for a pair of glasses."

A few years ago, Tom Moore might have managed the $60 with less strain. But that was before fuel oil jumped from 19 cents a gallon to 28 cents, before the property taxes on the three-bedroom Cape Cod house that the Moores bought for $25,000 in 1970 almost doubled, back when gasoline was still 37 cents a gallon and the Moore family could still get by at the supermarkets on $50 a week. Government talk of inflation? "They're not telling me anything I don't already know," Tom says.

For in truth, being forced to rely more on credit is just one of the changes that inflation is bringing in the lives of young, middle-income families like the Moores. Tom Moore, 31; his wife, Linda, 32, and their children Stephanie, 6, and Matthew, 4, aren't starving by any means. But in a great many ways, some big, some little, the Moores live differently now than they did just a year or two ago because of increases in the prices of almost everything they buy.

As a trooper first class after nine years with the Maryland State Police, Tom earns $12,281 a year before taxes; for him, that works out to $320 take-home every two weeks. (During his first eight years on the force, he drove a patrol car 10 hours a day on a series of rotating shifts. Nowadays, he works in the department's public-information office at headquarters in Pikesville, 15 miles from his house. Listeners to small radio stations throughout the state often learn that grisly details of auto accidents from "Trooper Tom Moore of the Maryland State Police.")

BENEFITS AND PREREQUISITES

Tom brings home another $812 a year as a staff sergeant in the Maryland National Guard. In addition, there are certain benefits and prerequisites attendant to his job as a trooper that translate, if not directly into income, at least into money saved—perhaps as much as $2,500 a year. These include a state car that he is permitted to drive on off-duty hours, a full set of uniforms (provided by the state) and an annual state-subsidized physical examination.

Salaries on the force have risen significantly in recent years. A starting trooper now makes $8,980 a year, compared to the $3,900 Tom got when he graduated from the state police academy in June 1965. But as Tom sees it, he has been essentially standing still for the last few years despite the raises. "I can remember thinking, 'If I could only make $10,000 a year I'd be home free.' Now that I'm making twelve, if I could make fifteen I'd be home free. It's a never-ending battle against the economy."

As a result, the Moores, like many families in similar circumstances, have responded to inflation by looking inward for opportunities to economize. They buy their meat in bulk and grow their own vegetables. Linda sews most of the children's clothes. Major household projects once left to professionals now fall largely to Tom. Last summer, after getting contractors' estimates to waterproof the basement that started at $1,500, Tom took two days off from work and did the job himself for $400.

A DIFFERENT APPROACH

For most of their nonrecurring purchases, Tom says, "we've had to do more planning." Four years ago, he says, when they moved into their house in this village of 9,500 about 12 miles west of Baltimore and wanted to paint some of the rooms, "we selected the colors . . . (and) went out and bought them." Just recently, however, when the dining room needed painting, Tom and Linda did things differently. This time, they asked a friend who owns a hardware store to let them know when paint went on sale, finally buying it only when they could get the reduced price.

What is remarkable about this jousting with inflation is that, in the Moores' case at least, it is done in the context of a way of life that by many standards was already restrained. Tom and Linda haven't gone anywhere on vacation—not even to the seashore for a weekend—since a trip they took to Florida in 1966. They dine out only on anniversaries and birthdays, and even then, Linda says, "We have to plan to get this money. We don't always make it." They rarely see the inside of a bar.

Most of their friends are people they know from the Catonsville Presbyterian Church. Tom is the catcher on the church softball team, and the big social event of the week is Monday night after the game when members of the team and their families gather at Pappy's, a pizza parlor on Route 40. "We're basically homebodies," says Tom.

Both Linda and Tom love to read (he is a World War II history buff), but they have always relied on the library for most of their books. Besides their subscription to Reader's Digest, a gift, Linda takes three women's magazines and a craft publication. Tom narrowed the choice of the one magazine he would allow himself to either Playboy or Model Railroading before deciding on the latter.

Down in the basement, the layout for Tom's model railroad is a clutter of half-completed villages and freight yards. The first of what will eventually be two loops of track circles three-quarters of the way around an unpainted plywood platform, ending abruptly at a gap in the table. This, Tom explains, is where the bridge will be—someday. "The company's out of funds right now," he says with a laugh. "My wife runs the finances, (and) she's not buying any more of our bonds for my railroad at the present time."

A few weeks ago, Tom and Linda fell upon $84 "mad money." He had investigated an accident involving two Virginia residents; when the civil case came to trial in Manassas, he was given expenses plus an hourly rate to testify on his day off, a common procedure in such cases. They used part of the money to have dinner out and to see a movie. "It was a big night on the town with buttered popcorn and the whole bit," Tom joshes. "Big time," Linda joshes back.

But joke as they will, the evening *was* a welcome break for the Moores. The fact of the matter is that their budget allows less and less room for frivolity and requires more and more work on their part to hold down spending. Linda, for example, had budgeted $100 every two weeks for food until last spring, when she discovered that $100 "just wasn't going anywhere."

"It really wasn't," she affirms. "And we don't eat that well. We never have rib roast or eye roast. It was a special occasion when we would buy a steak. We eat a lot of ground beef, a lot of chicken, a lot of chuck roast, things that I can make casseroles and stews out of, where you can take the meat and spread it."

Even before food prices began to soar last spring, Linda had cut back on buying snacks and desserts. Tom, who is six-feet-four, was trying to get down from 260 pounds to 215; now at 205, he still works out in the state police gym every day and is careful about what he eats.

Faced with the prospect of drastically cutting back on their diet, Tom and Linda bought a 20-year-old freezer for $75 and began shopping for sales and buying in bulk. Last summer, they expanded the little plot they tend on Linda's mother's 15-acre farm a few miles away to include tomatoes, radishes, squash, beans and cucumbers; this year, they're going to try corn as well.

Still not satisfied, this past March they joined a "food plan" offered by Dutterer's of Manchester, a local company. After paying an initial membership fee of $300, the Moores were entitled to buy a four-month supply of meats, canned juices and other food at what were billed as bargain prices. For their first four-months load, they're paying $87.30 a month; it includes beef, chicken, veal, orange juice, lemonade, bacon, sausage, margarine and fish. "So far, we've been very happy with it," Linda says.

They're also happy with what has happened to their food bills. Except when she needs to load up on paper products or on basic staples such as flour and sugar, Linda finds that she now can get by on $25 to $35 every two weeks for the items she doesn't order through the food plan.

The couple has also had some success in battling the rising cost of fuel. By keeping the thermostat at 62 degrees during the day last winter. ("It's just Matthew and I here, and we would wear socks and sweaters and warm things and we were very comfortable"), Linda cut the fuel bill to $140 for the winter from $300 a year ago—even though the price of a gallon of oil was 28 cents compared with 19 cents.

Linda has owned a sewing machine for years, but she didn't begin sewing in earnest until she noticed last year that boys' polo shirts, once $2.59 each, were selling for as much as $5 in some stores. Now, after a series of lessons on how to sew using knit fabric, she makes 90% of Stephanie's and Matthew's clothes. (The lessons cost $15.)

"If Linda didn't make nice clothes, we

Mr. Speaker, all of us could do well to follow the example being set by this outstanding young man in his pursuit of excellence in the face of adversity, and I know all of my colleagues join me in expressing to him and his family our very highest congratulation.

SENIOR CITIZENS DAY

HON. ELLA T. GRASSO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1974

Mrs. GRASSO. Mr. Speaker, on May 5, the people of Connecticut celebrated Senior Citizens Day.

Each year on this day, we take time out to pay special tribute to some 400,000 older Americans in Connecticut. These dedicated men and women have to their credit years of sacrifice and diligent commitment to the ideals which have made America the great Nation it is today. It is indeed fitting that Senior Citizens Day in our State should occur in May, which through the years has been proclaimed Older Americans Month throughout the land.

The marvelous accomplishments of our senior citizens testify to their courage, determination, and resourcefulness. Yet, for many older Americans, the vintage years offer hard times filled with loneliness, illness, and suffering, the inability to meet basic human needs for food, clothing, shelter, and medical care.

The latest available figures for Connecticut indicate that the median income for persons between the ages of 65 and 74 is about $1,800, while the median income for those over 74 years of age is less than $1,200. These are truly paltry sums in this time of galloping inflation which is having a particularly disastrous effect on Americans who live on fixed incomes. These people are being forced to pay more for essential goods, such as food, with catastrophic results on their limited budgets.

We in the Congress have worked for the elderly by enacting legislation to increase benefits for our older Americans and set up effective programs for them.

As a member of the House Education and Labor Committee, it was my privilege to help draft amendments to the Older Americans Act—comprehensive legislation encouraging the establishment of projects, such as senior citizens centers, to aid the elderly. Chief among these amendments was the addtion to the act of the nutrition program for the elderly—a program which would be extended for 3 years by legislation which recently passed the House and now awaits Senate action. The nutrition program has already provided $1,360,000 in funds for Connecticut through our State Department of Aging. Regional nutrition programs have been established and now serve senior citizens with over 2,500 well balanced, nutritious meals daily at more than 70 sites throughout the State.

It is my hope that the bill to extend this program will soon become law—clearly representing a meaningful commitment to nutrition for our senior citizens.

In other areas, the Congress has worked to provide a decent standard of living for our older Americans through legislation to increase social security benefits. Legislation—recently enacted into law—to increase these benefits by a total of 11 percent had my strong and vocal support.

In addition, I have cosponsored legislation to increase medical coverage for senior citizens under medicare by including prescription drugs as an item covered under the program. Another measure would provide expanded coverage under medicare for non-institutional long term care. Training programs for paraprofessionals, who would make home health care available for senior citizens, would be established under a third bill.

Legislation to remove limitations on income which can be earned by persons on social security has been cosponsored and ardently supported by me. So also has a bill to base payment of benefits to married couples on combined earnings where that method produces a higher combined benefit.

As a nation, we must assure that our senior citizens have the opportunity to live happy and healthy lives in retirement. We must continue our efforts to ensure that 20 million Americans over the age of 65 can maintain the peace of mind, dignity and comfort that they deserve, along with the cherished title "Senior Citizen."

LETTER FROM THE LATE JOHN FRIER

HON. ELWOOD HILLIS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1974

Mr. HILLIS. Mr. Speaker, John Frier during his lifetime made his comments known through articles published in the Wall Street Journal and a variety of other newspapers. Prior to his death on May 5, Mr. Frier wrote the editor of the St. Louis Globe. Ironically enough, Mr. Frier's letter dealt with taxation imposed on the property of the deceased. A portion of Mr. Frier's letter which I would like to share with my colleagues follows. I believe that Mr. Frier has made comments upon our present sales and inheritance tax laws worthy of serious thought.

The letter follows:

LETTER TO THE EDITOR OF THE ST. LOUIS GLOBE, PUBLISHED APRIL 3, 1974

Also in every paper is quite an obituary list, and what many folks don't realize is that the funeral of each of those folks also netted government money from a sales tax. Sales tax on just an ordinary funeral may run $50. In other words, government still wants to pick the pockets of those who depart this earthly paradise.

And of course, if they leave just a little in the bank or have a few pieces of property, they will also have to pony up what has become known as the inheritance tax. Let us hope St. Peter is more charitable and they don't have to pay a tax across the Pearly Gates.

JOHN FRIER.

SUPPORT FOR THE PRESIDENT

HON. JOHN J. RHODES

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1974

Mr. RHODES. Mr. Speaker, Eugene Siler, of Kentucky, a former colleague in the House, has written an analysis of the present situation regarding impeachment, in which he compares events and attitudes with some prominent figures and actions in history. I submit it for the RECORD, and urge that my colleagues take the time to read it. The text of Mr. Siler's article is as follows:

HEADS OR TALES

(By Gene Siler)

Joan of Arc, a great woman, was burned at the stake in France in 1491.

Although this nineteen year old maid was a great and good person and had miraculously led a band of soldiers out to victory and saved her home town from its enemies and although she was officially declared a saint more than 400 years later, yet in the emotionalism of that day a selfish mob cried, "Burn her, burn her, burn her." And they did. Flames of the mob burned Joan of Arc to death.

Savonarola was an Italian preacher, reformer and priest. He denounced corruption among the great and worldliness in the clergy. He was forbidden to preach and was summoned to Rome. Both orders he refused to obey. Although he devoted himself heroically to the care of the sick during a plague which had swept through the City of Florence and although his main offense was preaching his convictions, yet in the emotionalism of that day the mob cried, "Hang him, hang him, hang him." And they did. Rope in the hands of a mob strangled the life out of Savonarola.

John Huss was a religious reformer of Bohemia, a child of Czech peasants. He was also a preacher but many did not want him going about preaching his own convictions. Twenty-nine charges were presented against him and a number of these were absolute misrepresentations of his teachings. Huss was a brilliant student, doing good as he understood it, yet in the emotionalism of that day, the mob cried, "Burn him, burn him, burn him." And they did. Flames of the mob burned John Huss to death the very same day he was convicted.

Pontius Pilate, the Roman Governor, asked the mob, "What shall I do then with Jesus which is called Christ?" Although Jesus had said, "My peace I give unto you, my peace I leave with you," yet in the emotionalism of that day, the mob said, "Crucify him, crucify him, crucify him." And they did. Hammer and nails in the hands of a mob crucified Jesus.

Joan of Arc, Savonarola, John Huss were all good people, yet none of them were perfect. All had some elements of sin and had made some bad judgments. But to burn them or hang them? This was beyond imagination, for they were indeed good people. They too, like Jesus, had said, "May there be peace." They too, like Jesus, had originated from among the peasants, the plain people.

Also, our President, is a good man, yet we know he is not perfect. He has some elements of sin like all humans and he has made some bad judgments. But to impeach the man? This is beyond imagination, for he is indeed basically a good person. He said, "May there be peace for America." And for the first time in nearly ten years America found peace. He said, "Let our prisoners come home." And 587 war prisoners, many sick, war weary, long suffering men returned home. The words on their lips were, "God bless America—God bless our President."

1. Nixon made friends with China.
2. Nixon made friends with Russia.
3. Nixon ended the war and the draft.
4. Nixon led America in causing Health, Education and Welfare Department spending to surpass Defense Department spending for the first time in many years.
5. Nixon leadership stopped rioting on college campuses and the burning of our cities.
6. Nixon brought home 587 prisoners and a great number said, "God bless America—God bless our President."

Our President, who is certainly not perfect and who has indeed made some bad judgments, is also a son of peasant people, plain folks of our country.

Emotionalism of today, the mob spirit, cries, "Impeach him, impeach him, impeach him."

Yet I can never escape the good sounds of his life, "Let there be peace" and certainly there did come peace. Nor can those cries of "Impeach him" ever drown out the meaningful words of our long suffering prisoners saying, "God bless America—God bless our President."

It would be proper for any congressman or senator without fault to cast the first stone. Where is he?

BRINGING PETRODOLLARS HOME

HON. HENRY B. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1974

Mr. GONZALEZ. Mr. Speaker, sound economic policy requires that every nation maintain a reasonably good trade balance, and that means bringing home about as much money as you spend abroad. Some imports can be offset by export sales; other imports can be offset by foreign investment. In the case of oil imports, there is no way that this or any other country can sell sufficient goods to the exporting countries to offset fully the cost of our purchases. We therefore have to consider other ways of bringing those oil dollars home, lest we build up a potentially dangerous surplus abroad.

Last fall, my Subcommittee on International Finance considered several means of strengthening the dollar, and the staff recommended, among other things, that foreign investment be encouraged by eliminating the current tax on interest and dividends payable to foreigners. The Wall Street Journal yesterday endorsed this concept, and I think their comments are worth your consideration:

ATTRACTING PETRODOLLARS

With one easy stroke, the United States can go a long way toward improving its eminence as an international capital market, with financial benefits that would exceed the $200 million the Treasury would lose in tax revenues. The necessary step is the elimination of withholding taxes on interest and dividends that flow out of the U.S. to foreigners holding U.S. securities. The program amounts to a tariff on foreign capital.

These taxes have been on the books a long time, but until the arrival of petrodollars have been of relatively little significance. The basic rate of 30% applies to all residents (other than Americans) of countries that don't have tax treaties with the United States. Most of our major trading partners do have treaties with us which lessen the impact of these taxes on investors and on capital flows. But the oil-producing nations of the Middle East and Latin America neither have nor desire such tax treaties, as long as they can invest their colossal reserves through the Eurodollar market.

What this means is that as a matter of national policy, the United States is protecting the Eurodollar and Eurobond market to the detriment of its domestic capital market. The $200 million the Treasury would forego by eliminating these taxes is admittedly a lot of money, but it is small potatoes compared to the tens of billions in petrodollar business that the U.S. is throwing away to foreign capital markets. Why should the sheiks cough up 30% of their income from investments here when they can keep it all when their investments are cycled through London?

We are not prepared to argue that this simple tax change will mean an extra $4 billion to $6 billion a year of investment in the United States, as some proponents of the change are forecasting. After all, whichever market is recycling the oil money will put it here, directly or indirectly, when that market finds superior opportunities here. The withholding taxes simply insure that London and Geneva will do the picking and choosing, not New York. If the most promising investment for a Kuwait dollar is in Niger or Bolivia, it won't be banked through New York.

This is no trivial consideration. The penny or two of banking profits on every recycled petrodollar adds up to a tidy sum when the gross amounts top $25 billion and could approach $100 billion by the end of the decade. Also, foreign exchange is earned through financial intermediation.

The process of rebuilding the U.S. capital market began earlier this year when Treasury eliminated the interest equalization tax and the direct controls on foreign investment, the two U.S. programs that more than anything spawned the Eurodollar market. The rebuilding will be further aided if U.S. tax laws invite, rather than discourage, all that oil money.

TAX DEDUCTIONS WILL NOT END

HON. JOHN B. CONLAN

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1974

Mr. CONLAN. Mr. Speaker, I have received many letters from my Arizona constituents and from citizens in other areas of the country expressing concern about a bill introduced in the 92d Congress, H.R. 15230, The Tax Review Policy Act.

This bill was introduced in 1972 as a measure to stimulate discussion in the area of income tax reform. Among changes proposed in the bill was removal of major deductions for charitable activities.

It appears that some people believe that this proposed legislation is about to be enacted by Congress. I have discussed this matter with the members and staff of the House Committee on Ways and Means, the tax and revenue committee, and have been assured that this is not the case.

I believe that an overwhelming majority of the Congress recognize the advantages of tax deductions to encourage private contributions to religious and charitable organizations, and that any bill to remove this provision would stand little chance of passage.

Mr. Speaker, for the record, I would actively oppose any such legislation.

THE PRESIDENT'S REAL CRIME

HON. SAMUEL L. DEVINE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1974

Mr. DEVINE. Mr. Speaker, it is a little tough these days to find any copy that might put the President in a favorable posture. In my mail today was a letter to "all Congressmen" from James Gardner of Cincinnati, and he enclosed a letter to the editor of the Cincinnati Enquirer from one Mr. Coyne. I do not know either of these men, but feel others should share their thoughts.

The letters follow:

CINCINNATI, OHIO,
April 29, 1974.

To all Congressmen:

You who are to determine whether President Nixon deserves to be impeached will be confronted by many accusations and rumors.

However, due consideration should be given to what some people, including a few Congressmen who still put political revenge ahead of National Welfare and World Peace, call a GREAT CRIME, as presented above by my neighbor, Mr. Terence A. Coyne, who spent several years in Vietnam.

My friends in NATO countries now see through the extensive propaganda and agree with Mr. Coyne. London's two leading newspapers endorse President Nixon as doing more for World Peace than any other National Leader.

In 1970 I visited five Southeast Asian countries. People there were overjoyed when U.S. troops crossed into Cambodia, capturing vast quantities of missiles, guns and ammunition cached near the border for an all-out raid. This saved many American lives and set the enemy back two years in that area. Mr. Coyne aptly explains the National Disgrace avoided by the President's act.

Sincerely,

JAMES A. GARDNER,
Cincinnati, Ohio.

THE PRESIDENT'S REAL CRIME

To the editor: Recently, according to press reports, Alger Hiss called for the impeachment of President Nixon. Mr. Hiss thus joins the select company of Jane Fonda, the Berrigan brothers, Ramsey Clark, Daniel Ellsberg and others of like persuasion. This is an event of some importance. When the President is accused by citizens like these, whose integrity and patriotism are known to us all, who can long doubt his guilt? And when the accusations are repeated in every issue of Time magazine, the Washington Post, and the New York Times, and in every Columbia Broadcasting System and National Broadcasting Co. (NBC) newscast, what further need have we of witnesses?

Indeed, the weary and brainwashed U.S. public might be willing to accept all the charges without scrutiny, if it were not for the haunting, insistent memories of 1972.

It was less than 20 months ago. The Vietnam War dragged on interminably, with no light visible at the end of the tunnel. American fighting men rotted in the jails of North Vietnam. Their wives and children not knowing if they were alive or dead, lived a nightmare of despair. At the Paris peace talks, the United States endured daily insults from the arrogant Communist negotiators. The ultra-liberal press and television networks raged, demanding that the United States abandon Vietnam immediately and unconditionally, without requiring the liberation of American prisoners of war. Congressmen wrung their hands as congressmen do, solemnly asserted "I told you so," but had no suggestion what-

ever for a course of action. One senator spoke of crawling on his knees to Hanoi to implore mercy. The pride and prestige of the world's greatest nation were at their lowest ebb. Do you remember this, my countrymen? Does anyone remember?

But there was one man who, in the face of almost total opposition, had the patriotism, the astuteness and the raw courage to make a decision which stunned the American people, terrified the Congress and sent the leftists into a frenzy. This man—politician, patriot and President—directly challenged the resolve of Peking and Moscow, mined the harbor of Haiphong and showed North Vietnam, for the first time in the long war, the awesome power of the U.S. Air Force. And the North Vietnamese quickly came to terms, as the clear-thinking President knew they would.

This is the memory that won't go away—the memory of a President, unsupported at home and savagely censured by our European allies, lifting the Stars and Stripes from the mud, freeing American prisoners from cruel bondage and giving us back our national pride and self-respect. As one American who loves his country and has served that country on five continents, I shall never cease to be grateful to Richard Nixon; *I take off my hat to him, then and now.*

Isn't it just possible that Alger Hiss, Jane Fonda, the Berrigans, Ramsey Clark and Daniel Ellsberg may not be altogether loyal to their country? Isn't it just possible that Time, the Washington Post, the New York Times, CBS and NBC may be blinded by hatred of the President, or perhaps influenced by some philosophy alien to what most Americans believe in? Isn't it possible that the real crime of Richard Nixon—the heinous, unforgivable crime—is that he achieved an honorable peace in Vietnam, when his critics in the press, in television and in Congress were demanding a shameful retreat, desertion of our ally and abandonment of our imprisoned fighting men to the tender mercies of the Communists?

TERENCE A. COYNE,
A Lifelong Democrat.

MARYLAND HISTORIC PRESERVATION WEEK

HON. MARJORIE S. HOLT

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1974

Mrs. HOLT. Mr. Speaker, I am pleased to have the opportunity to bring to the attention of my colleagues, the opening of Maryland Historic Preservation Week, which coincides with National Historic Preservation Week, May 6 through May 12.

This week long program is being sponsored by the Maryland Historical Trust and its local committees in order to focus attention on the need to maintain historic resources in today's world. Maryland is a State rich in 17th and 18th century history. Annapolis, now our State capital, was also our first national Capital, and Maryland today is a vast treasurehouse of American history. It is vitally important that our historic sites, in Maryland and across the Nation, be preserved as part of our total environmental planning.

Historic property should be as useful in the present as it was in the past. It is through historic preservation that man sees himself most clearly, a product of his past and a contributor to his future. I would like to extend my very best wishes to the Maryland Historic trust for success in this important venture.

I would also like to extend a warm invitation to my colleagues to take advantage of this unique opportunity to step back into the pages of American history and visit Maryland this week.

BUSINESS FACES THE FIGHT OF ITS LIFE

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1974

Mr. MICHEL. Mr. Speaker, an article appearing in the current issue of Nation's Business magazine written by Senator BARRY GOLDWATER should be required reading for businessmen throughout the country.

Speaking from his broad experience as a businessman and a long time public official, Senator GOLDWATER brings into sharp focus a growing problem which many of us here in the Congress who have a high regard for the private enterprise system have tried to impress upon members of the business community.

I ask that the text of the article be placed in the RECORD:

BUSINESS FACES THE FIGHT OF ITS LIFE

(By Senator BARRY M. GOLDWATER)

The American private enterprise system—especially its basic industry segment—is headed for new and serious trouble in Congress.

In fact, the threat of crippling anti-business legislation is now greater than at any previous time in my experience. The going-over that representatives of the oil industry got recently in a Senate committee is only the beginning. From now on, you can expect to see a constant parade of corporate witnesses going to Capitol Hill to be badgered and blamed for a growing list of problems which are not only affecting the nation's economy, but interfering with the conveniences of the average American.

These problems; like comparable ones before them, have been seized upon by the liberal-radical element in Congress, in the private sector and in the academic community which would like to bring about the nationalization of American business.

In the current drive for government ownership of business, the oil industry just happened to be the first juicy target for the liberal-leftist cabal. And already we know from signs that are evident in all parts of the nation that today's energy crisis will be tomorrow's steel crisis, and tomorrow's steel crisis will be the next day's crisis for the entire competitive enterprise system.

I am not sure the business community has ever faced a situation just like the one that confronts it today. Our problem seems to be one involving too much of what American business has always held beneficial.

What I'm saying is that there is too much growth, too much demand, and too little supply. The system is faltering under a series of badly handled shortages and is under attack by all its old socialistic enemies.

Unfortunately, much of the present drive against business is fueled by public anger. The claim of some demagogues that the whole energy crisis is nothing more than a conspiracy on the part of the big oil companies—just to take a current example—is gaining loud and angry support from American consumers who are paying record prices for gasoline and who, for a time, were forced to spend hours in line to get it.

If there are any new and naive members of the corporate management community who believe the forces of nationalization do not know how to use this kind of public anger, I hope they'll wise up very fast.

Never before have I seen a situation which cried out as loudly for intelligent planning by business representatives. And I am talking about those business representatives, whether they be in oil, steel, the automotive industry or the toilet paper business, who come in contact with the public and testify before Congressional committees in front of television cameras.

Perhaps I am presumptuous. But as one member of Congress who has met a payroll, has served his time in the business community and has never forgotten his regard and affection for the free enterprise system during a quarter-century of public service. I feel I have a right and a duty to issue a warning.

Some weeks ago, on Feb. 6, I let my hair down and delivered a message to the corporate heads of the iron and steel industry. Now I should like to amplify that message for the benefit of all American business. My message is to urge you to understand the situation you are in, to take an accurate measurement of your opponents, and to prepare for the fight of your life.

I have long held a front row seat from which I can watch some of the things that American corporations do wrong in Washington. For example, most industry spokesmen come to the nation's capital to testify before committees of Congress when the problems affecting their businesses are especially grave. But they seem invariably, to be the most poorly organized, poorly informed group of witnesses in the whole country. It is not that they don't understand their businesses, not that they can't articulate their problems—rather, an attitude they carry with them into the committee rooms seems to prohibit their story from getting across.

I have spent a lot of time considering this situation. And I have come to the conclusion that too many of the business spokesmen whom I see testify assume that the members of Congress know little or nothing about the intricacies of their enterprises. This may be true, but what the witnesses fail to understand is that even the dumbest member of Congress can be armed with the toughest kind of question. Some witnesses fail to understand that many of the questions put to them in these hearings are prepared by brilliant young staff members who mistrust or totally disbelieve the attributes of the private enterprise system.

Other witnesses come to Washington with an abiding faith that the members of Congress will have an appreciation of their problems and that their testimony will get the kind of treatment in the news media they believe it deserves. The record fully proves that these are mistaken assumptions.

If any of America's business leaders doubt that there is danger ahead. I would ask them to ponder the consequences of a bill now before Congress to place government and public members on the boards of directors of all major U.S. oil companies.

And then I would tell them to start making plans *today*—not *tomorrow*—to head off a concerted drive against all important elements of the American private enterprise system. I predict we have only heard the beginning of charges that industry representatives conspired to bring about material shortages, inflation and unemployment. I believe American business will be accused on every side of reaping windfall profits at the expense of helpless consumers and taxpayers. And I predict that Congress will before long be considering a barrage of bills

to nationalize businesses or to impose greater controls and taxes on the domestic and foreign earnings of American industry.

The current challenge to business seemed to reach crisis proportion almost overnight. This, by itself, should inform the leaders of the private enterprise system that the hour is very late and growing later every minute.

CONSUMERS NEED PRICE HISTORY OF PRODUCTS

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1974

Mr. ROSENTHAL. Mr. Speaker, today I am introducing legislation that would require the Nation's retailers to post in their stores, a "box score" of recent price increases for all of their products. With controls removed, consumers need this detailed point-of-sale information so they can keep track of and judge the reasonableness of price increases on an item-by-item basis.

The proposed legislation would require the posting of the current retail price of an item as well as its price 12 and 18 months prior to the current price. Small businessmen would be exempted from the posting requirements as would products, such as fruits and vegetables, whose prices fluctuate seasonally.

The technique of selective buying is a useful consumer self-help weapon for resisting the damaging effects of high prices in an inflationary economy. But the bewildering pace and staggering intensity of price increases in the marketplace make it impossible for the average consumer to evaluate the fairness and impact of these increases.

Only by providing detailed point-of-sale information on the recent price fluctuations of an item, can consumers decide whether a particular purchase is prudent or would contribute to the general inflationary spiral. The Government's Consumer and Wholesale Price Indexes, while useful to economists are not satisfactory for this purpose.

The Federal Trade Commission would administer the bill's provisions. The text of the legislation follows:

H.R. —

A bill to require retailers to provide point of sale information to consumers concerning the recent price history of products and merchandise offered for sale at retail in commerce, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Consumer Price Information Act of 1974."

STATEMENT OF FINDINGS AND DECLARATION OF POLICY

SEC. 2. The Congress finds that during periods of severe inflation, consumers can minimize the effects of rapidly rising prices by avoiding the purchase of products that have experienced sharp price increases over a brief time span. The utilization and success of this self-help technique, known as selective buying, are dependent on the availability to the consumer of precise information concerning a product's price behavior in the marketplace. But the great proliferation of products and the rapid pace of price increases make assimilation of such information impossible for most consumers.

It is therefore the policy of Congress, to provide consumers with point of sale information concerning the nature and extent of price variations for products offered for sale at retail in commerce.

SEC. 3. As used in this Act—

(1) the term "commerce" means commerce between any State or possession of the United States, or the District of Columbia, and any place outside thereof; or between points within the same State or possession, or the District of Columbia, but through any place outside thereof; or within any possession or the District of Columbia.

(2) the term "Commission" means the Federal Trade Commission.

(3) the term "person" means an individual, partnership, corportation, association, business trust, or any organized group of any of the foregoing.

(4) the term "former retail prices" does not include any retail price temporarily used in the course of business by a person for the purposes of a clearance sale, special event sale, or the like.

SEC. 4. (a) No person engaged in commerce may, in the course of such commerce, sell or offer for sale at retail any products, goods, wares, or merchandise unless there is conveniently available to consumers at the place of sale price information, in such form and manner as shall be prescribed by the Commission, which contains—

(1) the retail price at which such item or article is currently being offered for sale at retail by such person; and

(2) the price (hereafter referred to in this Act as the "former retail price") at which the item or article was usually sold at retail (or if no such item or article was sold at retail although offered for sale, the usual price at which it was so offered) by such person in the course of business (A) immediately before and (B) twelve and eighteen months before such time as the price referred to in clause (1) was established as the current retail price, if such former retail prices and the current retail price differ.

SEC. 5. The Commission shall prescribe such rules and regulations as may be necessary to carry out this Act including regulations with respect to the manner and form of price information on products, goods, wares, and merchandise as required by section 4 of this Act.

SEC. 6. (a) Any person who knowingly violates this Act shall be guilty of a misdemeanor and upon conviction shall be fined $250. Each article or item of manufactured goods, wares, or merchandise to which this Act applies and which is sold or offered for sale in violation thereof shall be deemed to constitute a separate violation of this Act.

(b) Whenever the Commission has reason to believe that any person is guilty of violating this Act, it shall certify all pertinent facts to the Attorney General, who shall cause appropriate proceedings to be brought for the enforcement of the provisions of this section against such person.

SEC. 7. The following entities shall be exempt from the operation of this Act—

(1) Any individual retail outlet which sells or offers for sale packaged consumer commodities and whose total gross sales do not exceed $250,000 per annum, unless such an outlet is one of a number of outlets owned substantially or whose inventory is supplied substantially, by a single person, partnership, or corporation whose total gross sales exceed $500,000 per annum.

(2) Products whose price is subject to predictable seasonal variations, as established by the Commission.

SEC. 8. This Act shall apply with respect to products, goods, wares, or merchandise sold or offered for sale at retail in commerce on or after ninety days following the date of enactment of this Act.

FERMI ACCELERATOR: GREAT MINDS AND SKILLED HANDS

HON. JOHN N. ERLENBORN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1974

Mr. ERLENBORN. Mr. Speaker, the National Accelerator Laboratory will be dedicated Saturday, May 11, at Batavia, Ill., by Dr. Dixie Lee Ray, the Chairman of the Atomic Energy Commission. At that time, it will become the Enrico Fermi National Accelerator Laboratory, so named in memory of a great Italian-American and a leader in high-energy physics.

This is the world's largest accelerator for high-energy physics. It started 11 years ago with a recommendation to the Atomic Energy Commission. The site was chosen in 1966 and construction started in 1969. The plans had called for a 200-billion-electron-volt accelerator, and the cost was to be $250 million.

What we have is an accelerator which already has operated at the 400-electron-volt level. It was built in 39 months and the cost is still several million dollars below the $250 million authorization.

The performance is due to design improvements worked out by Dr. Robert R. Wilson, the laboratory director, and his staff. Much of the credit for the extraordinary performance, for the speed of construction, and for the low cost must go to the building trades craftsmen who worked on the job.

Mostly, they were drawn from the communities around the accelerator. They are the carpenters, the masons, the plumbers, and all the others. Their skills are older than recorded history, but they have been honed and polished to cope with modern demands and with new materials. Their skills have enabled Dr. Wilson and his staff of scientists to make good their vision of what this great scientific instrument ought to be.

To understand what a great instrument the Fermi Accelerator is, one must know that, when it was started, the largest accelerator in the world was a 76-billion-electron-volt proton synchroton in the Soviet Union.

The Fermi Accelerator first attained the specified energy of 200 billion electron volts on March 1, 1972. It now is usually operated at 300 GeV and has been operated at 400 GeV. As a layman, I regard this as a miracle of performance. As a Member of Congress, I look upon it as a fiscal miracle, also. All this has been done within the scope of appropriated funds.

The experimental areas have been extended beyond those planned, and two bubble chambers have been added. One of these, the world's largest, is being cooled down now, and the laboratory scientists hope to have it in operation late this month.

Some 45 experiments have been completed and over 20 more are in progress.

Many of these are international collaborations, including several with the U.S.S.R. The beam of protons is distributed among the experimental areas so that as many as 10 to 15 experiments can make use of it at the same time.

Mr. Speaker, this laboratory occupies 6,800 acres—a little more than 10 square miles—of land in a triangle bounded by Batavia, west Chicago, and Warrenville, Ill. Its main ring has a diameter of two kilometers, or about a mile and a quarter. It is operated for the Atomic Energy Commission by Universities Research Association, a consortium of 52 universities, one of which is Canadian.

I rise to salute:

The Atomic Energy Commission for perceiving the need;

The Joint Committee on Atomic Energy and the Congress for understanding what this instrument promises;

Dr. Wilson and his fellow scientists for their expertise and their sense of adventure; and

The building tradesmen, whose craftsmanship enables scientific innovation and imagination to become reality.

STATE AND LOCAL PROGRAMS THREATENED BY OMB POLICY

HON. BARBARA JORDAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1974

Miss JORDAN. Mr. Speaker, the Office of Management and Budget is currently considering the issuance of a policy directive, circular A–70, which could cripple State and local government efforts in the fields of higher education student loans, low- and moderate-income housing, urban renewal, and airport and mass transit construction. By administrative fiat, the Office of Management and Budget is proposing to establish a comprehensive, governmentwide policy, which would prohibit Federal participation in State and local government programs and projects partially financed through the sale of tax exempt bonds. The impact of the amended circular is so broad I believe it would be wise for the administration to submit the language to the Congress in the form of proposed legislation.

In November 1972, OMB drafted and circulated a draft revision to circular A–70 aimed at strengthening administration policy regarding programs which provide assistance through the extension of Federal credit. The circular contained a provision establishing a Federal policy against the use of Federal loan guarantees, insurance or interest subsidies in conjunction with State or local funds raised through tax exempt bonds.

The proposal was circulated to State and local officials for review and comment. Governors and mayors were vigorous in their opposition to it. As a result, the circular was not issued. In recent weeks a redraft has surfaced and indications are that OMB plans to issue a revised circular shortly. The revised draft contains even stronger language than the 1972 draft. Of most concern is the proposed section 5(c) stating:

> Aid to tax-exempt securities. State and local government obligations, the interest income from which is exempt from Federal taxation, shall not be guaranteed by Federal agencies. Nor shall there be indirect guarantee of tax-exempt financing through guarantee of underlying loan portfolios, debt service payments, lease or lease-purchase contracts, or other pledges or equivalent support.

This provision will have an immediate adverse impact on the operations of State housing finance agencies and higher education student loan programs. The operations of these agencies depend upon the proceeds from the sale of tax-exempt securities to finance their operations. By relending the tax-exempt proceeds together with Federal funds, to developers and university students, these State agencies are making needed capital available at interest rates lower than the prime rate. In this manner, developers and moderate-income home buyers are able to complete their transactions at a time when the housing finance market has almost dried up.

Since 1965 Texas has had its own State higher education student loan program. Known as the Hinson-Hazelwood college student loan program, it has lent more than $132 million to almost 103,000 needy Texas college students.

As of August 1971, the State has been operating as a Federal loan insured institution, much like the local banks in any other State for student loan purposes. This program would be difficult to maintain if the Federal Government were prevented from guaranteeing the tax-exempt securities sold every year by the State.

Neither the Housing Act nor the Higher Education Act prohibit the Federal Government from guaranteeing, either directly or indirectly, tax-exempt securities. And yet the administration is proposing to virtually shutdown these State programs without so much as a public hearing. At the very least, the pros and cons of the proposal ought to be fully explored in public. Since the effect of the proposed OMB amendments to circular A–70 would be to establish policy affecting all Federal programs, and since such a policy would not be consistent with any statutory mandate, it is reasonable to request that the Office of Management and Budget refrain from issuing such a sweeping directive until the Congress has had a reasonable opportunity to consider the complex issues in dispute and take appropriate action.

VOTING CORRECTION

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1974

Mr. FORD. Mr. Speaker, on May 1, 1974, on rollcall No. 198, I am reported as not voting. I was present, and was properly recorded as voting on all the other rollcalls. I voted "yea" on rollcall No. 198 and the machine apparently failed to record my vote. I would like the RECORD to so note.

IN MEMORY OF AMBASSADOR ANGEL SAGAZ OF SPAIN

HON. HERMAN BADILLO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1974

Mr. BADILLO. Mr. Speaker, it was with great sadness that I learned of the death yesterday of the Spanish Ambassador to the United States, His Excellency Angel Sagaz, at a hospital in his hometown of Jaen.

A career diplomat, Ambassador Sagaz served his country with great distinction, not only in the United States but also in the United Nations, Egypt, Finland, Sweden, and Canada. His relationship with our country was particularly close, however, and during his tenure as the Spanish envoy in Cairo, he performed an outstanding service in protecting the United States' interest following the break in diplomatic relations between the United States and the United Arab Republic after the Six Day War.

In addition, Ambassador Sagaz performed notable humanitarian acts in aiding the Jewish community in Egypt and he assisted some 1,500 Jews to leave that country. Further on a number of occasions in the past few years I called upon Ambassador Sagaz to use his good offices and his personal knowledge of Middle Eastern affairs to aid Jewish citizens of Syria and Iraq who had been subjected to harrassment, intimidation and arrest. Without hesitation the Ambassador undertook to provide whatever aid and information he could on these sensitive and deep-seated problems. Surely both the United States and the Jewish communities in the Arab nations have lost a valued and trusted friend.

Mrs. Badillo joins in extending our deepest condolences to his charming wife, Ursula, and to his five fine sons.

The article follows:

[From the Washington Post, May 7, 1974]

ANGEL SAGAZ DIES; SPANISH DIPLOMAT

Angel Sagaz, 61, the Spanish Ambassador to the United States, died Monday at the Hospital Nacional El Neveral in Jaen, Spain.

He had flown there from Washington April 18 after spending a week at Walter Reed Hospital, where he was under treatment for cancer.

Mr. Sagaz, a career diplomat, was named ambassador to this country in February, 1972, after serving as his country's ambassador to Cairo for six years.

He had long had contact with the United States, serving as first secretary at the Spanish Embassy here from 1953 until 1956, when he was named Spanish counselor at the United Nations General Assembly.

In 1961, as third minister of the Spanish Foreign Ministry, Mr. Sagaz took part in the negotiations of the trade agreement and air accord between the United States and Spain.

A year later, when he again was a member of the Spanish delegation to the U.N. General Assembly, he accompanied the late Ambassador Adlai Stevenson on a U.N. mission to Spain.

In 1963, Mr. Sagaz accompanied the Chief Justice of the United States on a trip to Spain and later was part of the official Spanish delegation that attended the funeral here of President Kennedy.

Mr. Sagaz was named general director of relations with the United States at the Spanish Ministry of Foreign Relations in 1964, when he also was a member again of Spain's delegation to the U.N.

When he was named ambassador to Cairo in 1966, he also served as ambassador to the neighboring states of the Yemen Arab Republic, the Republic of Sudan and the Somali Democratic Republic.

During his assignment to Egypt, Mr. Sagaz worked with American officials in Cairo to protect United States interests after Spain acted as this country's protecting power when the U.S. severed diplomatic relations with the United Arab Republic following the Arab-Israeli war.

During that war, he also assisted the Jewish communities in Egypt and more than 1,500 persons were evacuated through his negotiations.

In 1970, Mr. Sagaz represented Spain in the UN-ESCO General Conference of Cairo to save the monuments of Philas Island.

Born in Madrid, Mr. Sagaz graduated from Spain's School of Diplomacy there in 1943. In addition to his diplomatic posts in Washington, Egypt and with the United Nations Mr. Sagaz had served in Finland, Sweden and Canada during his 31-year career.

He held numerous decorations from Spain, Sweden, Portugual and the Holy See.

He is survived by his wife, Ursula Zinsel Sagaz, whom he married in Washington in 1956, and five sons, Jose, Gabriel, Juan Carlos, Manuel and Santiago.

POW/MIA "MAN OF PROMISE" BURIED IN MILWAUKEE

HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1974

Mr. ZABLOCKI. Mr. Speaker, it was with heavy heart that I participated in memorial services on Saturday, April 27, for Capt. Lance Sijan, a young Air Force officer from my home district of Milwaukee who died while a prisoner of war in North Vietnam.

As a friend and neighbor I joined with his parents, family, and friends in paying prayerful respect to this outstanding young man. As the representative of a grateful nation and the Congress it was my privilege to pay him the just tribute and esteem Lance Sijan so much deserved.

It was my honor and privilege to take part in the funeral services particularly since young Lance competed for and won the Fourth District Congressional appointment to the Air Force Academy in 1961. His obvious academic ability and personality—qualities of leadership—and numerous achievements gained the approval of the reviewing board created to evaluate the many competing candidates. Lance was their unanimous first choice. I was pleased to name him as my principal appointee. Following an outstanding career at the Academy Lance Sijan went on to newer challenges and opportunities, each of which he met with distinction.

It was his determination to excel and to become a pilot, a goal that he achieved. He enjoyed the zest of flying, known best to those who, like he, have soared through the skies. Unfortunately on November 9, 1967, he was shot down in enemy territory over the Ho Chi Min Trail. Despite a compound leg fracture he evaded capture for 46 days. Even after being taken prisoner he once tried to escape and otherwise showed defiance of his captors.

According to his fellow prisoners the North Vietnamese gave him no medical treatment during his first 2 weeks in Hanoi. The failure to promptly treat the infection caused by the fracture led to his death on January 1, 1968.

All of these facts and more were outlined in Donald Pfarrer's story of the memorial service which appeared in the Milwaukee Journal of April 28, which I place in the RECORD at this point and recommend it to the full and careful reading of my colleagues:

MAN OF PROMISE—A COST OF WAR

(By Donald Pfarrer)

"He fought the good fight, he finished his course, he kept his faith."

So said a minister Saturday of Capt. Lance Peter Sijan, U.S. Air Force, in a memorial service at Bay View High School.

And because the meaning of the service depends on the meaning of Capt. Sijan's life, and to some degree on a knowledge of his life, this report will tell something of his life first.

He was born April 13, 1942 at St. Mary's Hospital, first child of Sylvester and Jane Sijan, who lived then in an apartment at 816 W. Greenfield Ave.

Later the family moved to a house at 3212 S. Indiana Ave., where they stayed 12 years and where two other children were born: Marc, who is now 26 and an art teacher at Brookfield East High School, and Janine, now 19 and a student at the University of Wisconsin—Oshkosh.

Lance's father had his own sales business for seven or eight years, then concentrated on a family owned restaurant and tavern business. He now operates Mary's Log Cabin, 117 W. Greenfield Ave., with Lance's grandmother.

When Lance was in Bay View High School the family moved to its present home, a neat brick house at 2751 S. Shore Dr., overlooking South Shore Park and the yacht club.

Lance was in the top scholastic club at Bay View, captain of the football team and member of the Milwaukee Journal all-conference team, president of the student government in his senior year, member of the senior class commission and star of several dramatic and musical productions.

He won the top honor available to a male graduate, the Gold Medal, in 1960.

From Bay View he went to a service academy preparatory school in Bainbridge, Md., as a member of the Air Force Reserve. He had obtained an appointment to the Naval Academy but changed his mind and sought appointment to the Air Force Academy.

Rep. Clement J. Zablocki said Lance was the unanimous choice of the review board, and in the autumn of 1961 he entered the Air Force Academy, where he continued his record of achievement.

He won the military honor of selection to the Commandant's List several times, played end on the varsity football team and was named to positions of responsibility in the Cadet Wing, or student body.

An instructor at the academy called him a young man of unusual talents.

He painted and was a sculptor. His wood carving of a female ballet dancer stood in an academy display until his death was officially ascertained, then it was sent home to his parents.

LIKED SKY DIVING

He graduated in 1965 and trained in the F-4C Phantom. He liked sky diving and once jumped in a Santa Claus suit and distributed toys to children near the training base in Texas.

He went to Vietnam early in 1967 and wrote to his father that he had developed a special affection and admiration for the Marines. He said that when he would take off the strip at Da Nang the Marines would stand at the edge of the runway giving the thumbs up sign, and he told his father: "If it weren't for the Air Force, I think I'd like to be a Marine."

He flew more than 50 missions out of Da Nang before Nov. 9, 1967.

With the help of the Air Force and returned prisoners of war, Sylvester Sijan has pieced together this account of his son's final weeks.

He took off from the Da Nang strip after dark on Nov. 9 with a load of bombs and flew to eastern Laos in company with another Phantom.

HIT BY FLAK

Lance and his aircraft commander, with Lance piloting, made one pass over the target area but found no evidence of enemy activity. They radioed the forward air controller, aloft in a light plane, to drop more flares.

Lance's Phantom, making its second pass over the target, entered the light of the flares, was hit by antiaircraft fire, burst into flame, climbed to 8,000 feet and exploded.

The other Phantom stayed in the area for an hour but could not raise any radio signals from the ground. The pilot said he had seen no parachutes.

VOICE IS HEARD

The next day a flight of rescue helicopters came to the target area and picked up Lance's voice. He said he was in deep jungle and had suffered a compound fracture of the leg.

The helicopters, amid constant and heavy ground fire, circled and made repeated passes but could not locate the voice from the ground. Lance's aircraft commander, a colonel, was never heard from.

An hour later the helicopters made contact with Lance again, but the terrain was mountainous and the jungle canopy 300 feet high. They lost radio contact and never saw the man on the ground or any evidence of him.

NEVER LOCATED

There were six planes in that mission. They returned the next day, and Air Force planes passed over the area every day for the next three weeks but never located the injured man.

Yet he was down there all the time.

He lived in the jungle 46 days. He was 6 feet 2 and weighed 200 pounds when he crashed. He ate what the jungle afforded and drank whatever water he could find.

The compound fracture not only made walking virtually impossible, but proved a ready conduit for bacteria.

FOUND NORTH VIETNAMESE

It became infected, it swelled, and the infection invaded the rest of his body. He was cut everywhere from trying to move through the brush, and by the time he was found by the North Vietnamese Army he was lying semiconscious beside a trail and he weighed 120 pounds.

The NVA took him to an infirmary, where his leg was set.

Air Force Capt. Guy Gruders, who had been one year ahead of Lance at the Academy, said he was a prisoner in the same infirmary. He told Sylvester Sijan that Lance regained consciousness, looked up into his face and said:

"Aren't you Gruders?"

ESCAPES—BUT IS CAUGHT

Gruders said that after his leg had been set Lance escaped into the jungle, dragging his cast, but was caught a half mile away,

brought back and fitted with a much heavier cast.

His health was getting worse. During the three day truck ride to Hanoi, Gruders and a Navy lieutenant had to hold him to keep him from bouncing and striking his head on the truck floor.

He was conscious at times and unconscious at times; he was weakening.

When they reached Hanoi the three Americans were put in separate cells, then put in a single cell together, and Gruders and the Navy lieutenant began to fear that Lance would die.

SHOWED DEFIANCE

When he most needed to preserve his strength he wasted it instead. He wasn't always lucid, and he would throw off his blanket in the middle of the night, go to the door and shake the bars and—in his mother's words—show the North Vietnamese that they hadn't broken him.

He told Gruders he wanted to escape and he made some efforts to do so, but his strength was scarcely enough to sustain life.

The North Vietnamese gave him no medical treatment during his first two weeks in Hanoi. In the third week, approximately, he became more gravely sick.

Then the camp commander ordered medical attention for him and he got large doses of antibiotics as treatment for what turned out to be double pneumonia, but it was too late.

He died Jan. 1, 1968.

REPORT NOT BELIEVED

His family wrote letters every month, believing him to be a prisoner. In late 1971 a group opposed to the U.S. war effort returned from Hanoi with a list showing Capt. Lance Sijan as "deceased," but the family didn't believe it and continued to write.

It wasn't till the POWs came home and told of his death that the family on S. Shore Drive believed their son was dead.

The body was returned to the U.S. April 12, and Sylvester Sijan told the Air Force he wanted one Marine in his son's guard of honor.

So the memorial service opened Saturday with a Marine sergeant marching down the aisle of Bay View High School auditorium, among a hushed audience of 350 people, and saluting the flag covered casket.

The rest of the honor guard of airmen and airwomen, singly, marched down the right aisle, saluted, and marched up the left.

There were seven bouquets and the flags of Wisconsin and the United States.

23D PSALM READ

The Rev. Melvin H. Herlache, pastor of Greenfield Avenue United Presbyterian Church, 1455 S. 97th St., West Allis, read the 23rd Psalm and said:

"If there is a physical body there is also a spiritual body.

"The things that are seen are transient; the things that are unseen are eternal.

"If God is for us, who can be against us?"

He said Lance had loved life, and that he still lived.

Rep. Clement J. Zablocki said he came as a neighbor and friend who shared the family's grief, and as a representative of a grateful Congress.

"Crushed by our understandable grief," he said, "we too often see death as the end. . . . But it is not the end."

AWARDED DFC

Retired Col. Leonard Dereszynski of the Air Force Reserve announced that Lance had been awarded the Purple Heart, the Air Medal and the Distinguished Flying Cross, the latter for courageous and effective action over North Vietnam on Aug. 22, 1967.

Arthur Showers, retired principal of Bay View, said Lance had led by serving, that all his achievements as a student were secondary to his ideal of service, of helping others.

"Dear Lord," he prayed, "let us be aware that we are in the presence of greatness, in the presence of unusual courage."

He asked: Why was such a striking young man taken so early?

"Perhaps his message and his influence on other youths will be more powerful," Showers said, "if it is known that he accomplished so much so early."

He announced that the high school was establishing a memorial award to the senior boy who best exemplified leadership, scholarship, and service, in the tradition of Lance Sijan.

State Rep. Louise Tesmer, a classmate, said all Lance's accomplishments in school had not changed his fundamental humility.

And Maj. Albert H. Neubauer Jr., a teacher at the Air Force Academy, said: "The death of a young man of his talents is a great loss to both the Air Force and the nation."

At Arlington Park Cemetery, 4001 S. 27th St., Greenfield, the minister said a final prayer, the honor guard fired a salute, the flag was folded and presented to Mrs. Sijan and a bugler played taps.

INDIVIDUAL RIGHTS IN NORTHERN IRELAND

HON. JOE MOAKLEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1974

Mr. MOAKLEY. Mr. Speaker, the right to dissent is one of the fundamental privileges upon which this great Nation was built. It is the heart of all of our history, and was the basis of our revolution. It is a right for which we have continued to struggle, throughout the world, and at home, for all of our years.

Thomas Jefferson, a great American, and perhaps the leading proponent of the idea of individual rights, once said that the price of liberty was eternal vigilance. I fully believe that we must maintain the type of vigilance that has characterized this country in the past, to see that the rights of the individual throughout the world, are not abridged.

Recent events in Northern Ireland indicate that not all people of the world are able to maintain this type of vigilance. Rights of individuals have been suspended in an effort to keep the peace. The guarantee of freedom and self-determination appear to have been forfeited.

Mr. Fred Burns O'Brien has recently published a report on practices now common in Northern Ireland. This report is a clear, concise summary of a suspension of human freedoms. And I think that it is a new approach to the problem, one which applies the vigilance to which Thomas Jefferson ascribed.

I am sure that many of my colleagues would be interested in this report. Perhaps, by pointing out what a lapse in vigilance can do, it will stimulate our own.

I would now like to submit this report for inclusion in the RECORD:

INSTITUTIONALIZED REPRESSION

(By Fred Burns O'Brien)

The Irish People in the Six British Occupied Counties known as Ulster have been subjected to the vilest cruelty and acts of inhumanity over the past few years by order of the British Government. In a spy trial in Dublin in 1973, it was revealed by two criminals in the employ of the British Defense Ministries as spies that the British Army has in fact assassination squads and bomb squads that were formed to discredit the IRA as their sole function. The spies, the Littlejohn brothers, stated that it was these squads that were responsible for the Dublin car bombs and other sectarian assassinations that were blamed on the IRA. The British Army is the instrument of repression in Northern Ireland and the Republic is well under a clandestine cover. Not only have they made war on Irish civilians, but they have performed acts of torture under the legitimizing effect of abominable legislation.

What follows is a description, not of the war itself, but of related consequences, the internment without charge or trial and subsequent torture of Irish People for their efforts at seeking freedom and self-determination, a most respected international right. The abuse stems from two pieces of legislation *The Special Powers Act*, and its replacement *The Emergency Provisions* Bill; the second attempting to justify the indiscretions of the first and perpetrating new harassment of its own volition.

The legislation cited has been directed almost exclusively at the Minority Community and only recently has it been placed in effect against the Majority Loyalist group. It seems now that any Irish group in disagreement with the British Crown is to be treated with equity. At least Britain spreads her injustice in equal lots.

The most insoluble portion of discrimination against the Minority has conclusively been the application of *The Special Powers Act* in selective and arbitrary fashion. There is no legal protection or safeguards for the accused in the Act and he or she might be subjected to the whim of those applying the administration of the act. Regulation 22B(3) of the Act states "a person examined under this regulation shall not be excused from answering any question on the ground that the answer thereto may criminate or tend to criminate himself." This is a basic violation of the English Common Law as well as international covenants which sets out that an accused man is presumed to be innocent until the contrary is proven beyond a shadow of a doubt. This right is abrogated in the case of Nationalists and there is a suspension of equal application of law in their cases, as only qualified principles are applied, not full rights under law.

A SENTENCE NOT A TRIAL

Most serious of all the provisions of the Act are those which may be grouped together as derogating from the personal liberty of the subject by rendering him liable to artibrary imprisonment. By the principle of Habeas Corpus, it is generally understood to be a right of the subject to remain at liberty unless he be detained under charge prior to trial for some alleged, but specified crime, or under sentence of a judicial tribunal. Further, Habeas Corps in itself implies the right to apply to the courts to test the validity of any deprivation of liberty.

Any provision which renders an individual liable to arbitrary imprisonment and at the same time cuts him off from access to the courts to test the validity of his imprisonment, since it qualifies the principles stated above, may be described as suspending Habeas Corpus. Such suspension is effected by the Act in no less than four instances. *Detention* under Regulation 23 of the Act allows for any person to be arrested without warrant upon mere suspicion of having acted, of acting or of being about to act in a manner prejudicial to the preservation of the peace of maintenance of order, and

may be detained for an indefinite period without charge or trial. Under the new law the word "urgent" is substituted for "suspicion" meaning one and the same in practical application. Any act of urgency is perpetrated upon suspicion.

Exclusion orders, Regulation 23A, added by the Home Minister early in 1922, empowers the civil authority in its discretion to make an order prohibiting any person, whether he is domiciled in Northern Ireland or not, from residing in or entering any part or parts of the Six counties.

Internment orders, Regulation 23B, the Home Minister is entitled to intern any person by order for any period. His powers are purely discretionary and are not subject to review by any tribunal. (Review of case allowed under new law, but time for review is arbitrary in nature. *Detention of Terrorists Act* under Emergency Provisions Bill one year after initial detention then every six months. A denial incarcerates them forever.)

Detention of Witnesses—persons suspected of having information can be detained as well.

IMPLICATIONS—A CRIME

Of those interned up to 1973, since August 1971, most have not been members of the Irish Republican Army as is usually implied and for whom the Act was created, but merely those individuals holding a political philosophy that would see Ireland united and free (see Irish Press; London Times p. 1 8/10/71). This is considered subversive by the British Government and her agent at Stormont Castle, Belfast. The same pertained in the 1920's and 1930's as it does today. "There is a large body of opinion in the Six Counties in favor of a United Ireland, not confined to those professing the Roman Catholic faith.

This opinion tends to find outlet, particularly in Belfast, in secret support of Republicanism." "Special Powers are freely employed by the Government against persons known or suspected to entertain Republican sympathies, whether or not they are members of organizations such as the IRA, proscribed under *The Special Powers Act.* These powers, have in fact, been so used as to deprive the Republican Movement of all lawful modes of conducting propaganda or of engaging in legitimate political activity. Not only are its newspapers, emblems, colors and associations proscribed under Special Powers, and its supporters intimidated or penalized, but through recent changes in the electoral law its candidates are prevented from standing for election as they refuse to undertake to take their seats if elected."

Situations do not seem to change over time and in regard to Northern Ireland, the situation is static, without any change whatsoever. The facts retain their discriminatory aspects with all the characters the same for the past fifty years.

The Special Powers Act, per se, is undemocratic and not befitting a society such as the British Government seeks to portray. According to Article 3 of the *European Convention of Human Rights and Fundamental Freedoms,* to which Britain is a signatory, states: "No one shall be subjected to torture or to inhuman or degrading treatment or punishment." Article 15 of the Convention stipulates that Article 3 shall continue to apply even in times of war or grave public emergency. It therefore represents an absolute minimum standard of civilized behavior and treatment from which not even war can justify departure.

The imposition of internment without trial in 1971 was aimed at and intended for sole application against Nationalists as the Northern Prime Minister, Mr. Faulkner was in the throes of a personal vendetta against the IRA with total abstinence of concern for human rights; Mr. Faulkner finally got his wish fulfilled in August, 1971, when Britain acquiesced in his request for interning Nationalists.

In the small hours of August 9, 1971, the machinery was put into motion. The Army had wanted "to lift" no more than 100–150 people on the joint police-army list—only those who, they thought, were irreplacable by the IRA (no mention of Loyalists who initiated the violence). But technically, the British Army could only make "suggestions", Mr. Faulkner, as Prime Minister of Home Affairs, dictated the final size of the list—and he declared a clean sweep (of Nationalists), the lifting of more than 450 people. By the evening of August 9, 1971, 342 people had been arrested all over the province and distributed among three holding centers. They were not charged with any offense; *The Special Powers Act* did not require it.

If such undemocratic legislation was to be devolved on the people of the North, it should at least be devolved with equity on all groups, meaning specifically, the Ulster Volunteer Force and the Ulster Defense Association, none of whom were interned until late in 1972 and then a miniscule number. It is well known that the so-called Loyalists held in their possession an arsenal of legally licensed weapons and were unabused by the British Army. The Loyalists have been allowed to operate quite freely and openly, even now, while the IRA must resort to clandestine tactics. The Loyalists paramilitary groups wrought havoc upon Irish civil rights groups and this initiated the request for British troops to back the present government in Northern Ireland—that of Mr. Faulkner. The Ulster Volunteer Force under Gusty Spence, Rocky Burns and Noel Doherty sought to intimidate Catholics specifically and Nationalists in general, and the British Army if necessary.

SELECTIVE LAWS

The people of Britain proper would be revolted if *the Special Powers Act* were devolved upon them, yet their own Parliament passed it to be applied to other "Britons" claimed by the British Government to be within their jurisdiction. The investigation of 1936 into the Act proved how abusive it was and in contradistinction to traditional British democracy. When convenient the British authorities appear to excuse past discrepancies by instituting laws to divert attention to the new proposals. *The Special Powers Act* was repealed (in name only) as the result of the Diplock Commission and forthwith the *Emergency Provisions Bill* was effectuated. This Bill is vague and without any safeguards to insure the rights of alleged defendants or those innocent people drawn by British authorities into implied roles of criminal by association, which can be merely living in the same neighborhood as a wanted person.

The Special Powers Act and now *the Emergency Provisions Bill* are designed to relegate dissent to oblivion. Under the new Bill, "It would be an offense under the Bill to belong to proscribed organizations . . . (that is as interpreted as such) encouraging or promoting terrorism." Any political group with strong Nationalist leanings would be classified as offensive and proscribed and the British authorities would thereby thwart dissent. Britain's reversal of policy nominally is a surrender to outside pressure that engenders severe criticism within the international community.

As well as this is the fact that the Republic of Ireland enacted a case against Britain at the European Court at Strasbourg, which will be detailed later. The suit involves allegations of brutality to prisoners detained under the two previously mentioned British Acts. This was placed in relevance by evidenciary support by British appointed Compton Commission, Amnesty International and the Association for Legal Justice, all of whom made inquiries into torture of prisoners, and confirmed the allegations.

MILITARY NOT POLITICAL MOTIVE

The British Government has as its stated policy: the military defeat of the IRA, not the rectification of recurring wrongs, and with their blatant failure to effect such a tactic, they have resorted to a general punishment of the Irish race by the utilization of concentration camps in a similar fashion as employed by Nazi Germany on the selected victims for mental dismemberment. The disorientation of the Irish mind is the underlying intent of the policy of internment without charge or trial. This is resultant to the entire process of arbitrary arrests, detention, torture and mental derangement.

PRELATE ATTESTS TO TORTURE

Bishop Thomas J. Drury of Corpus Christi, Texas, just recently returned (8/73) from visiting Longkesh Concentration Camp in Northern Ireland attests to the appalling plight of those interned. He stated: "I was shocked and outraged by the obscene conditions of the camp; but I was deeply impressed and edified by the spirit, courage and dignity of the P.O.W.'s . . . I was a chaplain with the United States Air Force during World War II, but even in Japan I never saw such abominable conditions. Longkesh is clearly designed to disorientate its victims. In plain language, it is designed to torture, degrade, and drive the men out of their minds . . . and it succeeded in the case of poor Patrick Crawford . . . ."

Bishop Drury fully evidences as an eyewitness all the physical and mental abuses perpetrated by the British; the humiliation, human degradation and torture of Irish men in concentration camps. Ireland is a prime example of a full abridgement of human rights and for her part Britain must be utterly condemned.

The Bishop is the only member of the Catholic Hierarchy to visit the beleaguered victims of British atrocities. His credentials are impeccable and to hear in his own words the abuse that he saw lends further credibility to the allegations made by former internees whose words were in direct conflict with the entire British Government and the powerful, not the truthful, prevailed. How can an alleged democracy—how can human beings treat others in a dehumanizing manner? Only those devoid of humanity themselves could perpetrate such a crime against humanity. This is the state of the mentality of Britain's forces in Ireland and the Government itself, from the observations of this writer.

The process of torture referred to officially as "interrogation in depth" involves the placing of a hood on the detainee who is made to stand at an angle to a wall, balanced on fingertips. This is described as standing in the search position. If the victim falters, he is beaten and a favorite trick of British authorities is abuse of a man's testicles; the British have an affinity for this area of the anatomy. A noise machine is used while the victim is in this position and the incessant noise disorients the mind. The men are deprived of food and sleep which is meant to draw a confession out of desperation.

There are 22 distinct types of physical abuse that are applied to Irish citizens by Her Majesty's forces, in her name. On paper, the British constantly offer to clear up indiscretions on their part when they are exposed, but the revisions remain on paper and never find their way into practice. Any new legislation passed (for example the new Emergency Provisions Bill) is left purposely vague, so that torture can be condoned by a loose definition and an attempted excuse is contrived to cover the continuation of torture of detainees.

Internment without trial is a crime against the citizenry from which other abuses derive their being. *The Irish Times* quotes British

sources as saying their pre-dawn swoop on 8/9/71 captured 70% of the IRA for certain and that they were defeated. 342 Catholic men were arrested and on August 31, 237 of those were detained. As of December, 1972, 15 of these are still interned. As with the 327 who were arrested in admitted error, and since released, it is believed that the remaining 15 are no exception, but they are still imprisoned without trial upon prejudice—they are Mr. Whitelaw's political hostages.

CONGRESSIONAL REORGANIZATION AND THE ENVIRONMENT

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1974

Mr. DINGELL. Mr. Speaker, several weeks ago I communicated with a number of conservation and environmental organizations in an effort to determine whether they were as distressed about the implications of the proposed reorganization of the Congress, set forth in House Resolution 988, as I was. I found, not at all to my surprise, that most were very distressed indeed.

The only reservations raised by any of these groups dealt with the question of whether it was better to oppose the reorganization entirely, or to suggest that it might be cured if those portions of the plan which deal with conservation and environmental issues were drastically revised. I found no support for House Resolution 988 as presently drafted.

I would like to share with my colleagues a letter which sets forth the position of the Sierra Club in opposition to the entire proposal, and makes a number of telling points in the process. That these points have been made before, by me and by others, in this and in other places, should in no way disguise their fundamental accuracy and relevance to the issues which will soon confront us.

The letter follows:

SIERRA CLUB,
Washington, D.C., May 7, 1974.

Hon. JOHN D. DINGELL,
U.S. House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN DINGELL: After much thought and discussion of the proposals and their effect upon public programs of importance to our organization, I regret to say that we are opposed to certain parts of the "Committee Reform Amendments of 1974." We believe the concerns we have must be expressed to you and other members of the House of Representatives. An identical letter is being sent to Honorable Carl Albert (D-Okla.), Speaker of the House of Representatives, because we believe it is important to make our views known to the leadership.

Our concerns go to the very heart of the basic premise upon which the Committee Reform Amendments are based: limiting members to service upon only one major committee; and increasing the number of exclusive committees while at the same time reducing their size (over those currently designated by the Democratic Caucus). We believe that this limitation will have a profoundly adverse effect not only upon the programs of interest to environmental organizations but also to other important national concerns. Almost all recommendations for narrowing Congressional committee assignments were also accompanied by the insistence that this limitation be accompanied by a mandatory rotation system to alleviate the abuses of the Seniority System. There is no rotation system in the Committee Reform Amendments and without it we believe that the final outcome of these proposals would be a narrowing of the control over programs by regional and special economic interests.

The proposals, if adopted, would also have the adverse impact of narrowing of members' expertise and knowledge. Most issues before Congress are very complex and quite often benefit from interdisciplinary approaches. A member's service on other committees would more often than not bring valuable expertise and insights to the problems addressed by each committee. Another possible adverse impact would be the reduction of Congress to be simply a "rubber stamp" for legislation done by the exclusive committees. With the reduced size of these committees and their narrowed and concentrated jurisdictional focus there will be less members in the House in a knowledgeable position to challenge legislative proposals which emerge from these newly structured and restricted committees.

Further, the limitation on committee assignments and the new regrouping of environmental jurisdictions into an "Energy and Environmental Committee" will not bring about one of the desired effects of the reform proposals, that of more balanced committee memberships.

Committees such as Agriculture and Forestry or Energy and Environment (made up from the current Interior and Insular Affairs Committee) are very subject to regional and interest biases, which will continue to be paramount with members from the affected states over and above the new jurisdictions which have been combined with them (and are often in conflict with the paramount interests). An example can be found in a recent study done on House committee assignments. A member of the Interior and Insular Affairs Committee was quoted as saying: "I was attracted to it, very frankly, because it's a bread and butter committee for my state. I guess about the only thing about it that is not of great interest to my state is insular affairs. I was able to get two or three bills of great importance to my state through last year. I had vested interests I wanted to protect, to be frank."[1] We believe that our concerns are well founded that the broadly based environmental policies and programs such as clean air and water resources, etc., will take a back seat to the energy and public land resource exploitation jurisdictions in the proposed Energy and Environment Committee.

It is with the deepest regret that our concerns are being expressed. The need for congressional reform is real and the Select Committee has made a genuine, thoughtful, and important effort; however, we find ourselves still in basic disagreement with some of the basic proposals. The complaints about conflicting pressures upon members' time and lack of effective policy leadership on the part of Congress can be dealt with by other solutions with less detrimental effects upon important public interest programs.

Sincerely,

LINDA M. BILLINGS,
Washington Representative.

A CRITIQUE OF THE ONE COMMITTEE PER MEMBER PLAN

The justification of a legislature (from Madison in the Federalist Papers to recent theoretical research in social choice) is that it allows representatives of the people to consider a broad range of issues about which not all people feel the same. Conflicting views on outcomes, and different intensities of feelings about outcomes are the two engines that drive the democratic process.

An early example occurred in the First Congress, when Thomas Jefferson successfully engineered a resolution of the assumption of state debts issue by tying it to the equally vexed question of the location of the new capital. In modern terms this vote trade can be shown as follows:

Assumption of debts: North, yes; South, no.

Potomac site for capital: North, no; South, yes.

Perceived separately, neither issue could be resolved. Jefferson found, however, that the North felt more strongly about the debt issue (for good reason, they had the debts!) while the South felt more strongly about the location of the capital. The trade was arranged by Jefferson (in a New York tavern) so that the Southern representatives voted with the North on the debt issue while the Northern representatives voted with the South on the Potomac site for the capital.

Our present rigid committee structure replaces this grand trading arena envisioned by Madison and used so successfully by Jefferson with a number of smaller trading guilds. House rules of procedure, under which Committee bills rarely suffer major change on the House floor further restrict vote trading that can speak to intensity of interest and minority concern.

The recent proposal to restrict each Member of the House to one committee would further constrict this essential feature of any legislative body. If a Member may sit only on one Committee, he perforce must choose a Committee of high interest to his constituency. It will be as if one group had decided the assumption of debt issue and another, and totally different group, had decided the location of the capital. (Had that happened, neither issue would have been resolved, and Hamilton's fears that the Union would have had to be dissolved would have proved accurate.)

Any representative must have leverage. Such leverage is usually obtained by cooperating on some matters not so important to him as others. If each Member has only one committee assignment, his leverage will be severely weakened.

Reform of the present Committee system is long overdue. This measure, however, runs in a fundamentally wrong direction. Committee memberships should be expanding, not contracting.

EDWIN T. HAEFELE,
Director, Regional and Urban Studies, Resources for the Future, Inc., Professor of Political Science, University of Pennsylvania.

[1] Rohde, David W. and Shepsle, Kenneth A., "Democratic Committee Assignments in the House of Representatives: Strategic Aspects of a Social Choice Process," The American Political Science Review, Vol. 67, page 894.

TWENTY-SIXTH ANNIVERSARY OF ISRAEL

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1974

Mr. ANDERSON of California. Mr. Speaker, today, 26 years after the proclamation of independence for the State of Israel, we find a nation of signal accomplishment against overwhelming odds, confident of its future and proud of its past.

And the genius that has met the challenge—the hardship and the hazards—of building a nation has also proven to

the world that Israel can and will endure, progress, and excel.

Not only have the Israelis shown their ability to retain their sovereignty by resisting hostile neighbors, they have also made great strides in scientific advancement—inspiring new approaches to meet the everyday challenges of squeezing the most out of scarce resources.

Yet, the elusive peace that has been sought for years has been denied; the peace which would allow even greater prosperity has escaped the people of the Middle East, and instead, has forced them to prepare for war.

Mr. Speaker, on this occasion of the 26th anniversary of the independence of Israel, I offer my sincere congratulations, and express my hope that next year this event will be a celebration of peace and a celebration of brotherhood.

PROF. ARTHUR WRIGHT OF THE UNIVERSITY OF MASSACHUSETTS RESPONDS TO OIL POLICY QUESTIONS

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1974

Mr. VANIK. Mr. Speaker, in an effort to clarify the complex issues surrounding taxation of the oil industry, I have sought the views of several noted economists on key issues of oil policy. In recent weeks I have inserted into the RECORD the views of Profs. Otto Eckstein and Stephen McDonald, who were responding to a number of policy questions I had forwarded to them. Mr. Eckstein served as a member of the Council of Economic Advisors under President Johnson, and his remarks appear in the RECORD on March 7 on page 5873.. The remarks of Mr. McDonald, who is chairman of the Economics Department at the University of Texas, appear on March 14 on page 6950.

Today, I insert into the RECORD the comments I have received from Prof. Arthur Wright of the University of Massachusetts. Professor Wright is a noted expert in the field of energy economics and has testified on numerous occasions before committees of both the House and Senate. His remarks regarding two key aspects of our tax policy toward the oil industry—the percentage depletion allowance and the foreign tax credit—are particularly illuminating.

With regard to the depletion allowance, Mr. Wright comments, in part:

> Even if there are price controls, instead of the market, the present set of tax-breaks seems a very clumsy and ambiguous way to provide subsidies; specific cash grants, for specific purposes, *rigorously enforced*, appear superior from the standpoint of sound public policy. (Author's emphasis.)

At another point Mr. Wright states:

> On both theoretical and empirical grounds . . . the present tax subsidies are not effective in promoting energy independence. . . .

Regarding the foreign tax credit, Professor Wright recommends the termination of all taxpayer subsidies to foreign oil investment. Mr. Wright is unequivocal on this point:

> I advocate the repealing of all of the special tax treatment now accorded the petroleum industry on foreign income. The percentage depletion allowance and the expensing of intangibles are not now very effective, because of the huge foreign tax credits enjoyed by the oil companies. Were the foreign tax credit removed . . . the depletion allowance and intangibles expensing still should be repealed, since there is no argument for subsidizing foreign operations with American tax dollars. (Even the national security argument, which I do not find persuasive, for domestic tax subsidies, is not valid here).

Mr. Wright goes on to state regarding the foreign tax credit:

> It is quite clear that the petroleum companies have abused the foreign tax credit. . . . I strongly doubt that it is possible to devise a means of distinguishing between royalties and true income taxes which is not extremely difficult to administer.

For the interest of my colleagues I am submitting the complete text of Professor Wright's comments in addition to my correspondence with him. The material follows:

U.S. CONGRESS,
HOUSE OF REPRESENTATIVES,
Washington, D.C., February 4, 1974.

Prof. ARTHUR WRIGHT,
Department of Economics, University of Massachusetts, Amherst, Mass.

DEAR PROFESSOR WRIGHT: As you may know, the Ways and Means Committee will be holding hearings February 4 to consider reform of the special tax provisions available to the petroleum industry. Of particular interest will be the Administration's Windfall Tax Proposal.

I feel that the committee must take the fullest advantage of this opportunity for tax reform. In view of your established reputation in the field of economics, it would be helpful to have your comments on a number of policy questions.

I would appreciate your thoughts on any of the questions I have enclosed. I am spending a similar letter to colleagues of yours in the economics profession, and it is my intention to include the responses I receive in the hearing record. For this reason, it would be helpful if I received your comments at the earliest opportunity.

Your assistance in clarifying these critical issues now before the Ways and Means Committee and the Congress is most welcome.

Sincerely yours,

CHARLES A. VANIK,
Member of Congress.

POLICY QUESTIONS RELATING TO TAXATION OF THE PETROLEUM INDUSTRY

(1) The Administration is proposing that the market price for crude oil reach a "long run equilibrium price." The Treasury Department estimates this price level to be about $7 a barrel. The Department also estimates that this equilibrium price will be achieved in three to five years. Are these realistic projections? As far as you can determine, are the assumptions underlying these projections valid? In an industry in which price has been closely regulated through such mechanisms as state prorationing and import quotas is it justified now to have confidence in the price mechanism to allocate available petroleum supplies?

(2) It appears to me that the Administration's windfall profits tax is engineered to prevent wild fluctuations in the domestic price for crude, while at the same time allowing this price to reach its "equilibrium" level. Is this a correct interpretation of the primary function of the tax? What is your opinion of the Administration's proposal? Is it correct to label this tax an excise tax on the price of crude oil? If so, is the tax likely to be shifted forward to consumers? How regressive do you think this tax is likely to be?

(3) Does the Administration's goal of achieving a long run equilibrium price for crude undercut in any way the case for production subsidies, such as the depletion allowance? I understand that the impact of such subsidies is to bring forth more supplies than a given price alone would justify. Accepting this interpretation, do you see a "price" policy as an adequate substitute for a "tax" policy? Would not the pursuance of both simultaneously be contradictory?

(4) In your opinion, is the percentage depletion allowance an efficient means of guaranteeing our domestic production capacity as one component of national security? Should the depletion deduction be terminated altogether? If so, would you advise an immediate repeal of the depletion allowance for domestic properties? Or as an alternative, would you favor a gradual phasing out of the deduction?

(5) If you feel that some sort of subsidy for domestic oil production is warranted, would you favor substituting a direct cash payment system for tax subsidies? The advantages I see in such an approach is that such a cash system would be easily managed and accurately targeted to exploratory activity.

(6) A major argument against removal of the depletion allowance and other tax advantages for petroleum production is that these reforms would undermine the industry's ability to attract new capital. Could you evaluate this argument? Are the existing subsidies essential to meeting the financial requirements of the industry?

(7) Would the national security be better served through the establishment of a national defense petroleum reserve (in situ or in above ground storage) on the public lands of the U.S.? Do you feel it is wise to establish inventory requirements for producers and/or refiners?

(8) The Administration has recommended the repeal of the depletion deduction on foreign properties. Do you favor this step?

(9) The foreign tax credit has been criticized as an irresistable incentive for foreign investment by the petroleum companies. Do you agree? Do you feel that the foreign tax credit, in general, is a sound policy? Do you find the oil companies use of the credit as an unjustified abuse? If so, would you favor outright repeal of the credit for the oil companies or do you recommend that an effort be made to define what is a royalty payment and what is a tax?

(10) Do you recommend any change in the intangible drilling expense provision?

(11) It has been said that many producers shut down marginal wells and declare them as dry holes in order to expense their cost. To prevent this abuse, would you recommend that dry hole costs be placed in a special capital account and be depreciated over five or ten years?

UNIVERSITY OF MASSACHUSETTS,
Amherst, March 1, 1974.

Mr. CHARLES A. VANIK,
U.S. House of Representatives,
Washington, D.C.

DEAR REPRESENTATIVE VANIK: This is in reply to your letter of February 7, enclosing a list of questions on taxation and energy. I am sorry to be so tardy in replying, but the press of other business (some of it late, too) prevented my giving your questions the at-

tention they deserve until just now. Even if my answers are too late to be entered in the hearing record, I welcome the opportunity to discuss the issues you raised with you individually. For convenience, my comments are enclosed separately.

If you have any further questions about what I have written, I shall be glad to try and answer them.

Sincerely yours,

ARTHUR W. WRIGHT,
Assistant Professor of Economics.

REPLY TO POLICY QUESTIONS RE TAXATION OF THE PETROLEUM INDUSTRY, POSED BY REPRESENTATIVE CHARLES A. VANIK

(By Arthur W. Wright)

QUESTIONS 1 AND 2

The Administration's proposal for a sliding excise tax on crude oil is essentially a compromise between two extreme policies to deal with the "energy crisis" of 1973–74. At one extreme, the government could force a rollback of all crude oil prices to their pre-crisis level; this would prevent crude oil producers from reaping any windfall profits. This extreme would also (1) create shortages of crude oil, which would have to be rationed some way other than by price; and (2) seriously delay the expansion of crude oil capacity and output in both the short and the long run. Hence, while a price rollback would "protect" some consumers against price increases, it would frustrate others unable to obtain oil products because of the shortage of crude oil, and probably postpone the day when prices would come back down, even if not controlled, because of expanded capacity and output.

The other extreme would allow crude oil prices to rise (sharply) to market clearing levels now. Crude oil producers would reap large windfall profits in the short run. Provided the industry is kept (or forced to be, through anti-trust action) competitive, those profits would attract new capacity and expanded production in the long run, tending to bring prices back down. In the interim between the short and long runs, however, consumers would face very stiff price increases on oil products.

The Administration evidently envisions a combination of gradually rising controlled prices and a sliding excise tax. Such a combination would spread the price increases more evenly over time (still leaving shortages to be allocated by non-price means, of course), and siphon some of the windfall profits into the U.S. Treasury, away from the coffers of crude oil producers. It would also leave some of the windfall profits with private producers, to attract investment in new capacity (though less than would be attracted under the second extreme case above).

Note that an excise tax on crude oil would mean a higher price of crude oil, for any given quantity sold, than would obtain in the absence of a tax. This is because an excise tax is paid partly by consumers and partly by producers, depending on the relative slopes of the market demand and supply curves. Thus part of any excise tax would be shifted forward to purchasers of crude oil and thence to consumers of oil products. Most probably, an excise tax on crude oil would be "regressive," in the sense that the portion of the tax borne by consumers would be a larger proportion of poorer people's income than of the richer people's. The net impact of the combined tax-and-price-control policy on different income groups would depend on how the Federal government spent the tax proceeds and on how crude oil was allocated at the below-market-clearing prices. My guess is that, on balance, the policy would have a regressive effect, in the sense specified above.

It is difficult to say what kind of policy would be best in the *short run*, one of the extremes or a compromise such as the Administration has proposed. If the sharp price increases were market-determined, the extremes of rigid price controls would be the worst possible policy. If, however, as seems to be the case, the crisis of 1973–74 was brought on by badly designed government policies, the extreme of high prices would not bring about the expected result of larger capacity in the long run, since regular private business responses would not be operating.

One danger of the Administration's compromise scheme is that it appears to be geared to a specific long-run equilibrium price of $7.00 a barrel. If that is *not* the true long-run market equilibrium price, the Administration's proposal would be just one more interference with the processes of market adjustment, helping to prolong rather than to solve the energy crisis. If the OPEC monopoly remains in existence (and I for one cannot predict when, if ever, it will fall apart), my estimate of the long-run equilibrium price of oil on the U.S. East Coast (assuming no import controls) would be closer to $8.00 a barrel than to $7.00. Because of uncertainty about prices, I would favor shying away from any proposal which was so closely tied to a specific expected price of crude oil.

QUESTIONS 3, 4, 5, 6 AND 10

Provided that market forces were setting crude oil prices, there would be no *economic* reason for providing special subsidies to the petroleum industry. (This position has been endorsed by Atlantic-Richfield (ARCO).) Even if there are price controls, instead of the market, the present set of tax-breaks seems a very clumsy and ambiguous way to provide subsidies; specific cash grants for specific purposes, *rigorously enforced*, appear superior from the standpoint of sound public policy. In my judgment, however, the best policy would be to rely on market forces. Were this to be done, subsidies would be no more necessary to raise capital for petroleum than they are for any other industry.

Where military security is involved, there is a justification for government intervention in the market place. On both theoretical and empirical grounds, however, the present tax subsidies to petroleum are not effective in promoting energy *independence*—that is, avoiding undue dependence on imported petroleum, leaving the U.S. vulnerable in time of war. General tax subsidies to the entire industry constitute a "drain-America-first" policy, not a policy to promote energy independence.

QUESTION 7

The question of energy independence for military security should be considered separately from questions of general tax policy. Above, I indicated that the present tax subsidies to petroleum are not very effective in promoting energy independence. The national reserve suggested in the question is one possible alternative that would appear preferable to the tax subsidies, since it would be directed specifically at holding excess capacity in case of military emergency. Another possibility is to use tariff policy to encourage private producers to hold excess capacity.

QUESTIONS 8 AND 9

I advocate repealing all of the special tax treatment now accorded the petroleum industry on foreign income. The percentage depletion allowance and expensing of intangibles are not now very effective, because of the huge excess foreign tax credits enjoyed by the oil companies. Were the foreign tax credit removed (see below), the depletion allowance and intangibles expensing still should be repealed, since there is no argument for subsidizing foreign operations with American tax dollars. (Even the national security argument, which I do not find persuasive, for domestic tax subsidies, is not valid here.)

It is quite clear that the petroleum companies have abused the foreign tax credit. As Professor Glenn Jenkins of Harvard has shown, in his work for the Energy Policy Project and in recent testimony before the Senate Subcommittee on Multinational Corporations, the international oil companies have been able to use the present foreign tax credit to "shelter" income against tax in both the U.S. and Western Europe, by transferring it to countries with lower tax rates. As a result, they have reduced their U.S. tax burden through the foreign tax credit by a much higher proportion than firms in other industries are able to. I strongly doubt that it is possible to devise a means of distinguishing between royalties and true income taxes which is not extremely difficult to administer.

Unless I am wrong, it would seem appropriate simply to deny foreign tax credits against any income earned on the production of natural resources, on the theory that any payments to governments are royalties for producing rights, not income taxes. It would be better to err somewhat in denying credits where they would in fact be justified than to err considerably, as at present, in allowing far too many credits.

QUESTION 11

An argument can be made that "dry holes" are not business losses in the sense in which that term is ordinarily used in Federal tax argot; hence they should not be expensed, but rather capitalized along with other capital outlays and depreciated over the regular life of assets permitted in the tax law. The argument for this view says that dry holes yield information which is valuable to the firm, even if they do not yield petroleum; any rational business firm undertakes a drilling program expecting to have a certain portion of dry holes. If the expensing of dry holes were repealed, the alleged abuse referred to in the question would no longer arise.

If we accept the contrary view that dry holes are a business loss, I doubt that the alleged behavior is in fact an "abuse." Given that we are going to tax corporate income, a set of incentives is created. If a firm finds it more profitable, after tax, to shut down a new well than to operate it, where is the grounds for complaint? (The dividing line between a "dry hole" and a "marginal well" is very hazy: a high enough price of crude oil or gas could turn many a dry hole into a producing well.) Thus the way to deal with this "abuse" would seem to be to repeal the expensing of dry holes, and make them depreciable in the normal manner.

COMMUNISTS AGAIN ATTACK ELEMENTARY SCHOOL IN SOUTH VIETNAM

HON. ROBERT J. HUBER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1974

Mr. HUBER. Mr. Speaker, on March 26, 1974, I called the attention of the Members of this body to a totally unwarranted attack by the Vietcong on a South Vietnamese elementary school. My remarks are on page 8324 in the CONGRESSIONAL RECORD of that date. It appears that this is beginning to be a habit. Last Saturday another such attack occurred. The incident, as reported in the Washington Star-News of Sunday, May 5, 1974, is reported herewith:

FOUR CHILDREN DIE AS MORTARS BLAST MEKONG SCHOOL

SAIGON.—A barrage of mortar shells tore through a Mekong Delta elementary school during classes yesterday afternoon, killing at least four children and wounding 23 others, field reports said.

Reports from Song Phu hamlet said three adults also were injured when eight shells hit the school, 68 miles southwest of the capital.

Saigon command sources blamed the Viet Cong for the tragedy and said the shells were from an 82mm mortar, used only by the communists.

Song Phu, site of yesterday's attack in Vinh Long Province, is a cluster of riverside hamlets with a population of more than 13,000.

Communist officers in Saigon were unavailable for comment on the attack.

GEORGE BUNDY SMITH: MODEL CITIES ADMINISTRATOR

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1974

Mr. RANGEL. Mr. Speaker, George Bundy Smith has long been active in community affairs in Harlem. I have had the privilege of working with him for a number of years on a variety of community projects. Now, Mr. Smith is the Model Cities Administrator for New York City.

I am including an article on Mr. Smith which appeared in the New York Post on April 29, 1974, at this point in the CONGRESSIONAL RECORD:

GEORGE BUNDY SMITH: MODEL CITIES ADMINISTRATOR

(By Aida Alvarez)

Back in 1957, George Bundy Smith left for a year of study in France. He was a Yale undergraduate then. "I left at the height of the Little Rock crisis," he recalled. "I thought maybe it was the wrong time to leave. I might be needed here."

Almost 20 years later, sitting in the office he has occupied since January as the city's new Model Cities administrator, Smith, 37, no longer reproaches himself for his decision. "When I returned, the problem was still here," he said. "It would have been here had I not gone to France."

Smith wants to help solve "the problem," but, as head of Model Cities, earning $43,255, he could be the captain of a sinking ship. "I've spent a lot of time on the funding situation," he said. In the future he hopes to devote more time to the actual task of overseeing the activities of a wide variety of programs, ranging from drug rehabilitation to day care.

But if the agency is to survive beyond June 30, federal funds must be found to meet the $5 million-a-month costs. "To cut the funding at this time would be a disaster," said Smith. Hundreds of blacks and Puerto Ricans employed by Model Cities feel the same way.

Last March they congregated outside of City Hall, not far from Smith's office at 2 Lafayette St., to shout "If Model Cities goes, Beame must go."

But Smith, "an active member of Percy Sutton's club," sees the Mayor as a man who "has tremendous support from black political leaders. And he's trying hard to get more funds."

Those funds would go to Model Cities programs in Central Brooklyn, Central and East Harlem, and the South Bronx. "People have to realize, though, that Model Cities can't last forever," said Smith. "They have to do their utmost to take advantage of the situation, but the answer lies in getting more people to enter the civil service system."

Smith's mother, the former Beatrice Bundy, was a civil servant, a clerk in Washington, D.C. Smith was born in New Orleans and moved to Washington as a child, after his parents were divorced. Sidney Smith was a Congregationalist minister. Both parents are dead.

"I think of myself as a person who is bringing his past experiences with poverty to bear on the present situation," said the new administrator, explaining how his past had prepared him for his job with Model Cities.

Mrs. Smith raised and supported George Smith, his twin sister and older brother singlehandedly. "She never told me to study, but it was a way of life with us," Smith said. "My one goal was to get an education."

When a spokesman for Andover Academy visited his school, George Smith took an interest. At 15 he became a scholarship student there.

From Andover he went on to Yale University, where he majored in history. He graduated from the College in 1959, and from Yale Law School in 1962. Just this year he received a doctorate in American government from NYU.

"At Andover I got my first real contact with the white world," said Smith. When I was growing up, Washington was a segregated city. The schools, the restaurants and the theaters were segregated."

Today, Smith lives in a Harlem apartment with his wife, the former Alene Jackson, 36, and their two children George, 8, and Beth Beatrice, 3. I won't go out of my way to look for an apartment in a white neighborhood," he said.

When George Smith first came to New York in 1962, a newlywed, he looked for an apartment. On a number of occasions I'd be told there was an apartment. I'd show up to see it and they'd tell me it was rented."

After six weeks of looking, Smith decided to play a little game. I'd have a friend of mine call to ask about the rented apartment," said Smith. For him, the apartment was available."

George Smith is a religious man, a Congregationalist, who believes the church can be an instrument for social change. "Like Martin Luther King, though, I still believe the 11 o'clock Sunday hour is one of the most segregated in the United States."

Before becoming administrator for Model Cities, Smith was law secretary to Judge Harold A. Stevens. "I'm very interested in court reform." Smiling, he added, "I probably wouldn't turn down a judgeship if I were offered one."

As president of the Harlem Lawyers' Assn., Smith is particularly interested in helping young black lawyers. He believes that "in the past few years, things have improved for the middle class black." But, for the majority of blacks, he said, "the economic situation is still a very bad one. It will take a lot to improve that."

CONTROLS CREATED BEEF BLUES

HON. GARNER E. SHRIVER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1974

Mr. SHRIVER. Mr. Speaker, the beef industry, which is so vital to the economy of my State of Kansas, has been plagued with a series of problems. Heavy financial losses have been experienced. Recent experiences have demonstrated that this industry, like others, operates best according to the laws of supply and demand—and not by governmental interference.

Dale Daugherty, staff writer for the Wichita, Kans., Eagle and Beacon, recently wrote a series of six articles examining the dilemma involved in the beef industry. One of these articles featured an analysis of problems facing the industry by Mr. Erv Priceman, Wichita, president of Kansas Beef Industries, who also is president of the National Independent Meat Packers Association. Under the leave to extend my remarks in the RECORD, I wish to call my colleagues' attention to this meaningful article:

CONTROLS CREATED BEEF BLUES, PACKER SAYS

(By Dale Daugherty)

Although agriculture is subject to a variety of pressures and variations, the biggest problem in the beef industry "was created by government controls."

That's the analysis of Erv Priceman, president of Kansas Beef Industries who also is president of the National Independent Meat Packers Association.

Priceman said government regulations imposed in the past several years have forced many small meat packers out of business.

These governmental controls, he said, are "like a distortion in the distribution pattern. It's like throwing a stone into the middle of the pond."

Optimistically, Priceman said, the future looks better.

"Hopefully," he said, "the government will not be dissuaded from getting the hell out of our business, or anybody's business, or getting the hell out of operating industry and letting industry itself create additional supply through more productivity without the interference of imposing regulations that are not even understandable by the people who promulgate them."

Prices had held steady a long time, Priceman said, because "the consumer was able to buy at a figure that was satisfactory through habit, through long-term stabilization of the price range which had been brought about by advancement in the industry."

Advancement, he said, included:

Better feeding, more efficiently done.

Better gains, shortening the time necessary to bring livestock to market.

Innovations in the slaughter houses, including automation and higher volumes with more productivity.

"All," Priceman said, "tend to offset increasing costs."

Then, he added, the industry "confronted a proliferation of new government regulations through various new agencies which were created, all of which have as their intent protection of the consumer."

Included in this proliferation noted by Priceman have been regulations promulgated by the following:

The U.S. Department of Agriculture.

The Food and Drug Administration.

The Environmental Protection Agency.

The Federal Energy Office.

The Occupational Safety and Health Agency (OSHA).

State and city regulations.

"All," Priceman said, "were foisted onto the industry in one short period of time."

Priceman mentioned specifically the Wholesome Meat Act of 1967 with its timetable of modernization, sanitation improvements and better refrigeration.

"By 1970–71 conditions had to be put into effect," he said. "We lost the old family style company of a father and one or two sons. It got to the point where so many dollars were

needed to be invested to upgrade facilities that the returns did not warrant the additional investment. They just shut down.

Additionally, Priceman said, "There's the increased cost of transportation between the feeder and us; between us and the wholesale-jobber and between the wholesaler and retailer. And there are new regulations the retailer operates under, including minimum wage law changes.

Priceman said the upward spiralling of price was put into motion by the first price freeze of Aug. 12, 1971.

"That price freeze did what a beaver does upstream when he builds a dam. When the dam finally breaks, the water comes gushing down."

Then, he said, there was the fear of shortages and resultant stockpiling and hoarding.

"In July 1973 the Cost of Living Council removed from price freezes all other meat products with the exception of beef," Priceman said.

"It stalled beef under the freeze until Sept. 15. This created unnatural market conditions. Feeders withheld (cattle) from marketing . . . with the expectation beef would be worth more on Sept. 15."

This withholding from the market affected feeder cattle values and packers could not purchase fat cattle at a price to allow them to stay in business.

"Retailers," Priceman said, "were allowed to bypass the wholesalers. They decided to pay the price necessary for live cattle, getting them custom killed so they could have supplies in the market."

This, he said, drove the market upward to $58 to $60 per hundredweight for fat live cattle. Replacement feeder cattle reached $60 to $65 per hundredweight last summer.

"These feeder cattle," Priceman said, "when fattened and subsequently marketed in early winter 1973, suffered losses between $100 and $200 per head."

At the turn of the year, he said, marketing stabilized and the backlog was fairly well worked down. Then the industry found itself in the midst of a trucker's strike.

"The distribution pattern was, once again, disrupted; market values were distorted," Priceman said. "There was an upward pressure for dressed cattle, an upward pressure for feeder cattle, all without the normal demand-and-supply relationship."

"In essence," he said, "the feeder currently is looking at a losing situation unless the prices on the wholesale market go up."

Who is making money?

"Nobody, right now," Priceman said.

The demand for beef, he said, has diminished with 1973 figures indicating about five pounds per person less consumption.

Priceman, like the feeder and the rancher, can't understand the ruling on the ban on DES which was based on parts of residue per trillion.

"I can't even understand parts per million, let alone parts per billion or trillion," he said.

Priceman also is a firm believer in a need for a change in grading standards which he terms "archaic."

"The standards were set many years back," he said.

Cattle are now marketed at a much younger age than when the standards were written.

REPORT FROM WASHINGTON

HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1974

Mr. ROYBAL. Mr. Speaker, I am pleased to include in the RECORD my March 1974 report from Washington to the residents of California's new 25th District. The report highlights some of the major legislative and national issues being considered by the 93d Congress.

The report follows:

REPORT FROM WASHINGTON

A FAIR ENERGY POLICY

The energy crisis has taken a heavy toll on hundreds of thousands of American workers who face unemployment and rising consumer prices. Recent labor figures show a jump in unemployment from 4.8% to 5.2%. This increase has thrown some 500,000 persons out of work, raising the total unemployed to 4.8 million.

This disturbing news came less than 48 hours after President Nixon promised the Nation "there will be no recession" this year. His optimism runs counter to warnings from his own economists who predict even higher unemployment and a general economic slowdown, at least during the first half of 1974.

Aggravating the crisis has been a growing suspicion expressed by many that the fuel shortage has been contrived. Studies reveal that fuel reserves are actually 9% higher than a year ago and that oil profits rose a staggering 55% last year. This has prompted some to ask whether the oil companies are enjoying "a feast in the midst of famine." The public has the right to know before paying even higher prices whether this shortage is a contrivance or a real crisis.

On the legislative front, the House passed a provision requiring fuel companies to disclose their reserves and production/distribution practices. This authority is but the first step in determining the extent of the shortage and developing a national energy plan which deals fairly with the American worker.

Mr. Nixon's sole appeal for consumer sacrifice is basically unjust, for it puts the brunt of the crisis on the shoulders of middle- and lower-income consumers while ignoring industry's energy waste. What we need is a program founded on fairness and equality of sacrifice which includes:

Assurance that current supplies are distributed fairly to all sectors of our economy.

Immediate halt on exports of any fuel products in short supply. It is reported that despite fuel shortages the administration continued to allow the exporting of oil and gasoline late last year at a rate of over 1.7 million barrels a month. A bill that I sponsored would make that ban mandatory.

Top level council to advise both Congress and the President on energy.

Repeal of corporate tax breaks for oil and gas exploration abroad, including the oil depletion allowance. A recent Congressional study found that these tax breaks have not been effective in stimulating the discovery of new oil sources. Rather they have cost the government $600 million to $1 billion in revenues.

Enactment of an excess profits tax on large energy producers and distributors to stop windfall profits.

Expansion of the public employment program, and special unemployment assistance to workers displaced by the energy shortage.

Mass transit operating assistance, particularly for high pollution areas such as Los Angeles.

These steps should help in our efforts to create a coherent and equitable policy—one that ends corporate favoritism at the expense of the American consumer and worker.

VETERANS BENEFITS

The House recently adopted major legislation to increase educational and training allowances for Vietnam veterans. For years I have strongly supported changes to strengthen veterans educational benefits, including increased assistance and formation of a veteran-run policy group.

The House bill represents an important stride in that direction, and will enhance opportunities for Vietnam veterans to compete in the job market. First of all, it would approve a five year $2.1 billion program raising educational benefits by 13.6%. This is a considerable improvement over President Nixon's recent budget proposal to increase educational allowances by only 8%.

The House bill contains other major provisions:

Increases the period of time during which veterans must complete their education from the present 8 years to 10 years,

Reduces the disability requirement for receiving vocational rehabilitation from 30% to 10%,

Allows prisoner of war veterans to exclude the period detained as a POW from the time restraints for completing their education.

The Senate is expected to hold hearings on the House-passed version later this month.

SOCIAL SECURITY

Over the past two years Congress has acted quickly to improve social security benefits through increases and additional safeguards. However, these advances have only been partially successful in protecting retirees and their spouses from poverty and loss of income.

The current social security law, for instance, requires a $1 reduction in benefits for every $2 earned above the $2,400 a year income ceiling. This $2,400 limitation has worked against retirees who need to work to offset increases in consumer costs. Recent figures show retirees on social security receiving on the average $2,000 a year in benefits. But even this income falls below the poverty level for older Americans.

This month I introduced a bill which would raise the amount of income a person can earn before losing social security benefits from $2,400 to $3,600 a year. It would continue the cost of living adjustment provision enacted under the 1972 social security amendments. The purpose of this bill is to help thousands of retirees on social security gain a more equitable and self-sustaining income. This change would provide an opportunity for retirees to improve their economic status while protecting their benefits.

BUDGET HEARINGS

Since 1971 I have been a member of the House Appropriations Committee. Regarded as one of the three key assignments in Congress, this Committee acts as a watchdog over federal spending. During hearings on the general government and foreign aid budgets, I found several instances of fiscal abuse:

GSA scandal

A federal investigation revealed that the General Services Administration had set up a "special referral unit" to hire staff on the basis of their political influence rather than qualifications. This practice violated federal law and subverted Civil Service merit principles. In questioning GSA officials, I found that special referral applicants had received favored treatment in several ways. Some had been appointed to jobs created especially for them; others were given "quick" appointments to get them on the payroll and short-circuit competitive hiring procedures. Almost all were appointed without providing an opportunity for other qualified applicants to compete for the positions. As a result of this investigation, the U.S. Civil Service ordered GSA to disband the referral unit and fire or suspend some 8 high-ranking employees who operated the unit.

South Vietnam aid

Since 1967 Congress has approved a total of $155 million in aid to South Vietnam's public safety program. Revelations in 1970 showed that a major part of the program involved the use of torture and mutilation as enforcement methods. Even war veterans

pleading for better services were arrested and subjected to this experience.

Despite a formal agreement to end public safety support to South Vietnam, our government continued to provide funds under the guise of technical assistance. This practice was a subterfuge to carry out the same repressive projects of the past. For this reason, I attached a provision to the foreign aid bill which barred U.S. aid for the Vietnamese police and prison system.

White House fund

During hearings on the White House budget, I also discovered misuse of funds. In the past, Congressional courtesy permitted routine approval of the President's "special projects" fund at the rate of $1.5 million a year. While reviewing the account vouchers, I found instances of payments for illegal activities. In one case, convicted Watergate conspirator E. Howard Hunt apparently had been paid from this fund while involved in the so-called "plumbers" activities, including his participation in the Ellsberg break-in.

This evidence repudiated an earlier statement by White House aides who said the money had been spent only for drug prevention and financial studies. When these same officials refused to answer questions on the plumbers and other secret activities financed under the account, I was successful in having the special funds struck from the budget. I firmly believe that government officials who refuse to explain how funds are spent abuse their authority and public trust.

ECONOMIC STRATEGY

As the cost of living continues to soar with supermarket prices up 22% for the year, there is little doubt that the administration's Phase IV program has been disastrous for the American consumer, particularly the elderly. Now, there is the prospect of a Phase V under a remodeled cost of living council, minus mandatory controls.

A year ago, President Nixon promised to effectively check the rising cost of food. Today's figures prove the hollowness of that pledge. The administration has shown an anti-consumer bias in its practice of exporting U.S. grain at cut-rate prices.

The U.S.-Soviet grain deal alone cost the American taxpayer $379 million in subsidies and an estimated $1 billion in higher food prices. Despite rising food demands since 1971, the administration still pursued a detrimental policy of paying growers $4 billion not to farm 60 million acres of available land.

What all of these economic phases lack is a total strategy which strikes a balance between efforts to reduce the U.S. trade deficit and our need to keep down food prices. In a letter to the President I and other Congressmen urged that he meet with Congressional leaders of both parties to discuss U.S. trade policy and its effect on domestic prices. Hopefully, he will agree to this cooperative approach as a way to develop a balanced and long-range economic plan and avoid past administration mistakes such as the U.S.-Soviet wheat deal. An essential part of this plan is the adoption of income tax reform to close off corporation loopholes and the monitoring of food, health and fuel prices.

Two years ago I proposed emergency legislation to close the glaring loopholes in our federal tax system. Known as the "Tax Reform Act," this measure is needed even more this year to curb inflation and restore confidence in our tax structure.

BILINGUAL COURTS

In recent years we have seen significant advances in the area of bilingual rights. In January of this year the Supreme Court ruled that under the Civil Rights Act schools had to provide education to non-English-speaking children.

Now, there is a move in Congress to secure courtroom rights for millions of Americans who speak little or no English. A 1970 U.S. Civil Rights report documented the severe legal handicaps and unfair treatment facing language minorities in this country. Many, because of language and cultural differences, have been unable to participate fully in our courtrooms. This denial violates our constitutional safeguards and commonsense notion of justice. Basic fairness requires that a person must thoroughly understand all that is taking place in the courtroom if he is to receive equal justice under the law.

As a remedy, I introduced a Bilingual Courts Act reforming our federal court system. The bill provides that judicial districts having 5% or 50,000 non-English-speaking citizens, whichever figure is less, be designated bilingual. Each bilingual district would have qualified interpreters and simultaneous translation services. In cases involving indigents, the court would absorb the costs.

I am hopeful that Congress will reaffirm its commitment to bilingual reform and end the inequalities in our present court system.

MICHAEL FROME TESTIFIES ON ALEXANDRIA WATERFRONT

HON. HENRY S. REUSS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, May 6, 1974

Mr. REUSS. Mr. Speaker, Mr. Michael Frome, conservation editor of Field & Stream, on April 30, 1974, gave testimony before the House District of Columbia Committee on legislation affecting the Alexandria waterfront that will be of interest to many Members.

He proposes that the waterfront be protected by establishment of a Potomac Heritage Gateway National Recreation Area "designed to commemorate the bicentennial of the founding of the United States, acknowledge the unique and integral historic role played by the city of Alexandria, and serve in respectful memory of George Washington."

Mr. Frome's testimony, giving the details of this exciting proposal, follows:

STATEMENT OF MICHAEL FROME

The legislation under consideration, HR 14043, is designed to dispose of United States lands along the waterfront of Alexandria, Virginia. I oppose the legislation on a variety of grounds, but above all on the principle that such federal property is far too valuable for public use to be disposed of for private profit. If this dangerous precedent is accepted in this instance, it may then be applied to public lands anywhere in America.

This particular issue was debated on the floor of the House on September 11, 1972, with reference to a previous bill, HR 15550, written with exactly the same purpose on the Alexandria waterfront. "I know of no other time in my experience in this body," declared Earl Cabell, of Texas, who then served on the House District Committee, "where land owned or claimed by the U.S. Government was ceded to another jurisdiction where they could then in turn develop that at a profit or even sell or lease this land to a private operator for private purposes." Other members of the House stressed the same point. "This bill is a giveaway to private interests. It is a travesty on the public interest. It ignores the need to protect the Potomac from activities that will further pollute it." So stated Representative John Moss, of California. And from Representative John Dingell, of Michigan: "This is not a bill to clarify title or to clear up ambiguities. This is a giveaway pure and simple. We would not be considering this bill today in the House of Representatives were it not a fact that there are many millions of dollars of real property at stake." It is little wonder the House so overwhelmingly (213–38) rejected HR 15550.

HR 14043 merits the same fate. It should be rejected by the District Committee before it is rejected by the House. The wrapping on the outside may glitter this time, but the substance of the package on the inside is as tawdry as before. It is equally unacceptable.

Speaking at the 100th anniversary celebration of Yellowstone National Park, held in 1972, Secretary of the Interior Rogers C. B. Morton declared as follows:

"One of the great social needs of America in the years ahead will be to provide refreshing recreational opportunities to the city dweller. We can no longer accept the premise that parks are where you find them; we must identify—and create—parks where people need them."

I endorse wholeheartedly this concept enunciated by the Secretary and can think of no more fitting place to apply it in practice than on the Alexandria waterfront. On October 5, 1973, Secretary Morton demonstrated a serious desire to proceed in this direction. On that date he publicly asked the Department of Justice to seek a court injunction in order to block development of a private facility—specifically a new warehouse of the Robinson Terminal Warehouse Corporation, a subsidiary of the Washington Post—from infringing on federal lands on the Potomac River waterfront.

This injunction was granted in court and the Washington Post was restrained from causing further environmental degradation. I endorse the action taken by the Secretary and his accompanying statement recognizing that "Much sentiment has been expressed in recent years for park and recreational uses of the area." Especially gratifying was his reaffirmation of public policy that "The Department of the Interior has urged for many years that park and recreation facilities be developed along this area of the Potomac River."

Now, at Interior's initiative, the Justice Department is proceeding with litigation to clarify the title issue. I understand the case is expected to go to trial in September, with a decision possible in January, 1975. It strikes me that until litigation runs its course, H.R. 14043 is premature, to say the least.

The Alexandria waterfront is the single most valuable undeveloped asset today in the Washington metropolitan area. Its greatest value, however, is not to be found through commercial exploitation but through preservation and historic restoration. This will best be done through solidification of federal title in the waterfront lands. Therefore, I invite and urge the City of Alexandria to join in working for a great new park, complete with footpaths and cycling trails. Certainly it would make a magnificent foreground to that city and contribute much to the quality of life.

My experience in land use leads me to believe strongly that public open space and recreational purposes would be far more desirable than private purposes. Open space is one cherished commodity that simply cannot be manufactured. Once it runs out it is gone forever. Should the land in question be lost to private development, the people of the community will pay an ever growing price in congestion, pollution of air and water, increased taxation for public utilities, and, of course, all these diminishing the quality of life.

Environmentalists have drafted legislation, which is now under study at the Interior De-

partment and among concerned members of Congress, intended to resolve the waterfront issue. It would create a national park area at Alexandria designed to commemorate the bicentennial of the founding of the United States, acknowledge the unique and integral historic role played by the City of Alexandria, and serve in respectful memory of George Washington. I propose that we call this park the Potomac Heritage Gateway National Recreation Area. This concept offers many practical advantages. For one, the President and the Department of the Interior have plainly declared their goal of bringing federal parks into urban areas. It enables us to protect the Potomac heritage—in line with the broader legislation sponsored by Representative Gilbert Gude, of Maryland, a member of this subcommittee. Furthermore, as the Washington Metropolitan Area grows, it becomes apparent that a comprehensive trails network for biking and hiking is not only a major recreational asset, but a viable transportation route. Many people, given a safe and direct trial, would use bicycles for commuting, as they do in some of the capitals of Europe.

All factors considered, this is a national issue of consequence. Much time has been lost, but if we chart our course now we may get the project completed by 1976, the bicentennial of the Nation's independence. People are saving and restoring what they can of historic ports everywhere in America. The National Park Service has done a magnificent job at Salem Maritime National Historic Site in Massachusetts. Why not at Alexandria? The South Street Seaport Museum, along the East River in downtown New York City, encompasses five square blocks of cobbled streets and old red buildings which are now being restored for use. It is one of the most worthy endeavors of the Bicentennial. Why not in Alexandria?

In conclusion, perhaps the issues regarding the Alexandria waterfront, including park potentials and interstate aspects of the Potomac River, should properly be heard before the House Interior Committee. We may be appearing before that Committee before long. But if the hearings and studies conducted by the District Committee have stirred a sense of awareness and responsibility, they have served a constructive purpose.

WOMEN AND THE JUDICIARY: UNDOING "THE LAW OF THE CREATOR"

HON. BELLA S. ABZUG

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1974

Ms. ABZUG. Mr. Speaker, our country has long been blighted by sex discrimination, which continues to pervade our political and social institutions and our daily life. Much of it results from traditional stereotyped attitudes about the proper roles of men and women in our society. But these discriminatory attitudes do not rest only on tradition. They are perpetuated by sex bias that is imbedded in our laws and in the institutions which make and enforce our laws.

Ms. Doris L. Sassower, a prominent New York attorney, has written a very perceptive article about this problem of sex bias in the law. That article, in the February 1974 issue of Judicature, is entitled "Women and the Judiciary: Undoing 'The Law of the Creator.'" It points out that the courts, which have long perpetuated sex bias, have only a miniscule number of women. However, her article prognosticates that this pattern will change as the 12,000 women now attending law school move into, and begin to affect, the legal structure.

I believe her article contains much useful information and insight on this problem of sex bias in the law, and will be helpful to both Members of Congress and the public. I therefore include the text of the article at this point in the RECORD:

WOMEN AND THE JUDICIARY: UNDOING "THE LAW OF THE CREATOR"

(By Doris L. Sassower)

Long before talk of an Equal Rights Amendment, the judiciary defined the rights of women. Women's inequality in society has been reinforced by courts constituted so as to be unrepresentative of women and unresponsive to their needs.

The premise upon which most of the judicial decisions in this country concerning women's rights have been built was refined to perfection in *Bradwell v. Illinois*.[1] Decided in 1873, it was one of the first cases by the United States Supreme Court to uphold the constitutionality of state discrimination against women.

By more than coincidence, the case involved the application of a woman for a license to practice law. Only a woman of courage, prepared to accept the slings and arrows of the outrageous fortune besetting unconventional women, would have made so bold a challenge in that day and age. Myra Bradwell, however, was such a woman, and she wanted to be a lawyer. The Supreme Court sustained the denial of Bradwell's application by an Illinois Court, and Mr. Justice Bradley's memorable concurring opinion epitomized the thinking of our highest court. This was how he dismissed the contention that the Fourteenth Amendment conferred upon women the right to pursue any legitimate employment, including the practice of law:

"It certainly cannot be affirmed, as an historical fact, that this [the right to pursue any lawful occupation] has ever been established as one of the fundamental privileges and immunities of the sex. On the contrary, the civil law, as well as nature herself, has always recognized a wide difference in the respective spheres and destinies of man and woman. Man is, or should be, woman's protector and defender. The natural and proper timidity and delicacy which belongs to the female sex evidently unfits it for many of the occupations of civil life. . . . The paramount destiny and mission of woman are to fulfill the noble and benign offices of wife and mother. This is the law of the Creator".[2]

And so, judicial fiat, purportedly resting on divine intent, denied women the constitutional rights which our democracy granted all "persons." This led to the less than divine conclusion that, in fact, women were not persons under our Constitution. The principle of women as legal inferiors eventually became so deeply embedded in our case law as to defy elimination without amending the Constitution itself. A year after *Bradwell*, the Supreme Court in *Minor v. Happersett*,[3] denied women the right to vote under the Fourteenth Amendment. The struggle that ultimately led to passage of the Nineteenth Amendment was necessary to overturn that decision.

"PROTECTIVE" DISCRIMINATION

Although women were finally permitted to practice law (an event which, it turned out, did not provoke the wrath of the Almighty), and won their fight for the vote early in the twentieth century, echoes of *Bradwell* continue to reverberate in the judicial decisions of our land. Women are still subject to statutory disability and regulation in areas which touch almost every field of civil and criminal law. Much of this discrimination is sanctioned by established case law.[4]

The so-called protective labor laws constitute one area in which courts have upheld legislated inequality. Ostensibly designed to protect women from exploitation by employers through adverse working conditions, these laws have been used to protect women out of jobs, advancement and overtime pay.

The Supreme Court, in a number of cases starting with *Muller v. Oregon*[5] in 1908, sustained the constitutionality of state laws regulating the employment of women (but not men) as to maximum hours and weights to be carried, minimum wages, prohibition of night work, and in 1948, in the case of *Goesaert v. Clary*,[6] the prohibition of licensing of women (with certain exceptions) as bartenders. Apparently, the Supreme Court did not favor the idea of women at the bar—in more ways than one.

Women are also underrepresented in the jury box. Their participation in these vital bodies is severely limited by statute. In 15 states, including New York, women are entitled to automatic jury exemption on the basis of their sex alone. In Florida, women are exempt unless they have registered with the clerk of the court their desire to be placed on the jury list. In 1961, in *Hoyt v. Florida*[7] the Court reiterated the "woman's place is in the home" theme which kept alive statutes limiting women's participation as citizens in the jural process.

These laws and judicial decisions upholding them do more than treat women separately as a class. They treat women as *second* class in both their rights and their responsibilities as citizens. It is no easy task to alter ingrained cultural patterns of discrimination. But there are indications of late that judicial attitudes are changing. The most significant action is the Supreme Court's landmark decision on the controversial abortion issue,[8] which at long last gives women the right of control, not only of their bodies, but of their lives and destinies. Continuing what may be an emerging trend, the Supreme Court has agreed to review conflicting circuit court opinions whether mandatory maternity leave requirements are an unconstitutional denial of equal protection.[9]

SUSPECT CLASSIFICATION

Two other recent decisions offer further encouragement, but neither constitutes the long-awaited clear-cut precedent categorizing as "suspect" classifications based on sex. The unanimous decision in the 1971 case of *Reed* v. *Reed*[10] invalidated an Idaho statute which gave automatic preference to males when equally related relatives sought to administer an intestate estate. Yet, the effect of the decision was limited to prohibiting arbitrary discrimination against women, without holding that all discrimination against women is presumptively arbitrary.

More meaningful is the Court's 1973 decision in *Frontiero* v. *Richardson*,[11] in which four of the Justices (Brennan, Douglas, Marshall and White) moved past *Reed*, stating that "classifications based upon sex, like classifications based upon race, alienage, or national origin are inherently suspect, and must therefore be subjected to strict judicial scrutiny." The eight-one ruling in this case held unconstitutional a federal law requiring female members of the armed services to prove they were providing more than half of support of a spouse claiming medical and other military fringe benefits. Spouses of male service members were automatically entitled to such benefits under applicable law.

Unfortunately, the views of the four justices were not a majority opinion; four other justices concurred in the decision, but solely on the basis of the due process clause of the Fifth Amendment. Three of these members of the court explicitly refused to address

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Footnotes at end of article.

themselves to the suspect classification argument prior to conclusion of all state ratification procedures concerning the Equal Rights Amendment. Women may thus have to wait for a majority decision for as long as six years—the remaining time allowed for ratification.

In other women's rights cases the high court has considered recently, women nave fared still less favorably. In 1972, the Supreme Court affirmed without opinion the decision in *Forbush* v. *Wallace*.[12] which upheld the denial of a driver's license upon application of a married woman in her maiden name. Rejected by implication was the contention that the Alabama state law requiring a married woman to take her husband's surname violated a constitutional right under the Fourteenth Amendment.

IMPERATIVE AMENDMENT

Just as the Nineteenth Amendment was needed to destroy the barriers to women's right to vote, so the Equal Rights Amendment remains an imperative—to establish equality on a solid basis, and put an end to the discriminatory practices and judicial interpretations which have perpetuated women's subordinate role.[13]

What other measures are needed? Probably the slowest course would be to wait for recognition of the rights of women to become part of the mental outlook of our judiciary. In the area of sex discrimination, the past and present performance of American judges—who are 99 per cent male—can, in the words of a recent law review commentary, "be succintly described as ranging from poor to abominable." [14]

Clearly needed is a substantial increase in the number of women lawyers and judges. When I addressed the National Conference of Bar Presidents in 1969.[15] I reported facts showing that at last count there were not many more than 8,000 women lawyers, and that out of roughly 10,000 judges in the United States, fewer than 200 were women, of whom the majority were concentrated in the lower courts.

Despite the fact that women outnumber blacks in the legal profession more than two to one, and more have been in it longer, by 1970 black judges already exceeded female judges, both in absolute numbers and relative to their proportion in the population, and had already achieved that which is still denied women: a seat on the U.S. Supreme Court. One might conclude that sexism is more deeply rooted than racism. But it is undoubtedly true that the head start the blacks' movement had over today's feminist movement has contributed to their success in that regard.

TOKENS

President Nixon had an unprecedented four opportunities to make the first appointment of a woman to the Court, but failed to do so.[16] Forty years after the first woman judge, Florence Allen, was appointed to a circuit court, there is still no increase in the number of women on that bench. Judge Shirley Hufstedler is the only woman presently sitting on a federal circuit court. Nixon's judicial appointments of women barely qualify as tokens. No wonder the talent pool of women candidates for the Supreme Court could be characterized as "small." [17] It is high time that federal and state executives recognize that the dearth of "qualified" candidates for appellate positions results from their failure to make significant appointments of women to the lower courts.

The habit of passing over women for judgeships is longstanding. In New York, when 125 new judicial vacancies for the city and state were created by the legislature in 1968, it was not seen as scandalous that women should fill only two of these posts.[18] More recently, an unprecedented three vacancies occurred on the court of appeals, the state's highest court, which has not had a woman judge since its inception in 1848. A major effort to correct this omission met with failure, despite backing by the governor.[19]

The fastest way for women to solve the problems of inadequate representation, it would seem, would be for them to become politicized. By sheer force of numbers, they could—if they put their votes to it—secure control of the judiciary, as well as the other branches of government, for in most states, as in New York, judges are popularly elected, This may well occur through the efforts of mobilized women organized in groups such as the National Women's Political Caucus and local political caucuses of women in each state.

But revision of methods of judicial selection is under active consideration at the present time. Changing the rules of the game, as women are waking up to their political potential, may be seen as less than cricket by some feminists, but women must ultimately benefit from what benefits society as a whole.

Students of the subject realize that many of the problems in our law and our courts derive from the method by which judges are chosen.

The elective system all too frequently makes judgeships the prizes in a contest of popularity or service to the party. The system of executive appointment suffers likewise from flaws inherent in its political nature, since expediency is no less a consideration to the appointive power, who generally must rely on the political leaders.

Screening panels represent a desirable innovation in the judicial process,[20] as does a restricted appointive system. The Missouri plan provides for non-partisan nominating commissions, mandatory appointment from among the nominees, and subsequent review of retention by the voters based on the candidate's record.

This system, while certainly a significant improvement, may have its own built-in defects. There is no assurance that either screening panels or Missouri plan commissions would themselves be immune from political or other considerations irrelevant to qualifications. In this context, sex may be a relevant factor, not in lieu of, but along with other qualifications. That may be the advantage offered women by screening panels which consciously embrace a cross-section of the populace. But if equality of representation is to be achieved in the here rather than the herafter, the catching-up process requires planned acceleration, goals and timetables.

Analogy might be drawn from the terms of a conciliation agreement recently signed by the New York Telephone Company requiring adherence to a rigid percentage formula calling for placement of women in managerial positions for 1973 as follows: 57 per cent of vacancies in the first level of management, 46 per cent in middle management, and 20 per cent on the highest level. These stipulations are intended, according to the attorney general's office, "to correct a system of hiring and promotion which previously restricted women to inferior positions within the company." [21]

Apply such an approach to the three levels of the judiciary in the state and federal system and women would more likely feel that there is justice for them in the courts.

EQUAL OPPORTUNITY

Yet the most attractive system of judicial selection is the one used in most of the free world nations: a non-political professional judiciary is chosen after competitive qualifying examination, advancement is predicated on promotions determined by experience and proven ability.[22] In the long run, such a method of selection would assure equality of opportunity on the bench for all equally meritorious segments of society.

True, women in law, as in other professions such as medicine, dentistry and engineering, still comprise a pitifully small percentage.[23] The major cause of this situation has been the prejudice that legislatively and judicially denied women the free choice of a career at the bar. This prejudice as been evident in the unmasked hostility of law schools which refused them admission or subjected them to arbitrary quotas; law firms which refused to hire them or degraded them with inferior, lower-paying positions; and brethren who refused to admit those who had overcome the initial hurdles into the organized associations of the bar, and humiliated even those women who had attained the pinnacle of the profession.[24] Florence Allen, the only woman ever to attain a chief judgeship of a United States circuit court, recounts in her autobiography, *To Do Justly*, that because of her sex she was unable to gain acceptance even from her junior colleagues on the bench.

Women lawyers have reached a turning point in the new thrust for women's equality. Their tribe is increasing with a vigor that may produce in this decade women lawyers in numbers exceeding all expectations. Enrollment figures recently released by the American Bar Association show more than 12,000 women attending law school for 1972–73, a seven-fold increase over a decade ago, more than double that of 1970. First-year women law students, more than 5,000 this year, demonstrate a dramatic upturn, an increase of 27 per cent over the figure of just two years ago. Something new, too, are feminist law firms, formed by women for the specific purpose of undertaking sex discrimination cases, and which give women a kind of representation they have sorely lacked in the past.

Old attitudes, unlike old soldiers, sometimes neither die nor fade away. Judges, law deans and bar presidents are still prone to speak of "a man who . . ." in describing the person needed for a particular job. My own New York City Bar Association, one of the most sensitive to women's rights since its formation of a Special Committee on Sex and Law which gives concentrated attention to matters of sex distinctions in the law, was until quite recently still addressing its new members as "Dear Sir:."

VESTIGIAL BIAS

It is because of such subtle, often unconscious, vestigal bias that women lawyers have brought suits against—

Discriminatory employers, as they did in New York City, against 10 major law firms whose hiring and recruitment practices contravened fair employment laws;

A State Board of Examiners for discriminatory administration of the state bar examination;

A metropolitan bar association for discriminatory membership rules which excluded members of the female sex.

It was to serve notice that such blatant discrimination was intolerable in a profession dedicated to the principle of equal justice for all that in 1971, as head of the National Legal Task Force of the Professional Women's Caucus, I filed charges under Federal Executive Order #11375, against all law schools in the country within the purview thereof for discriminatory practices and policies in faculty hiring, student admissions and financial aid.[25]

There are encouraging signs that the profession has begun to respond. The major organizations of the bar have formed special committees to deal with the problems presented. In August 1972, I addressed the House of Delegates of the American Bar Association, a privilege accorded a woman nondelegate only once before in the 96-year his-

Footnotes at end of article.

tory of the Association. I spoke in support of a resolution of the Section of Individual Rights and Responsibilities which called for affirmative action by law schools and law firms to end discrimination against women students and women lawyers. This resolution had already been voted down by the ABA's Board of Governors, but it was adopted overwhelmingly by the House and is now official ABA policy.[20] Similar resolutions have been adopted by the Association of American Law Schools which, under threat of deaccreditation to violators, has succeeded in barring recruitment at member law schools.

Congress' new Higher Education Act of 1972 explicitly authorizes, effective July 1973, termination of federal aid to federally funded graduate and professional schools, including law schools, in event of discriminatory admissions. The new Equal Employment Opportunity Act of 1972 at last gives muscle to the Equal Employment Opportunities Commission, which can now file suit in district court on behalf of an individual, or class of persons similarly situated, to compel compliance with prohibitions against sex discrimination.

These new laws are milestones of progress. But there remains a long distance to travel. The guideposts to our destination are: passage of the Equal Rights Amendment, more women on the bench, and greater sensitivity by judges and legislators to the problems of sex discrimination. With such continued effort, "the law of the Creator" may yet be redefined to conform with the perceptions of 1974, rather than those of a hundred years earlier. Justice in our courts requires no less.

FOOTNOTES

[1] 83 U.S. (16 Wall.) 130 (1873).

[2] *Id.* at 140–142.

[3] 88 U.S. (21 Wall.) 162 (1874).

[4] For chapter and verse, see L. Kanowitz WOMEN AND THE LAW: THE UNFINISHED REVOLUTION, (1971), *reviewed*, Sassower, 2 HUMAN RIGHTS 199 (1972).

[5] 208 U.S. 412 (1908).

[6] 335 U.S. 464 (1948).

[7] 368 U.S. 57 (1961). *But see* concurring opinion of Mr. Justice William O. Douglas, in Alexander v. Louisiana, 405 U.S. 625 (1972) arguing against the constitutionality of exempting women as a class from jury service.

[8] Roe v. Wade, 410 U.S. 113 (1973); Doe v. Bolton, 410 U.S. 959 (1973).

[9] Cohen v. Chesterfield County School Bd., 474 F. 2d 395 (C.A. 4th Cir. 1973) cert. granted. 411 U.S. 947 (1973) jointly with Cleveland Bd. of Educ. v. La Fleur, 465 F. 2d 1184 (1972).

[10] 404 U.S. 71 (1971).

[11] 411 U.S. 677 (1973.).

[12] 341 F. Supp. 217 (1971).

[13] The case for the Equal Rights Amendment is comprehensively stated in Brown, Emerson, Falk, and Freedman. *The Equal Rights Amendment: A Constitutional Basis for Equal Rights for Women*, 80 YALE L.J. 871 (1971). Further useful analysis is provided by the Committee on Civil Rights and the Special Committee on Sex and Law, N.Y. City Bar. Assoc., Report on the Equal Rights Amendment (1972).

[14] J. Johnston & C. Knapp. Sex Discrimination By Law: A Study in Judicial Perspective, 46 N.Y.U.L. REV. 675 (1971).

[15] Address by Doris I. Sassower, National Conference of Bar Presidents, Chicago, Illinois, January 25, 1969, in 115 CONG. REC. 2934 (1969).

[16] For an unsubdued journalistic reaction to this failure, see *The Court Nominations . . . an Insult to Women*, The Michigan Daily, Oct. 23, 1971, editorial page.

[17] *President Bypasses Women; Talent Pool Small.* New York Times, Oct. 22, 1971, at 1.

[18] The complaint was presented by the writer to the National Conference of Bar Presidents and reported in a news dispatch at the time. Further details concerning this incredible event appear in Sassower. *The Legal Profession and Women's Rights*, 25 RUTGERS L. REV. 54 (1970).

[19] *Governor Pushes Woman for Court*, New York Times, Mar. 25, 1972, at 25, col. 3. The denouement may be derived from an article entitled *G.O.P. Chooses 3 For Appeals Court-Nominates All-Male Slate Despite Governor's Plea; State Democrats Name Three Men for Appeals Bench, With a Women Running Fourth*, New York Times, April 4, 1972, at 34, col. 1–8.

[20] Screening panels may serve a purpose even where their recommendations are, in effect, advisory only. *See* Sassower, *Judicial Panels: An Exercise in Futility?* NEW YORK LAW JOURNAL, Oct. 22, 1971, at 1.

[21] *Telephone Company Agrees to Pact on Women's Jobs*, NEW YORK LAW JOURNAL, Apr. 24, 1973, at 1.

[22] The only other known proponent of the continental method is Hon. Aron Steuer, a senior justice of the Appellate Division, First Department, whose views were eloquently stated in an unpublished speech entitled, "On a Method of Selection of Judges," presented April 12, 1973 at the Association of the Bar of the City of New York.

[23] For the specifics, *see* Sassower, *Women in the Professions*, Testimony Before the New York City Commission on Human Rights, published by the Professional Women's Caucus, reprinted in WOMEN'S ROLE IN CONTEMPORARY SOCIETY (1972).

[24] Various discriminatory practices by the legal profession against women are described in Sassower, *Women in the Law: The Second Hundred Years*, 57, A.B.A.J. 329 (1971).

[25] *Law Schools Charged With Sex Bias*, Milwaukee Journal, Apr. 18, 1971: *Sex and the Law*, San Francisco Chronicle, May 17, 1971: Ms. Sassower 1. American Law Schools, Pro Se, Feb. 1972.

[26] Transcript of the proceedings of the A.B.A. House of Delegates, 4th session, August 17, 1972.

This article was based on an address presented to a Law Day Convocation at Akron University Law School, May 3, 1973.

SAL VEDER—PULITZER PRIZE WINNER FOR PHOTOGRAPHY

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1974

Mr. WALDIE. Mr. Speaker, today the names of the 1974 Pulitzer Prize winners were made known. I am delighted and proud that an old friend of mine, Sal Veder of the Associated Press' San Francisco Bureau, has been awarded this year's Pulitzer Award for feature photography.

Sal Veder's prize-winning photo shows the greeting given Lt. Col. Robert L. Stirm, a Vietnam prisoner of war, as he was met by his family at Travis Air Force Base on March 17, 1974.

The photo is perhaps the most moving of all the pictures taken during those many greeting as the POWs returned to their families.

It is a photo that will always come to mind when the emotions and the history of that occasion are recalled by all of us.

Mr. Speaker, Sal Veder richly deserves this, the highest award in journalism.

He has been with A.P. for the past 13 years covering many significant news events including the war in Southeast Asia, recovery of a number of space flights and the 1972 Winter Olympics.

Sal Veder has been a resident of Martinez, Calif., for a number of years. He has been an active participant in community affairs and, Mr. Speaker, he is a real gentleman, a true friend.

Again, I am delighted for and I am proud of Sal Veder—Pulitzer Prize winner.

CAB WORKS AGAINST THE PUBLIC INTEREST

HON. ROBERT L. LEGGETT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1974

Mr. LEGGETT. Mr. Speaker, the U.S. Government includes a number of independent regulatory agencies which have been set up to represent the public interest. Unfortunately, it is becoming increasingly evident that a number of these agencies consistently act in the interests of the "regulated" industries and against the public interest.

One of the worst offenders is the Civil Aeronautics Board, Instead of setting maximum fares and minimum standards required to justify the fares, the CAB sets minimum fares and maximum service which can be provided at a given fare. The results of this anti-American people policy are, predictably:

First, the most inefficient and incompetent airlines are able to stay in business;

Second, many airlines make astronomical and undeserved profits; and

Third, the public pays inflated prices for inferior service.

A year ago I addressed the subject of how the CAB prevents the American people from receiving the low cost air charter vacations available in Europe, and which the American charter lines are eager to provide if they were allowed to do so. Today I turn to the CAB's disastrous interference with the scheduled airlines.

The CAB uses a basic price formula of $19.25 per passenger plus 4.95 cents per passenger-mile. Airlines are not permitted to charge below this rate on interstate flights.

Because of the great length of my home State of California, it is possible to operate there a large variety of flights over varying distances entirely within the State, and thus exempt from CAB regulation. One airline, Pacific Southwest Airlines, operates modern jets entirely within the State, provides better service than the interstate airlines at half the CAB rates, and makes a handsome profit while doing so.

Writing in the Washington Post, on April 14, John T. Harding incisively and conclusively demonstrates that the CAB is keeping fares artificially high and acting counter to the public interest by doing so. I insert his article in the RECORD at this point:

WHY ARE AIRLINE FARES LOWER IN CALIFORNIA

(By John T. Harding)

(Mr. Harding is a physicist who works for the Federal Government.)

Recent articles in the Washington Post have dealt with the increasing cost of traveling by air. This week the CAB granted its airlines a 6% surcharge to compensate for rising fuel costs; in July short haul fares will rise dramatically. A comparison of CAB regulated fares and California intrastate fares (which are regulated by the California Public Utility Commission) suggests that short haul fares are already substantially higher that they need to be.

Upon moving to Washington from Southern California five years ago, I discovered that it cost over twice as much per mile to travel by air in the Northeast as it did in California. In fact, it costs more per mile to travel by bus here than by air in California. Fares have risen in both regions over the past years, but the aforementioned relationships are still valid.

Reporting on its four year passenger fare investigation, the CAB claims that its carriers' short-haul fares are not high enough, that long-haul passengers are in effect subsidizing the short-haul passenger.

CAB carrier costs are summarized in a "cost based" formula: $19.25 + 4.95¢/mile. Now for the first time, a basis exists for comparing costs of CAB and intrastate carriers. Previously whenever fares in high density markets were cited as being unnecessarily high the airlines responded that they were subsidizing low density markets.

The CAB has decreed that cross-subsidization of markets is unacceptable and has obviously concluded that costs depend on distance alone and are independent of traffic density. The table attached compares intrastate fares wtih CAB costs on the basis of distance.

The intrastate fares shown are those currently in effect on Pacific Southwest Airlines, the dominant intrastate carrier in the California corridor. Since PSA is strictly a short-haul airline (all routes under 500 miles) and has never failed to make a profit on its airline operations, it is inescapable that PSA's costs are about half as great, at every distance from 65 to 480 miles, as those claimed for CAB carriers.

Why should a person be able to fly from Los Angeles to Fresno for $15, yet pay twice as much to fly the same distance from Washington to New York? Surely major trunk carriers are not paying twice as much for Boeing 727 aircraft as PSA, or twice the interest rate on their bank loans.

Apparently operating costs are several times greater for CAB carriers than for California intrastate carriers. Yet a review of those circumstances over which the airlines have no control would make it appear that operations are intrinsically more difficult in California than in the Northeast, for example. Since this conclusion is at odds with conventional wisdom, consider the following information:

Myth: Northeast corridor airports are more congested than those in California.

Fact: Los Angeles International airport in fiscal 1972 produced 32% more flight operations and 7% more passenger enplanements than the busiest New York airport.

Myth: The airspace around the Northeast corridor cities is more congested.

Fact: No less than five airports in the Los Angeles area each experiences more total aircraft operations than any airport in the New York area. If all airports in the metropolitan areas are included, Los Angeles regional airports produce twice the number of aircraft operations as those in the New York area.

Myth: Northeast corridor airports experience unusually poor weather conditions.

Fact: The Los Angeles area experiences over twice as much "Instrument Flying Rule" weather conditions as New York, Washington or Boston.

Myth: CAB airlines are subject to more stringent safety requirements than intrastate airlines.

Fact: Safety regulations are imposed by the FAA and are identical for all commercial passenger-carrying airlines. PSA and Air California have flown 15 billion revenue passenger miles without a single passenger fatality, a safety record that few CAB airlines can match.

Myth: CAB airlines provide a higher quality of service than the intrastate carriers.

Fact: PSA and Air Cal presently command 80% of the Los Angeles-San Francisco market, despite the fact that their fares are no lower than the intrastate fares of their numerous CAB competitors, United, TWA, Western, Continental and Air West. These airlines compete on the basis of service and it is clear that 80% of the passengers find the intrastate airlines superior with respect to punctuality and service. By comparison, travel on the Eastern shuttle is spartan.

Lest anyone conclude that this low cost service in California is a small scale phenomenon which is not relevant to the Northeast, the following statistics should be noted:

The California air corridor is the most heavily travelled in the world. In fiscal 1972 there were 5.5 million origin-destination air passengers between the Los Angeles and San Francisco metropolitan areas, as compared to 2.0 million between New York and Boston and 1.7 million between New York and Washington. The number of passenger miles flown by PSA alone exceeds the sum total to all origin-destination air traffic within the Northeast corridor (including every airline and every city between Boston and Richmond).

In 1973 PSA transported 6.4 million revenue passengers—a total of 1.9 billion revenue passenger miles. That is more passenger miles than any CAB local service carrier except Allegheny and more passengers than Continental, and almost as many as Braniff, National or Northwest.

Finally, it is irresistible to point out that had PSA collected $19.25 per passenger and 4.95¢ per passenger mile in 1973, its airline revenues would have totalled $218 million instead of an actual $95 million. The difference of $123 million is the amount those lucky 6 million Californians saved by not having the CAB regulate air travel within California.

From the foregoing I conclude that there is no intrinsic reason why air fares cannot be as low here as they are in California. Comparing the CAB cost formula and the PSA fare structure, one is forced to conclude that the CAB carriers are annually incurring at least four billion dollars of expenses which are unnecessary to the providing of safe, dependable high quality air transportation. That is a staggering cost to pay for regulation!

The CAB's primary concern is to see that none of its proteges fail financially. Consequently, fares are set high enough that even the most egregiously inefficient airline does not suffer the bankruptcy it deserves.

By contrast, the California Public Utilities Commission has been concerned primarily with the public interest. Traditionally it has regulated fare increases but not decreases, and has not inhibited entry or exit of airlines in the California market. Consequently, any number of intrastate airlines which could not meet the prices set by the most efficient carriers have had to terminate service.

The net result has not been chaos as predicted by the CAB, but a highly dependable, safe and inexpensive air travel system within California. This could not have occurred without some regulation, but the objectives of the regulation have had a profound impact on who is benefited.

Airline stockholders should be very grateful to the CAB. The public must look elsewhere for their interests to be served.

City pair	Distance (miles)	Intrastate fare [1]	CAB cost [1]
Stockton-San Francisco	65	$7.64	$22.47
Los Angeles-San Diego	101	7.64	24.25
Fresno-San Francisco	164	10.32	27.37
Fresno-Los Angeles	213	15.05	29.79
Los Angeles-San Francisco	347	16.43	36.43
San Diego-Sacramento	480	24.31	43.01

[1] Exclusive of 8-percent tax and security charge.

COMMUNITY INVOLVEMENT: KEY TO SUCCESSFUL CELEBRATION OF CINCO DE MAYO

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1974

Mr. ANDERSON of California. Mr. Speaker, for those of us in southern California, Cinco de Mayo is an especially significant holiday. For the observance of this Mexican holiday is not only a time to reflect upon our appreciation of past heroic deeds of our southern neighbors, but also a time to be more aware of the numerous contributions of those people in the development of our Nation.

Much has been written about the importance of the victory in the small town of Puebla on May 5, 1862, when a small, courageous band of ill-equipped and outnumbered Mexican patriots dedicated their lives to fight for the preservation of their national freedom.

While it is significant that much valuable time was gained for the Mexican government of President Benito Juarez resisting the foreign domination of the French armies of Napoleon III, it is more important to realize what can be accomplished through the combined efforts of dedicated individuals striving for a common goal.

Therefore, it is very gratifying for me to know that the observance of this important Mexican holiday is continuing to surpass previous celebrations. This year in Los Angeles many thousands of people, including several communities in the Harbor area, attended the colorful fiesta welcoming the Chief of the Federal District of Mexico City, Octavis Senties.

In Compton, the first city in the United States to recognize Cinco de Mayo as an official city and school holiday, they commemorated this 3-day fiesta with assemblies, plays, dancing and a parade.

In the harbor area the Association of Mexican American Educators selected this significant day for their annual scholarship fund-raising dance.

Also, I am pleased to note that the city of Gardena held their very first official celebration this year. Therefore, it is gratifying to know that their fiesta was a tremendous success befitting the countless hours of preparation put into this gala affair.

Naturally, much of the success should be attributed to the community leaders who helped organize this fiesta: Joe

Prieto, general chairman; Cruz and Helen Barajas, public relations; George Castro, publicity; Kathy Martinez, art exhibit director; Claudia Ortiz and Mario Cordero, theater; Ann Ramirez, dance coordinator; Mary Almaraz, decoration; Louise Alvarado, booths chairman; and Al Ortiz, master of ceremonies.

However, the key to this and any function is total community involvement. And, indeed there was community involvement with the preparation of this event by numerous dedicated individuals, including all of the city officials and the municipal activity and its staff. Countless hours were spent in rehersals; making hand-sewn costumes; building, painting, and operating booths; advertising and clean-up operations all culminating into a joyous community event. The high point of the day was the crowning of Gardenia's Cinco de Mayo queen, Corine Chavez. The community involvement can be symbolized by the unveiling of an art mural comprised of the individual contribution of the numerous members of the Gardena Teen Post.

Mr. Speaker, the Cinco de Mayo is indeed a day of celebration. I take pride in joining with the millions of Mexican Americans in observing this important holiday. May it always serve as a means of rededicating ourselves to our common ideals of freedom while facilitating an opportunity for fellowship by community involvement.

The greatness of America remains the amalgamation of numerous ethnic groups wtihout the loss of cultural identification.

POLITICAL POSTURING?

HON. BARRY M. GOLDWATER, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1974

Mr. GOLDWATER. Mr. Speaker, there appeared on the editorial page of the April 30 edition of the Wall Street Journal a commentary by Mr. Albert R. Hunt entitled "Liberal Gamesmanship in Congress." This article is important both for what it says and for what it implies, particularly for some of my political associates. Mr. Albert points out that there are several major proposals currently being recommended to the Congress and the country that may not be as beneficial as the proponents would like us to believe. He flatly states that some of the proponents are taking contradictory and counterproductive positions on the same issue. His strong implication is that the fallacies of these proposals are crying for challenges and responses.

The message this article has for the Republican Party is clear and basic. Our party cannot continue to concede political leadership and default the control of major issues and problems. And, we cannot give in to the temptation to assume public positions on an issue or proposal simply because of apparent political expediency. The Watergate controversy has caused many of my colleagues to retreat to positions of passiveness and meekness that they wish they could describe as positions of intelligent, low profile and the quiet approach. Because of my deep concern for what I see happening to some of my colleagues and to our Nation, I commend Mr. Hunt's article to you for your consideration:

[From the Wall Street Journal, April 30, 1974]

LIBERAL GAMESMANSHIP IN CONGRESS

(By Albert R. Hunt)

WASHINGTON.—No one, Henry Kissinger has said, possesses more of a penchant to work against their own self-interest than the French. But then, maybe the Secretary of State doesn't know congressional liberals very well.

Recently numerous Capitol Hill liberals have almost been tripping over one another to push plans that may have political appeal but which, on closer examination, seem clerly counterproductive to their own expressed interests.

Two excellent examples surfaced last week. In one, liberals are seeking to extend some wage and price controls beyond tonight's scheduled expiration, and in the other they're proposing an across-the-board personal tax cut. The Senate will vote tomorrow on continuing controls and the tax cut measure probably will be taken up next week.

Prospects for quick congressional clearance of either measure are doubtful. But the posturing of liberals on these two issues offers little hope to anyone expecting clear-cut and rational alternatives to the Nixon administration economic policies that have clearly failed to control inflation while producing a sharp drop in the first quarter gross national product.

"The liberals are hypocritical on these issues," laments a labor lobbyist who's fighting any controls measure and would like any tax cut to include some tax reform as well. "They're admittedly playing politics and I'm not sure it's even good politics."

DOING SOMETHING

The last-minute effort to extend controls, following lopsided votes in both the House and Senate Banking Committees to end controls tonight, came after the Easter recess, when some Congressmen apparently received an earful of complaints about rising prices. Their solution was to come back to Washington and at least appear to be doing something about the problem.

Yet many of these same lawmakers have been the harshest critics of the current controls, agreeing with organized labor's somewhat justifiable charge that the burden has fallen disproportionately on workers. Liberal Republican Sen. Jacob Javits of New York, for example, criticizes the "abuses and mishandling" in the administration of wage-price controls over the past year. The recent decline in workers' real purchasing power offers solid support for such complaints.

In view of their distaste with the way the program has been run, what new controls formulas have these legislators discovered?

Under their proposal, pushed primarily by Senators Edmund Muskie (D., Me.), and Adlai Stevenson (D., Ill.) controls in any economic sector could be reimposed if the President makes three findings: one, that there is serious inflation generally; two, that inflation in that particular sector would lead to "serious hardship and deprivation," and, three, that the need for controls outweighs potentially adverse effects on supply.

If this seems vague and general, it is. Even some supporters acknowledge that it pretty much boils down to giving another blank check to the same people who supposedly have been doing such a bad job for the past year.

When asked what confidence he has this new program would be administered any better, Sen. Muskie simply replies that this is "irrelevant . . . our job is to give him [the President] a tool we think he ought to have and he ought to use."

Sen. Muskie has fathered a new definition of relevancy. Even if controls are needed to stop raging inflation and even if it's desirable to have a more orderly decontrol process, the notion that a President should again be given sweeping powers to affect people's lives with little regard as to how that power will be utilized isn't a very encouraging sign in the age of Watergate.

In the same vein, moreover, many sponsors of this move have rather eloquently decried Executive usurpation of Legislative prerogatives. But when Congress' response is to duck responsibility repeatedly by turning over broad grants of power to the Executive, these complaints ring rather hollow. There's no doubt that it would be far tougher and more politically perilous for lawmakers to try to legislate a specific controls program. But it at least would show a semblance of Legislative responsibility sorely lacking at the moment.

Actually, the primary short-run effect of this latest effort may well be to cause anticipatory wage and price hikes and thus worsen an already bad inflation. "Businessmen and unions will be encouraged to grab everything they can while the getting is good, so they will be in a good position if controls are reimposed," worries a top Treasury official.

All of which lends credence to Senate GOP Whip Robert Griffin's charge that the Democrats (with some Republican help) are playing "pure, unadulterated politics." If these legislators really believe in controls, "they should put their program into effect," the Michigan Republican says, but instead they want to "give broad unlimited authority to the President so that they [can] criticize him later."

(Lest anyone think the Democrats have a monopoly on such games, if the resurrection of controls fails, be prepared in a few months for some Republican officeholder to criticize Congress for failing to give the President the necessary tools to combat inflation. That individual will be a leading contender for any "Hypocrite of the Year" award.)

Similar gamesmanship is evident on the tax cut issue. Ten days ago, the Washington offices of Democratic Senators Edward Kennedy of Massachusetts and Walter Mondale of Minnesota proudly heralded a joint tax cut proposal. At the time, Sen. Kennedy was in Moscow and Sen. Mondale in Paris, but such geographic inconveniences didn't halt the press release bandwagon.

The Kennedy-Mondale proposal, intended to spur the economy out of any recession, would raise the personal income tax exemption to $825 a year from $750, or give taxpayers the option of taking a $190 tax credit instead. (A credit is taken off of tax liability and thus is more valuable than a deduction, which is subtracted from taxable income.) This will be offered in the Senate as an amendment to a minor tariff measure next week, and if passed, would provide a $5.9 billion tax cut, retroactive to January.

Apart from arguments made by the administration and others that this would be inflationary, it's questionable whether this is the sort of tax cut two staunch liberals ought to be pushing. A $75 increase in the personal exemption, after all, is worth $52.50 to someone in the 70% tax bracket, but only $10.50 to a taxpayer in the 14% bracket. While it's true, as the Senators note, that more than 81% of the benefits would go to persons making less than $15,000 a year, the converse is that almost one-fifth would go to individuals making more than $15,000.

To be sure, the alternative, a tax-credit, would favor less well-off taxpayers. But some Senate insiders believe there's a good chance this new concept will be stripped away in favor of an increase in the personal exemption.

WHAT'S POLITICALLY PALATABLE

Further, from the liberals' vantage point, it should seem more desirable to cut tax rates for lower- and some middle-income taxpayers instead of taking this blanket, across-the-board route. Maybe so, answer supporters of the Kennedy-Mondale proposal, but that's not as politically palatable as the more easily understood increase in the personal exemption.

But an even greater concern to these liberals, it would seem, ought to be that a tax cut, by itself, sharply diminishes prospects this year for any significant tax revision, supposedly one of their prime political goals.

In the real world of politics, the stick of loophole-closing almost invariably has to be accompanied by the carrot of personal tax cuts.

That is why some strong advocates of tax revision fear the liberals could be scoring political points now at the expense of more far-reaching achievements later. "What bothers us is that it's easy to vote tax relief, but the hard thing is to vote for substantial tax reform," says Robert Brandon, head of Ralph Nader's tax reform research group. "Certainly, reform should be quid-pro-quo for relief." (Several liberal lawmakers, such as Wisconsin's Gaylord Nelson in the Senate and California's James Corman in the House, take precisely this position.)

As with controls, of course, it's a lot more difficult and less politically appealing to hammer out revenue-raising tax changes to accompany the more popular personal reductions. But, to paraphrase President Nixon, politicians shouldn't always take the easy way out.

With one shocking revelation piling upon another, it's understandable why the Nixon administration is in such disrepute today. But when Congress chooses cheap and careless politics over filling the leadership void, it's no wonder that it's held in equally low esteem.

NIXON IMPEACHED BY NIXON

HON. ROBERT L. LEGGETT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1974

Mr. LEGGETT. Mr. Speaker, the very incriminating evidence contained in the recently released transcripts should not cause us to lose sight of the fact that President Nixon had previously admitted to a number of highly impeachable offenses.

I have discussed two of these offenses, and the airtight case we would have for impeachment even if there were no tapes and no John Dean, in an article I wrote for the May 1974 issue of the Progressive magazine. I insert the article in the RECORD at this point:

NIXON'S CASE AGAINST NIXON

(By ROBERT L. LEGGETT)

Since the release of the recent Watergate indictments, public attention has focused on the Grand Jury's sealed report to Judge John Sirica, which is now in the hands of the House Judiciary Committee, on the tapes to which the Grand Jury has listened, and on the apparent contradiction between two of President Nixon's statements concerning his awareness of "hush money" paid to the Watergate conspirators. If the tapes and other evidence show that the President, in discussing the possibility of paying a million dollars in hush money, did not reject the proposal on moral or legal grounds, what remains of his ability to govern will be destroyed immediately and completely.

But the evidence of the tapes is not necessary for his impeachment. Neither is the testimony of John Dean. Without the tapes, without further testimony or investigation, we have even stronger evidence against Nixon than the Justice Department had against Spiro Agnew: I believe Nixon has *publicly confessed* to at least one impeachable high crime and at least one impeachable high misdemeanor.

I. OBSTRUCTION OF CRIMINAL INVESTIGATION

On May 22, 1973, President Nixon issued a statement which read in part, "Within a few days [after the Watergate burglary] . . . the name of Mr. Hunt had surfaced in connection with Watergate, and I was alerted to the fact that he had previously been a member of the Special Investigations Unit [the "Plumbers"] in the White House . . . I instructed Mr. Haldeman and Mr. Ehrlichman to ensure that the investigation of the break-in not expose . . . the activities of the White House Investigations Unit."

Thus, according to Nixon, he knew shortly after the burglary that F. Howard Hunt was a member of the Plumbers, that Hunt was involved in the Watergate burglary, and that the Plumbers were, therefore, prime targets for the FBI investigation. But instead of allowing this investigation to proceed, Nixon by his own admission attempted to kill it. This is an open-and-shut case of deliberate obstruction of a criminal investigation, punishable under Federal law by up to five years' imprisonment and a $5,000 fine, and clearly an impeachable high crime.

If the attempt at obstruction had succeeded, the entire series of Watergate-related scandals might have been swept under the rug. H. R. Haldeman, John Ehrlichman, and Dean attempted to carry out the President's instructions by persuading FBI Director L. Patrick Gray that the investigation should be dropped. They claimed that vital, secret CIA operations in Mexico would be compromised if the FBI investigated the "Mexican laundry" through which funds had passed on their way from the Committee to Re-elect the President to the Watergate burglars. The obstruction failed when the CIA refused to cooperate, pointing out it had no operations in Mexico that could be endangered.

Since there can be no dispute of the facts, the intent, or the law, Nixon pleads the extenuating circumstance of overriding national security considerations. In the course of his May 22 confession, he sought to justify his high crime by saying, "I was concerned that the Watergate activity might well lead to an inquiry into the activities of the Special Investigations Unit itself. In this area, I felt it was important to avoid disclosure of the details of the national security matters with which the group was concerned. I knew that once the existence of the group became known, it would lead inexorably to a discussion of these matters, some of which remain, even today, highly sensitive."

But the Plumbers had no legitimate claim to special treatment. They were not a legitimate national security agency in terms of: (1) their charter—they had no Congressional authorization as a national security or police agency, and the President has no power to grant such authority on his own; (2) their funding—on at least one occasion (the Ellsberg psychiatrist's break-in), the Plumbers operated not on government funds, but on Republican campaign money, and illegal milk money at that, and (3) their behavior—on at least one occasion (Hunt's forgery of cables designed to implicate President Kennedy in the Diem assassination), the Plumbers attempted falsely to discredit the Government of the United States and a former President of the United States. So even if national security organizations had the power to set themselves above the law, which they do not, the Plumbers were disqualified because of their lack of legal authority, their private partisan funding, and their partisan behavior.

Moreover, we must remember that the investigation Nixon attempted to obstruct was being conducted not by the newspapers but by the FBI. It is not credible to claim the FBI cannot be trusted with national security information; it is positively zany to claim that information given to the likes of Hunt and the Watergate burglars—most of whom didn't even have security clearances—would be compromised by allowing the FBI access to it.

II. VIOLATION OF UNITED STATES CONSTITUTION AND OF OATH OF OFFICE

Let us turn once again to President Nixon's May 22 statement: "On June 5, 1970, I met with the Director of the FBI, the Director of the CIA, the Director of the Defense Intelligence Agency, and the Director of the National Security Agency. We discussed the urgent need for better intelligence operations. I appointed Director Hoover as chairman of an interagency committee to prepare recommendations. On June 25, the committee submitted a report which included specific options for expanded intelligence operations, and on July 23 the agencies were notified by memorandum of the options approved. After reconsideration, however, prompted by the opposition of J. Edgar Hoover, the agencies were notified five days later, on July 28, that the approval had been rescinded. The options . . . approved had included . . . authorization for surreptitious entry—breaking and entering, in effect—on specified categories of targets in specified situations related to national security."

So we have a confession from President Nixon that he ordered breaking and entering.

His personal representative on the interagency committee was a member of the White House staff, Tom Charles Huston, who—together with the Orange County conservatives and former Joe McCarthy enthusiasts who were running the White House—was convinced that dissident individuals and groups were major threats to national security. It was Huston who drafted a proposal based on the majority recommendations of the interagency committee and submitted it for Nixon's approval. The proposal, highly classified at the time, was published in the course of the Senate Watergate Committee hearings. It recommended that "present restrictions on covert coverage should be relaxed on selected targets of . . . internal security interest." "Covert coverage" refers to opening of first class mail without a search warrant, which is punishable by $100 fine and one year imprisonment for each piece of mail opened. Huston made certain Nixon was aware of the lawlessness of the proposal, explicitly stating the "covert coverage is illegal and there are serious risks involved."

Next, Huston proposed what he referred to as "surreptitious entry." He suggested that "present restrictions should be modified to permit selective use of this technique against . . . urgent security targets." Again, he laid it on the line for the President to make the decision: "Use of this technique is clearly illegal: it amounts to burglary. It is also highly risky and could result in great embarrassment if exposed."

Fully aware he was ordering the performance of illegal acts, Nixon approved the Huston plan, and on July 15 Huston informed the directors of the various intelligence agencies that "restrictions on covert coverage are to be relaxed . . . Restraints on the use of surreptitious entry are to be removed."

So we have a President who approved burglary and mail violation. Fortunately, we

had an FBI director who did not. To his credit, J. Edgar Hoover flatly refused to participate in the plan on the grounds that it was both illegal and unnecessary. Implementation of the proposal was therefore suspended—not because Nixon shared Hoover's scruples, which he did not, but because the plan as formulated could not be carried out without Hoover's active cooperation, since it was the FBI that was to do the actual spying.

Nixon claims he withdrew his approval completely and permanently. Huston disagrees, contending in public statements that the plan was never officially canceled. The President has produced no written record of cancellation to support his position. But even if he is correct he is not vindicated. There is strong evidence that the Huston plan submerged in July 1970 only to reappear a year later, with the Plumbers replacing the FBI as its striking arm. Consider the Plumbers' burglary of the office of Dr. Lewis Fielding, Daniel Ellsberg's psychiatrist: This operation against this target, conducted in 1971, matches to perfection the operations and targets discussed by Huston in his various memoranda.

Discussing the Ellsberg burglary on May 22, Nixon said, "I did impress upon Mr. Krogh the vital importance to the national security of his assignment. I did not authorize and had no knowledge of any illegal means to be used to achieve this goal. However, because of the emphasis I put on the crucial importance of protecting the national security, I can understand how highly motivated individuals could have felt justified in engaging in specific activities that I would have disapproved had they been brought to my attention."

Indeed, Nixon could understand how Egil Krogh could have felt justified in burglary: The President had specifically authorized it a year earlier for just this type of situation. Krogh had no reason in 1971 to believe the President had changed his mind, and we have no reason to believe so today. But suppose we assume Nixon did in fact disapprove of burglary in 1971, and that his aides, Ehrlichman, Krogh, and David R. Young, somehow did not associate their planned burglary with Nixon's views on Hustonian burglary; further, suppose we somehow reject James Madison's claim that the President is "subject . . . to impeachment himself, if he suffers [his subordinates] to perpetrate with impunity high crimes or misdemeanors against the United States, or neglects to superintend their conduct, so as to check their excesses."

Even if we thus strain credibility beyond all reason, the hard fact remains that President Nixon ordered his subordinates to go out and violate the law.

The Constitution unequivocally instructs the President to "take care that the laws be faithfully executed." The Presidential oath of office—the only oath specified in the Constitution—includes the pledge to "preserve, protect, and defend the Constitution of the United States." Thus, by his very approval of the Huston plan, Nixon committed an impeachable high misdemeanor.

It seems clear to me that a President is impeachable for violation of the Constitution and of his oath of office, and that arguments to the contrary are transparently untenable. I believe a substantial majority of my colleagues will come to the same view, if they have not already done so. Approval of the Huston plan, like obstruction of the FBI investigation of the Plumbers, constitutes an open-and-shut case for impeachment in which the facts, the law, and the intent are beyond question.

As with the obstruction of justice charge, Nixon's only defense can be that of extenuating circumstances. It can reasonably be argued that there are circumstances in which extreme and immediate danger to the national security justifies actions which otherwise would be violations of the law. But this argument cannot defend approval of the Huston plan. There was no overriding internal security crisis. Of all the agencies participating in the creation of the Huston plan, only the FBI has a legitimate internal security mission, and only the FBI had extensive experience in internal security matters. It is therefore significant that FBI Director Hoover rejected the Huston plan as not only illegal but also unnecessary; the soundness of his judgment has been confirmed by the fact that, although the plan was never implemented, we have suffered no perceptible loss of internal security.

Moreover, even if there had been an internal security crisis, there was no reason why the Administration could not have sought legislation providing for burglary on court order in domestic security cases. That President Nixon decided instead to go outside the law suggests he felt he could not convince Congress of the need for this legislation. In any case, his action was illegal and in no way justifiable by the circumstances.

Nixon has asserted he has "inherent powers" to conduct burglary without court order. In the course of his August 22, 1973 press conference, immediately after conceding that a violation of oath of office was impeachable, he said, "I would . . . refer you to the recent decision of the Supreme Court or at least an opinion that even last year which indicates inherent power in the Presidency to protect the national security in cases like this."

The White House Counsel's office has informed me that the decision or opinion in question was a 1972 case, *U.S.* v. *U.S. District Court for the Eastern District of Michigan*. Examination of this decision, in which the Supreme Court ruled unanimously that the Government did not have the right to conduct domestic security wiretaps without prior court order, reveals no support for the President's claim that it "indicates inherent power in the Presidency" to violate the law in the name of national security. On the contrary, the decision, as well as the concurring opinions by Justices William O. Douglas and Byron White, flatly denies the President's claim. In the words of the majority opinion by Justice Lewis Powell, "The freedoms of the Fourth Amendment cannot properly be guaranteed if domestic security surveillances are conducted solely within the discretion of the Executive Branch without the detached judgment of a neutral magistrate. Resort to appropriate warrant procedure would not frustrate the legitimate purposes of domestic security searches."

I continue to be amazed that a President would represent a Supreme Court decision as saying one thing when it so clearly says the opposite. On February 5 I wrote to President Nixon and asked for the specific quotation from the decision or opinion which supports his position. I have received no answer.

A final argument in the President's behalf is that the offenses to which he has confessed, while technically impeachable, are not sufficiently serious to warrant impeachment. True, they lack the stark impact of murder or bank robbery, but they are many times more serious and are many times more threatening to the nation. Both offenses involve willful attempts to impose a secret police system upon the people of the United States. Such an effort, when directed from the nation's highest office, constitutes a frontal attack on the essence of the American experiment. If there is one single element that dominates the Constitution of the United States and the debates that produced it, it is the insistence that the powers of the Government over the people be strictly limited to those specified by law. For a Chief Executive, on the basis of self-conferred "inherent power" to violate the law, to attempt to establish one secret police force, actually to establish a second, and to seek to obstruct the lawful investigation of its illegality, are crimes against the American people which make murder and robbery seem almost trivial.

I am not suggesting the House Judiciary Committee should drop its impeachment investigation and bring an impeachment resolution to the floor immediately. But I do say such a move would, on the basis of the facts and the law, now lead to impeachment by the House and conviction by the Senate.

The President has submitted an income tax return including a fraudulently backdated deed which saved him nearly a quarter of a million dollars; he has lied to Congress about bombing Cambodia in 1970, and he bombed it illegally in 1973; he has raised the subject of an attractive position in the Government with a judge who was at the time hearing a case in which Nixon was vitally interested; he has raised milk price supports under highly suspicious conditions, and his role in the payment of hush money to the Watergate conspirators is even more suspicious. It is desirable that these and all other accusations be investigated thoroughly to determine whether they provide grounds for impeachment. But this investigation is necessary only in the senses that justice must be served and that the American people have a right to the whole truth. It is not necessary to the decision of whether Nixon should be impeached, convicted, and removed from office. He has already given us the evidence to decide that.

TRIBUTE TO JOE RADISICH: A WINNING COMBINATION FOR MARY STAR OF THE SEA HIGH SCHOOL

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1974

Mr. ANDERSON of California. Mr. Speaker, on Thursday, May 9, Mary Star of the Sea High School will conduct its spring sports banquet to honor the athletes and coaching staff of this fine school in San Pedro, Calif.

Normally this would not be such an unusual event as it occurs in numerous communities throughout America during this time of the year. However, what is unusual about this event is that it is the first such banquet held at Mary Star High School in 10 years.

Furthermore, it is remarkable that after this period of inactivity, the basketball team was able to win a berth in the California Interscholastic Federation playoffs this year.

Much of the success of this revitalization of the athletic program can be attributed to the efforts of the new athletic director and head football coach, Joe Radisich.

For Joe, the school, and the community, his being selected as the athletic director is a double treat. As a product of this harbor community, Joe has a knowledge and feel for the community. Furthermore, his own accomplishments give him the skills and attitude essential to rebuild the athletic program of Mary Star to its former esteem.

Joe Radisich was born 36 years ago

in San Pedro; here he was raised and educated. His love and talents for sports made it natural for him to star in football at both San Pedro High School and Los Angeles Harbor College.

After an unfortunate head injury, while training for the Pittsburgh Steelers, halted his aspiration in professional football, he combined his love for sports and youth by turning to coaching.

His record as a coach has been remarkable for a man of his age. In 1966, he was instrumental in forming the first Pop Warner football program in San Pedro, where he developed winning teams for the next 3 years.

Joe Radisich seems to possess a Midas touch when it comes to turning losing teams into champions. As assistant coach at Fermin Lasuen High School in San Pedro, he contributed to its having one of the finest football programs in the Harbor area. In 1971, as assistant coach at St. John Bosco High School in Lynwood, Calif., he turned this losing team into a conference champion which reached the CIF finals.

And again in 1972, as an assistant at Daniel Murphy High School in Los Angeles, he turned the previous year's record of 2 to 7 to an 8 to 2 winning team which also reached the CIF playoffs.

Needless to say, our community in San Pedro is confident that he will be able to instill his belief for excellence into Mary Star becoming again a rising star in sports in the Harbor area.

In addition to his desire to build strong, competitive teams, he stresses sportsmanship, and scholastic excellence. From each of the preceding schools he has built both champion teams and outstanding athletes; some of which have later become collegian stars, as well as well-known professional athletes.

Mr. Speaker, I am confident that his wife, Frances, and his children, Joe, Jr., and Kathy, are as proud of him as we are in San Pedro and in the Harbor area. I am sure with the assistance of his outstanding staff: Bob Bradarich, San Jose State; Mike Donatelli, Long Beach State; Ken Potter, Santa Ana College; Jeff Pedersen, USC; Mark Pesusich, Long Beach State; Tom Elliott, San Jose State; Frank Carbone, Long Beach State; and Tom Schmidt, Long Beach State, that his past achievements are merely a prologue to further accomplishments.

NATIONAL SECURITIES MARKET BOARD

HON. W. S. (BILL) STUCKEY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1974

Mr. STUCKEY. Mr. Speaker, the Subcommittee on Commerce and Finance is currently marking up H.R. 5050 which provides, among other things, for the establishment of a national securities market system—an electronic linkup of the stock exchanges with the over-the-counter market. This will be accomplished by a composite quotation and transactional tape which will allow investors to buy and sell at the best possible prices throughout the system.

Although Congress and the Securities and Exchange Commission appear committed to seeing the implementation of the central market concept, there is as yet no consensus within either the industry or Congress as to how the national securities market system should develop, who should or should not participate, and how it should be regulated. All these are extremely important questions, and the way in which Congress answers them will have a significant impact on the viability of the securities industry, the corporations raising capital through the equity markets, and the public investors who directly or indirectly commit their funds to the growth of America's publicly owned companies.

One of the answers, which I submitted to the subcommittee several weeks ago in the form of a discussion proposal, is to create a self-regulatory body, the National Securities Market Board. By delegating to the Board regulatory authority over key elements of the national market system—composite quotation and transactional tape, trading rules, reporting and surveillance activities, and commission rates—both industry and the public would be assured of maximum involvement in developing, operating, and regulating the system.

The Board would also introduce a greater degree of flexibility into the system's regulatory framework. Subject to SEC and congressional oversight, the Board would be in a position to react quickly and in the public interest to day-to-day management and regulatory problems while also being in a position to evaluate the system and anticipate problems without waiting on Congress for enabling legislation. There is much talk about the "evolution" of the national market system, but no one really knows what this evolution will entail. It would seem that a self-regulatory body for the system would be in a unique position to guide the system's evolution.

A third advantage is the clear delineation of regulatory responsibility for the national market system. The Board would not add another regulatory layer; rather it would prevent the occurrence of either overlapping self-regulatory responsibilities or a void of self-regulatory authority. My bill would accomplish this by providing that the exchanges and the National Association of Securities Dealers would continue to perform those self-regulatory functions not performed by the Board.

Before briefly summarizing the bill's provisions, it should be pointed out that I am introducing this proposal in bill form in order to facilitate the solicitation of comments. If the bill is offered, I would consider it as an amendment to title II of H.R. 5050. It should also be pointed out that I am not necessarily wedded to its language, nor do I think it is perfect. On the contrary, even if the bill receives favorable comment, I anticipate that numerous changes will be recommended. In fact, I welcome as much input as possible.

In responding to the subcommittee's request for comment and review, I would hope that interested parties would focus on the need for a national securities market board and the areas of the system over which the Board should be granted jurisdiction in order to insure that the system operates in the public interest and smoothly, with an eye toward future needs. I think that once consensus is reached on these major substantive points, other problems, such as how many Board members and how they should be elected, may be dealt with in a more satisfactory manner.

We are fast approaching the implementation of key features of the national securities market system. I would hope that if there is no consensus on other matters, there would at least be agreement on the need to stop haggling over who should have veto power and who should receive special privileges and begin to work toward designing the system before it designs itself to the greater detriment of the industry, listed corporations, public investors, and the economy.

EXPLANATION

To draw up the Board's constitution and rules, my bill provides for the creation of a National Market Board Authority within 120 days of enactment of H.R. 5050. The SEC is to appoint 15 members to the Authority who will be representative of the exchanges, the NASD, the likely participants in the national securities market system—such as information processors, marketmakers, and specialists—the likely users, public investors, members of the SEC staff, and other persons the SEC deems necessary and appropriate.

Once the Authority is established, it would have 1 year within which to draw up a constitution and rules for the creation and operation of the Board. These would be filed with the SEC which would approve or modify the constitution and rules after providing to interested persons an opportunity to make oral presentation of their views or written submissions. This should be accomplished within 120 days of the filing, or a longer period if the SEC determines that to be appropriate.

Among other things, the constitution would provide for the election of members to the Board by the potential users of, participants in, and members of the national market system, and it would provide for the fair and equitable representation of such users, participants, members, and the investing public on the Board.

Subsection (d) of the amendment gives the Board authority to regulate the national securities market system including the authority to:

First. Establish critera for the securities to be traded within the system;

Second. Establish, run, and regulate the consolidated transactional reporting

system and the composite quotation system;

Third. Establish rules to insure the fair and equitable treatment of the participants in, users of, and members of the system; within this grant of authority would fall regulatory requirements to be met by brokers and dealers, marketmakers, specialists, information processors, and others which are necessary to protect the public;

Fourth. Establish membership criteria which would exclude banks, insurance companies or investment companies or any of their affiliates or subsidiaries; and

Fifth. Establish minimum rates of commission if the Board determines that they are necessary in the public interest or to insure fair dealing in securities.

Once the rules and constitution of the Board are approved by the SEC, the National Securities Market Authority would be dissolved and the Board would assume those self-regulatory functions now performed by the exchanges and the NASD which fall within the Board's justification. The SEC would have the same authority over the Board that it now has over the exchanges and the NASD.

WASHINGTON, ADAMS, JEFFERSON, HAMILTON, AND FRANKLIN WOULD HAVE BEEN UNANIMOUS FOR IMPEACHMENT

HON. ROBERT L. LEGGETT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 1974

Mr. LEGGETT. Mr. Speaker, a recent article by William Randolph Hearst, Jr., has dramatically demonstrated why the Symbionese Liberation Army chose to kidnap his niece instead of Mr. Hearst himself. Those self-styled urban guerrillas may not be very bright, but evidently they had the sense to realize that 3 months cooped up in a small hideout with Mr. Hearst would be one of the most cruel and unusual punishments imaginable.

Consider his recent article entitled "Impeachment and Politics," which I insert in the RECORD at the conclusion of my remarks. His contention is that the impeachment-trial process cannot now function as intended by the framers of the Constitution because the Senate is no longer free of politics. According to Mr. Hearst's version of history, the original Constitution provided for election of Senators by State legislators so that Senators would be isolated from politics, so that they would be statesmen such as Washington, Adams, Jefferson, Hamilton, and Franklin. Mr. Hearst appears to feel that Mr. Nixon faces removal from office today only because the Senate has been corrupted from politics.

In the unlikely event that Mr. Hearst may be listening, I suggest to him that in a democracy politics and statemanship are not incompatible but complimentary, and that Washington, Adams, Jefferson, and the rest were masters of both. I further suggest that when these gentlemen wrote the Constitution, they fully intended it to be obeyed, they fully intended the impeachment provision to be enforced upon a President who disobeyed it, and if they were alive today every one of them would vote to impeach Mr. Nixon for his flagrant and odious violations of the Constitution he swore to protect.

Apparently Mr. Hearst intends to elaborate his views of the Founding Fathers in a later article. In fact, he instructs his readers to "watch for it."

I cannot wait.

The article follows:

IMPEACHMENT AND POLITICS—I

(By William Randolph Hearst, Jr.)

NEW YORK.—The Constitution of the United States, now the classic formula for truly democratic government, was the creation of 55 patriots who assembled in Philadelphia in 1787 and took only a little over four months to agree on its provisions. George Washington was presiding officer at the historic convention.

What has been astonishing students of government ever since is the visionary genius of the 55 delegates. William Gladstone, Great Britain's great Prime Minister and statesman, was typical when he said exactly 100 years later that he considered the Constitution to be the most remarkable political advance ever accomplished at one time by the human intellect.

The patriots who assembled in Philadelphia after the War of Independence obviously were inspired by the freedom ideals of their hard-won war. Those ideals still thunder in the grandly eloquent—almost biblical—preamble to their finished work, as follows:

"We, the people of the United States, in order to form a more perfect Union, establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America."

Underlying the seven remarkable articles which follow, in which all the basic powers and duties of our federal government are spelled out, was something more than inspiration. There also was a very real fear. It was a fear which has to be understood if the greatness of what was accomplished in Philadelphia in 1787 is to be comprehended fully—and if the impeachment process dominating today's news is to be seen in proper perspective.

That fear was the possibility that some day, somehow, this country might again become subject to another all-powerful king. The spectre of George III and the royal injustices which had caused the English colonies of America to revolt haunted the men at Philadelphia. They were determined to prevent any future dictatorship here.

Out of this fear was conceived the notion of a system which automatically would work against the concentration of too much power, especially in a leader. The notion was translated into our present government apparatus of there fundamental divisions—the executive, the legislative and the judiciary—each with specific powers to restrain excesses by the others.

Thus the President can both propose new laws for enactment by congress and veto others enacted against his wishes. Congress can override his veto if enough voting strength can be mustered. And the courts rule on the validity of all legislation, always subject to correction by constitutional amendments approved by the people themselves.

This system of checks and balances has served its purpose well for almost 200 years. It has done so, to a considerable degree, because of the punitive measures agreed upon by the far-seeing authors of our national constitution. And the most remarkable of these was the wholly-innovative device of impeachment, seldom used but always available as a final resort.

Article II, Section IV of the Constitution sets forth the device in deceptively simple language. It declares:

"The President, Vice President, and all civil officers of the United States, shall be removed from office on impeachment for, and conviction of, treason, bribery, or other high crimes and misdemeanors."

The procedures to be followed are as specific as the grounds for them were left vague. The House of Representatives, first, must decide by majority vote to adopt a bill of charges against an accused official. By adopting such a bill, or indictment, the House impeaches the defendant—meaning it considers that person suspect enough to merit a trial on fitness to hold office.

When an official is impeached in this fashion by the House—and impeachment is synonymous with indictment, not conviction or ouster—the case goes to the Senate. Sitting as both judge and jury, the Senate then must rule whether to find the defendant guilty or innocent of the charges. A two-thirds vote is required to convict.

All this may be elemental to legalists familiar with details of the Constitution, but my mail indicates that many Americans still do not fully understand it. And what they seem to understand least is the quite extraordinary nature of the impeachment process itself, and the reasons for it.

The key is politics. Those astute men at Philadelphia who had just gone through a bitterly divisive war realized that future differences of political opinion could endanger the country when its leadership became challenged unreasonably. So they did everything possible in an almost impossible quandary to minimize that danger.

Widely read articles on impeachment have overstressed the similarities between the impeachment process and the normal judicial system. The similarities are there, but impeachment is NOT by any means the same as a court proceeding. It is something quite unique.

Impeachments, first of all, are exempted from the constitutional requirement of trial by jury. Jury trials require a unanimity which politics makes impossible in either house of Congress. In the case of a Senate finding of guilt following a House impeachment, or indictment, the defendant is simply and automatically removed from office. He has no appeal from the dismissal but subsequent civil court action is required to exact further penalties.

Delegates to the Philadelphia Convention gave the whole matter deep thought. They considered, for example, turning impeachment charges over to the Supreme Court for resolution. This was rejected, primarily on the grounds that the judges were so few in number the court could be corrupted.

Also voted down on similar grounds was a proposal by Alexander Hamilton to leave impeachment decisions to a special court made up of the chief justices of the 13 original states. An entirely extra-judicial procedure ultimately was seen as vital, yet one where politics would be minimal.

The solution already has been described, but not explained. Recognizing that political interests were bound to be involved in

charges against the nation's highest officials, the authors of the Constitution left it to a purely political body to make them—namely the lower house of Congress directly elected by and responsible to the people.

As an intended decisive safeguard that politics would not triumph over justice, however, it was agreed that the non-elected members of our original Senate should be the body for deciding if the charges were valid. It was successfully argued that the Senate would be large and diverse enough to wash out prejudice one way or another—especially with the two-thirds vote provision.

The main point was something else, As envisioned and created by the men in Philadelphia, the U.S. Senate was to be something far different than it is now. Its members—two from each of the 13 states—were selected not by public vote but were designated by the various state legislatures. They were supposed to be the worthiest, most responsible and distinguished citizens available—essentially above the turmoil and combat of the political arena.

Recapturing the Philadelphia vision is vital to understanding. The ultimate tribunal in impeachment cases was to be 26 of the nation's most notable men, responsible only to their proven high conscience and unconcerned with public pressures. Men like Washington, Adams, Jefferson, Hamilton, Benjamin Franklin and the others who drew up the Constitution itself.

It was one noble vision of 1787 which hasn't worked out as intended. Even before the 17th Amendment providing for election of senators by direct popular vote was ratified in 1913, senators had long since proven that playing politics is all but irresistible to anybody engaged in the operations of government.

How this happened, and is happening right now, will be discussed in a second column on impeachment here next Sunday. Watch for it.

SENATE—*Wednesday, May 8, 1974*

The Senate met at 11:30 a.m. and was called to order by Hon. WILLIAM D. HATHAWAY, a Senator from the State of Maine.

PRAYER

The Chaplain, the Rev. Edward L. R. Elson, D.D., offered the following prayer:

O God, whose word declares, "Except the Lord build the house, they labor in vain that build it," we thank Thee for the revelation of Thyself in the law of Sinai and the person of Jesus. We thank Thee for Founding Fathers who built this Republic upon the sure foundation of Thy word. May we never be diverted from Thy precepts or allow the law of God to be diluted or compromised by the word of man. Keep us so committed to truth that we may never be trapped by falsehood, so dedicated to Thy word that no unworthy prompting may divert us from doing Thy will. In our prayer may we come to know Thy will, in our work help us to do Thy will, and in all things so to comport ourselves as to be worthy of Thy blessing.

In the name of Him who came to be servant of all. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. EASTLAND).

The second assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., May 8, 1974.

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.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Berry, one of its reading clerks, announced that the House had passed without amendment the following Senate bills:

S. 245. An act for the relief of Kamal Antoine Chalaby;

S. 428. An act for the relief of Ernest Edward Scofield (Ernesto Espino); and

S. 3304. An act to authorize the Secretary of State or such officer as he may designate to conclude an agreement with the People's Republic of China for indemnification for any loss or damage to objects in the "Exhibition of the Archeological Finds of the People's Republic of China" while in the possession of the Government of the United States.

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

H.R. 1715. An act for the relief of Cpl. Paul C. Amedeo, U.S. Marine Corps Reserve;

H.R. 1961. An act for the relief of Mildred Christine Ford;

H.R. 2208. An act for the relief of Raymond W. Suchy, second lieutenant, U.S. Army, retired;

H.R. 2950. An act for the relief of Mrs. Gertrude Berkley;

H.R. 3203. An act for the relief of Nepty Masauo Jones;

H.R. 3532. An act for the relief of Donald L. Tyndall, Bruce Edward Tyndall, Kimberly Fay Tyndall, and Lisa Michele Tyndall;

H.R. 5011. An act for the relief of James Lennon;

H.R. 5477. An act for the relief of Charito Fernandez Bautista;

H.R. 6191. An act to amend the Tariff Schedules of the United States to provide that certain forms of zinc be admitted free of duty;

H.R. 8322. An act for the relief of William L. Cameron, Jr.;

H.R. 11013. An act to designate certain lands in the Farallon National Wildlife Refuge, Calif., as wilderness; to add certain lands to the Point Reyes National Seashore; and for other purposes;

H.R. 11251. An act to amend the Tariff Schedules of the United States to provide for the duty-free entry of methanol imported for use as fuel;

H.R. 11392. An act for the relief of Raymond Monroe;

H.R. 11452. An act to correct an anomaly in the rate of duty applicable to crude feathers and downs, and for other purposes;

H.R. 12035. An act to suspend until the close of June 30, 1975, the duty on certain carboxymethyl cellulose salts;

H.R. 13261. An act to amend the International Claims Settlement Act of 1949, as amended, to provide for the timely determination of certain claims of American nationals settled by the United States-Hungarian Claims Agreement of March 6, 1973, and for other purposes;

H.R. 13342. An act to amend the Farm Labor Contractor Registration Act of 1963 by extending its coverage and effectuating its enforcement;

H.R. 13871. An act to amend chapter 81 of subpart G of title 5, United States Code, relating to compensation for work injuries, and for other purposes;

H.R. 14291. An act to amend the Northwest Atlantic Fisheries Act of 1950 to permit U.S. participation in international enforcement of fish conservation in additional geographic areas, pursuant to the international convention for the Northwest Atlantic Fisheries, 1949, and for other purposes; and

H.R. 14354. An act to amend the National School Lunch Act, to authorize the use of certain funds to purchase agricultural commodities for distribution to schools, and for other purposes.

The message further announced that the House had passed the bill (S. 3072) to amend title 38, United States Code, to increase the rates of disability compensation for disabled veterans; to increase the rates of dependency and indemnity compensation for their survivors; and for other purposes, with an amendment in which it requests the concurrence of the Senate.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred, as indicated:

H.R. 1715. An act for the relief of Cpl. Paul C. Amedeo, U.S. Marine Corps Reserve;

H.R. 1961. An act for the relief of Mildred Christine Ford;

H.R. 2208. An act for the relief of Raymond W. Suchy, second lieutenant, U.S. Army, retired;

H.R. 2950. An act for the relief of Mrs. Gertrude Berkley;

H.R. 3203. An act for the relief of Nepty Masauo Jones;

H.R. 3532. An act for the relief of Donald L. Tyndall, Bruce Edward Tyndall, Kimberly Fay Tyndall, and Lisa Michele Tyndall.

H.R. 5011. An act for the relief of James Lennon;

H.R. 5477. An act for the relief of Charito Fernandez Bautista;

H.R. 8322. An act for the relief of William L. Cameron, Jr.; and

H.R. 11392. An act for the relief of Raymond Monroe. Referred to the Committee on the Judiciary.

H.R. 6191. An act to amend the Tariff Schedules of the United States to provide that certain forms of zinc be admitted free of duty;

H.R. 11251. An act to amend the Tariff Schedules of the United States to provide for the duty-free entry of methanol imported for use as fuel;

H.R. 11452. An act to correct an anomaly in the rate of duty applicable to crude feathers and downs, and for other purposes; and

H.R. 12035. An act to suspend until the close of June 30, 1975, the duty on certain carboxymethyl cellulose salts. Referred to the Committee on Finance.