

By Mr. RARICK (for himself, Mr. FROELICH, and Mr. HAMMERSCHMIDT):

H.R. 14700. A bill to amend title XI of the Social Security Act to repeal the recently added provision for the establishment of professional standards review organizations to review services covered under the medicare and medicaid programs; to the Committee on Ways and Means.

By Mr. RARICK (for himself, Mr. ST. GERMAIN, Mr. RONCALIO of Wyoming, Mr. JOHNSON of Colorado, Mr. WYATT, Mr. MITCHELL of New York, Mrs. GRASSO, Mr. KYROS, Mr. AEDNOR, and Mr. PRICE of Texas):

H.R. 14701. A bill to amend the Internal Revenue Code of 1954 to allow a deduction from gross income for social agency, legal, and related expenses incurred in connection with the adoption of a child by the taxpayer; to the Committee on Ways and Means.

By Mr. RANGEL:

H.R. 14702. A bill to amend title 10 of the United States Code in order to count, for purposes of nonregular retirement pay, service before World War II in certain State militia units which were racially segregated; to the Committee on Armed Services.

By Mr. RANGEL (for himself, Ms. ABZUG, Mr. BADILLO, Mr. BIAGGI, Mr. BINGHAM, Mr. BRASCO, Mr. BROWN of California, Ms. BURKE of California, Mr. BURKE of Massachusetts, Mr. CARNEY of Ohio, Ms. CHISHOLM, Mr. CLEVELAND, Ms. COLLINS of Illinois, Mr. CONVERS, Mr. CORMAN, Mr. DIGGS, Mr. EDWARDS of California, Mr. EILBERG, Mr. HARRINGTON, Mr. HAWKINS, Mr. HECHLER of West Virginia, Mr. HELSTOSKI, Ms. HOLTZMAN, and Mr. METCALFE):

H.R. 14703. A bill to authorize grants to States for the establishment of vision screening programs for public school students; to the Committee on Education and Labor.

By Mr. RANGEL (for himself, Mr. MITCHELL of Maryland, Mr. MOAKLEY, Mr. MURPHY of New York, Mr. PODELL, Mr. RIEGLE, Mr. ROE, Mr. ROSENTHAL, Mr. ROYBAL, Mr. SARBANES, Mr. STARK, Mr. TIERNAN, Mr. VANDER VEEN, Mr. CHARLES H. WILSON of California, and Mr. YOUNG of Georgia):

H.R. 14704. A bill to authorize grants to States for the establishment of vision screening programs for public school students; to the Committee on Education and Labor.

## EXTENSIONS OF REMARKS

By Mr. THOMPSON of New Jersey (for himself, Mr. BARRETT, Mr. BIESTER, and Mr. VANDER VEEN):

H.R. 14705. A bill to provide for the establishment of an American folklife center in the Library of Congress and for other purposes; to the Committee on House Administration.

By Mr. VEYSEY:

H.R. 14706. A bill to direct the Secretary of the Treasury to determine if bounties, grants, or export subsidies are paid by foreign countries with respect to dairy products imported into the United States, and for other purposes; to the Committee on Ways and Means.

By Mr. ASHBROOK:

H.J. Res. 1008. Joint resolution to prevent the abandonment of railroad lines; to the Committee on Interstate and Foreign Commerce.

By Mr. FULTON:

H.J. Res. 1009. Joint resolution designating the premises occupied by the Chief of Naval Operations as the official residence of the Vice President, effective upon the termination of service of the incumbent Chief of Naval Operations; to the Committee on Armed Services.

By Mr. KUYKENDALL:

H.J. Res. 1010. Joint resolution to designate the third week of September of each year as National Medical Assistants' Week; to the Committee on the Judiciary.

By Mr. RANGEL:

H. Con. Res. 490. Concurrent resolution for negotiations on the Turkish opium ban; to the Committee on Foreign Affairs.

By Mr. THOMPSON of New Jersey:

H. Con. Res. 491. Concurrent resolution expressing the sense of the Congress with respect to the imprisonment in the Soviet Union of a Lithuanian seaman who unsuccessfully sought asylum aboard a U.S. Coast Guard ship; to the Committee on Foreign Affairs.

By Mr. BROWN of Michigan (for himself, Mr. DERWINSKI, Mr. BAFALIS, Mr. HOSMER, Mr. FORSYTHE, Mr. DEVINE, Mr. FISH, Mr. VANDER VEEN, Mr. HINSHAW, Mr. LAGOMARSINO, Mr. MADIGAN, Mr. CEDERBERG, Mr. CLEVELAND, Mr. COLLIER, Mr. MAYNE, Mr. HUBER, Mr. TREEN, Mr. LANDGREBE, Mr. CRANE, Mr. MCKAY, Mr. MICHEL, Mr. MITCHELL of New York, Mr. VANDER JAGT, Mr. WAGGONNER, and Mr. HENDERSON):

H. Res. 1096. Resolution amending Rule XIII of the Rules of the House to require reports accompanying each bill or joint resolution of a public character (except revenue measures) reported by a committee to contain estimates of the costs, to both public and nonpublic sectors, of carrying out the measure reported; to the Committee on Rules.

By Mr. BROWN of Michigan (for himself, Mr. BYRON, Mr. MILLER, Mr. FRENZEL, Mr. STEELMAN, Mr. KEMP, Mr. GUNTER, Mr. RIEGLE, Mr. GROSS, Mr. FROELICH, Mr. O'BRIEN, Mr. CHARLES WILSON of Texas, Mr. HEINZ, Mr. BUTLER, and Mr. MURTHA):

H. Res. 1097. Resolution amending rule XIII of the Rules of the House to require reports accompanying each bill or joint resolution of a public character (except revenue measures) reported by a committee to contain estimates of the costs, to both public and nonpublic sectors, of carrying out the measure reported; to the Committee on Rules.

## MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

472. By the SPEAKER: Memorial of the Legislature of the State of Tennessee, relative to U.S. sovereignty and jurisdiction over the Panama Canal; to the Committee on Foreign Affairs.

473. Also, memorial of the Senate of the State of Maryland, relative to mandatory allocation of asphalt cement; to the Committee on Interstate and Foreign Commerce.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. LEHMAN:

H.R. 14707. A bill for the relief of Joseph Hoffman; to the Committee on the Judiciary.

By Mr. MARAZITI:

H.R. 14708. A bill for the relief of Miss Leonor Young; to the Committee on the Judiciary.

## EXTENSIONS OF REMARKS

### ADDRESS OF CARL ALBERT

#### HON. ED JONES

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1974

Mr. JONES of Tennessee. Mr. Speaker, Memphis, Tenn., is the world capital of the cotton trade. Our cotton merchandising firms reach out from the Midsouth to all the points on the globe developing markets for the various growths of U.S. cotton.

Headquartered in Memphis is the principal trade representative for the cotton industry, the American Cotton Shippers Association. Its members handle over 70 percent of the domestic crop and 80 percent of the export market for U.S. cotton. The ACSA is comprised of 500 firms who are members of 5 federated associations, located in 16 States

throughout the Cotton Belt; the Arkansas-Missouri Cotton Trade Association, Atlantic Cotton Association, Southern Cotton Association, Texas Cotton Association, and the Western Cotton Shippers Association.

Meeting in San Francisco last week to celebrate their 50th anniversary, the association was honored by the attendance of 1,000 guests from every important cotton market in the United States and the principal foreign markets. The keynote address was delivered by the Speaker of the House, the Honorable CARL ALBERT of Oklahoma. I insert Speaker ALBERT's address in the record:

#### ADDRESS OF CARL ALBERT

For half a century, your great Association has played a vitally important role in the American economy. Today the agricultural segment of the most magnificently productive of all the world's economic systems, offers a sharp contrast to the days of the Depression which came along when your As-

sociation was a fledgling. Nowadays, half the world is busy bidding up the prices of the food and fiber produced by our American cornucopia. But in those grim Depression years, instead of shortages and rising prices, there was glut, with producers getting prices that did not return to them their costs of production.

As an example, back in 1933 (a year no one here is under any obligation to admit was other than his year of birth), the Agricultural Adjustment Administration asked several million cotton producers to do something that badly upset them—they asked them to destroy the fruits of their labor. Southern cotton-growers were preparing in that long-ago summer to harvest a bumper crop from some forty million acres. This meant that at least sixteen million bales would be added to the huge carry-over from prior seasons. Although it was too late to check planting, the AAA sent out twenty-two thousand agents, mainly volunteers, to persuade farmers to plow up about a fourth of their acreage, in return for cash payments ranging from six to twenty dollars an acre, no mean sums in those days. The crop-limitation

evangelists returned to AAA offices with agreements from growers to take more than ten million acres out of tillage.

Some of the livestock were violently anti-New Deal, however. Newspapers reported that the Southern mule, trained to walk between rows, stubbornly refused to trample growing cotton as he pulled behind him the plow of destruction. His master who had seemed at first more tractable, instead showed himself so reluctant early next season to sign up for crop-limitation (because he was hoping to reap the benefit of rising prices) that Congress had to pass the Bankhead Cotton-Control Act of 1934, which laid a heavy tax on all fiber brought to the gin in excess of a grower's assigned quota.

Today, the tide has turned. With a surging demand for cotton at fair prices, the industry stands in an auspicious position. I have it on good authority that there is a real chance to recapture markets lost in the past to synthetics. Cutbacks in polyester production have already taken place.

Even before the energy crisis reduced the supply of petrochemicals for man-made fibers, the synthetics industry had nearly reached full capacity. It requires only a fifth as much energy to produce one pound of man-made fiber. Cotton flammability cost the industry almost all of the children's sleepwear market after the issuance of last year's Federal regulations. This problem has now been entirely overcome; all-cotton woven cloth can be made fire-retardant by a new chemical process and yet retain its cotton absorbency, strength and color-acceptance. Because of polyester shortages, we may soon see a blend of sixty percent cotton and forty percent polyester, instead of the fifty-fifty blend now found in most permanent press fabrics.

In a significant beginning on the road back to an adequate supply, the Agriculture Department estimates that 14.6 million acres will be planted with cotton this year. The cotton marketing mechanism, which your Association so well represents, is a marvel of efficiency and enterprise.

The world's (and history's) largest and best-organized endeavor for the production of food and fiber, our American agriculture, did not merely survive the Great Depression. It battled its way out of it, enlisting the Federal government in the cause, and succeeded more quickly and on a greater scale than many European and domestic critics thought humanly possible. In the same way, we shall overcome the present discontents that afflict the body politic of the world's greatest constitutional system. What other democratic system could have endured the turmoil of the past decade? What other system of government could continue with the effective performance of its responsibilities, under the pressures now borne by ours?

American citizenship under our Constitution is and will remain a glorious personal possession, the fulfillment of the dreams and struggles of men for centuries. Our Constitution, guaranteeing priceless freedoms to our citizens, sets forth a concept of liberty that has been an inspiration to those seeking freedom throughout the world. The stability of our system of government, functioning under this Constitution, is a mighty fortress which cannot be shaken by the tremors of the present.

Despite the enlargement of Presidential powers during wartime, it was a wartime Democratic President, Woodrow Wilson, who said: "Liberty has never come from the government. Liberty has always come from the subjects of it. The history of liberty is a history of the limitation of governmental power, not the increase of it. When we resist, therefore, the concentration of power, we are resisting the processes of death, because concentration of power is what always precedes the destruction of human liberties." And James Madison, "The Father of the Constitution" as he is called, warned us long

ago that, "The accumulation of all powers, legislative, executive, and judicial in the same hands, whether of one, few, or many, and whether hereditary, self-appointed, or elective, may justly be pronounced the very definition of tyranny."

Our Constitutional system has lasted almost two hundred years; under it we have become the world's most powerful and economically successful nation. If we need something to buck us up nowadays, we should remember that, at the beginning of our Federal government, there was fear that the system enjoined by the Constitution might not survive. As the time for the first Congressional elections under the Constitution drew near, George Washington anxiously wrote to a friend: "As the period is now rapidly approaching which must decide the fate of the new Constitution, as to the manner of its being carried into execution and probably as to its usefulness, it is not wonderful that we should all feel an unusual degree of anxiety on the occasion. I must acknowledge that my fears have been greatly alarmed, but still I am not without hopes. . . . There will, however, be no room for the advocates of the Constitution to relax in their exertions; for if they should be lulled into security . . . the consequences which we so justly dread may be realized."

It is necessary today, just as it was when Washington thus expressed his concern, that those who prize the blessings of freedom permit no relaxation in their efforts in defense of the Constitution of the United States. I can assure you that Congress will perform its Constitutional responsibilities in our present difficulties so that the American people's confidence in their government will be restored.

Our Constitution's separation of powers, and its checks and balances upon the exercise of their powers by the separate branches, were called by the 51st *Federalist Paper* "the interior structure of the government (whose) several constituent parts may, by their mutual relations, be the means of keeping each other in their proper places." This magnificent piece of Constitutional engineering is working at this very moment under a full head of steam.

We have legislated internal reforms of the Congress to help it do its Constitutional work better. In its dealings with the executive branch, Congress has gradually lost some of its effectiveness in budgetary matters. By this summer Congress will have adopted a new system that will do much to give renewed vigor to our Constitution's separation of powers and checks and balances upon the exercise of those powers. Under the present system, Congress could only react with a sense of helplessness when the executive branch sent up its proposed budget each January. The budget the White House shipped to us this year breaks the \$300 billion barrier, lifts the Federal debt above the half-trillion mark, increases Federal spending \$36 billion above the amount first estimated for the year, requires \$30 billion to pay interest costs on the public debt, and contains, locked in its maw, the fourteenth budget deficit in the past fifteen years.

In passing the new Budget and Impoundment Act, we had to ask ourselves whether the executive branch was to be allowed to decree what would and what would not be spent. The answer was that Congressional stewardship of the Federal government is impossible without control by Congress of Federal spending. The new system will give Congress, for the first time, its own office of the budget. The House and Senate will set spending levels and have, at last, a comprehensive concept of expenditures in relation to revenues. This reform lays the foundation on which future Congresses may erect additional bulwarks against the excesses of executive power. The new arrangement is a basic step in preserving the stability of our system of government by strengthening the Constitutional separation of powers. Congress, our

democratic system's only national public forum, will then indeed and at last be able to assert its rightful place as an equal branch of the Federal government.

Congress must have its own tools, and a variety of them, to cope with instability and slowdown for more than five years. Our shaky economy is of overriding concern to Congress, our people, and worldwide, and with good reasons:

Inflation is the worst in almost a quarter of a century;

Decline in first quarter production is the worst in 16 years;

The Gross National Product declined at an annual rate of 5.8% during the first quarter of this year;

Buying power of American workers is 4.7% below a year ago; and

The prime bank interest rate is the highest in history.

These somber statistics describe an economy which has been pulled out of recognizable shape over the past five years by the forces of alternating recession and inflationary expansion.

Now we are once again entering a period where two familiar economic concerns loom before us: a downturn of uncertain depth and duration, and an inflation rate of unquestionable seriousness.

Three years ago we could have combat-  
ted these problems with potent, innovative alternatives. Today our alternatives for bettering the economy are significantly reduced because mistakes of the past have left our economy shell-shocked and weary. Current problems cannot be isolated from past mistakes. Had it not been for the stringent budget policies and tightened money markets that triggered a full scale recession in 1970, our economy would have been stronger today. Had it not been for a senseless delay of more than a year in invoking wage and price controls, our economic health would have been better today. Had the economy not been overstimulated in 1972 and controls disastrously dropped early in 1973, inflation would not be the major problem it is today. Had not poorly administered self-destructing controls been used as an erratic compensation for Phase III failures, our economy's outlook would be brighter today.

These multiple mistakes, steadily stabbing at the economy, have drained it of its vitality. How could the economy remain healthy after being dipped in an acid bath of full-scale recession, followed by the shock of a rocky voyage through no control, control, de-control, recontrol, and no control again, all in less than three years? Mismanaged economic policy over the past five years has transformed the American economy from a sturdy, resilient vehicle of general prosperity into a fragile assortment of conflicting interests, vulnerable to collapse under each new pressure. After such a nightmare, I cannot blame both business and labor for crying out against government intervention. The American people demand and deserve a return to stability, a stability conceived in confidence and nurtured by the strong and steady hand of consistency. The key to economic stability lies in sensible policies, steadily executed and candidly explained. The American people deserve no less.

As of midnight April 30, when authority for wage and price controls expired, the burden for our return to economic stability to a great extent lies with the business community of this nation. Business working with labor must strive to unshackle the American people from the cancerous inflation that has ravaged the economy. Inflation will not die of old age; business must fight this disease vigorously with long-range prudent policies that thoughtfully and rationally balance the economic scales.

The next few months will be crucial to our prosperity. Double figure inflation continues with a vengeance. The Gross National Product's decline in the last quarter indicates an increasing downturn of the economy.

However, most economists expect some abatement in inflation during the last quarter of this year and predict improvement of the Gross National Product performance during the coming quarter. Housing is poised for a recovery if interest rates can be reduced. With gasoline supplies already approximating those of last year, auto sales are expected to revive to just under 10 million units for the year.

The climate is favorable for an upturn in the economy and a return to stability if business, labor and government work together for the cumulative benefit of our nation.

Today I challenge every businessman in America to realize the enormous responsibility they now have to return stability and prosperity to the economy of this nation. The next few months will document fully the degree of seriousness and good faith put forth by American business during this hour of testing.

Not only do Americans seek stability in the economy but they seek it in their government. For 187 years the Constitution of the United States has supported the world's most powerful and successful nation. Despite all our troubles, we have much to be thankful for, especially in the Constitutionally-protected freedoms we enjoy. Wrote Emerson, "We think our civilization is near its meridian, but we are yet only at the cock-crowing and the morning star. Our country's highest ideal, equality under the law, is civilization's highest ideal. The United States was the first country to revolt successfully against colonial rule, and, as the first new nation, it has been an inspiration to all of the many countries which have followed in its steps toward their own independence.

The greatest German writer of all time, Goethe, wrote:

"America, thou fairest better  
Than our own continent, the old one;  
Thou hast no crumbling castles,  
No basalt wreckage.  
Thou are not shaken in this hour of life  
By useless memories and futile strife."

As Goethe understood, our new United States had no ancient historical sites, relics, and memories, but it also had no tyrannical feudal system to overthrow, either. It was a new country, but a free country (once we got rid of the British), a country whose two-hundredth anniversary we shall soon be celebrating.

Baedeker, the famous editor of travel guides of years ago, advised any European planning to visit the United States in the late nineteenth or early twentieth century that he "should, from the outset, reconcile himself to the absence of deference, or servility, on the part of those he considers his social inferiors."

Whether they liked what they saw or not, most foreign observers did not doubt that America was a democratic society. Different American occupations brought differences in prestige, but neither the occupations nor the prestige implied any fundamental difference in the value of individuals. Even hostile visitors confirmed the judgment that in America sharp class differences were absent, since many of these visitors found the arrogance of American workers intolerable and hurried back to Europe where they belonged.

The United States is one of the youngest of the great civilization of the world, but it is one of the oldest and most continuous of the world's social systems. France had its revolution shortly after ours but a series of catastrophes in three successive wars wiped out much of the staying power of the ruling class and brought about a chronic instability of regimes alleviated only by the one-man rule of the late General Charles DeGaulle.

Germany had a frustrated social revolution in 1919 and a Fascist one in 1933 for which it has had to pay heavily in social chaos. After several abortive attempts, Russia's communist revolution in 1917 changed the

## EXTENSIONS OF REMARKS

basis of power from Czar to Commissar. Modern China had one revolution in 1911 and, after a protracted civil war, a Communist revolution in 1948-49, that led inevitably to dictatorship. India, after winning its freedom by a revolution of passive resistance, launched a mixed economy with socialist elements. Of the Latin American nations, Brazil and Argentina are typical in having broken away from European rule by revolutions which were followed by internal revolts and military coups. Even in Britain, where a capitalist system has lasted longer than anywhere except in the United States, the pressures toward a socialist economy and society have been stronger than anything in the American experience.

Ours has been a system of remarkable stability, well able to survive transitory but major problems—a traumatic civil war, two world wars, depression, riots, and troubles of all kinds. In the United States, national administrations, whether Federalist or Jeffersonian, Whig or Jacksonian, Republican or Democratic, have in the past stayed within roughly the same broad framework of beliefs and values. We in Congress intend to keep it that way.

The Constitution is the nourishing spring of our nation's faith, the bedrock of our freedoms, the great treasure which we must preserve, protect and defend, as the only conceivable basis for our stable system of government. Woodrow Wilson wisely cautioned us that democracy and its government flourish only as they are nurtured from their roots. "A people shall be saved," he said, "by the power that sleeps in its own deep bosom or by none. The flower does not bear the root, but the root the flower."

## BILL TO EXTEND AID TO DISADVANTAGED LAW STUDENTS

### HON. JOHN DELLENBACK

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1974

**Mr. DELLENBACK.** Mr. Speaker, today I am pleased to introduce a bill to amend the Higher Education Act to provide opportunities for legal education for those with disadvantaged backgrounds. Joining me in cosponsoring this proposal, which was recommended by the administration, are Representatives QUIB, BRADEMAS, ERLENBORN, ESCH, KEMP and BIAGGI.

Actually, this legislation is designed to allow the continuation of a successful program that has been in existence for 6 years and which has already received an appropriation for the coming year. The program is known as CLEO—Council on Legal Education Opportunity.

CLEO has received support from several foundations and private corporations in addition to grants, beginning in 1971, from the Office of Economic Opportunity. The program is under the joint sponsorship of the American Bar Association, the American Association of Law Schools, the National Bar Association and the Law School Admission Council.

Originally under OEO, the program was then transferred to HEW. An amendment to continue this program within HEW was made to part D of title IX—Graduate Programs—of the Higher Education Act as part of the Education Amendments of 1972. The problem with that provision is that it is tied to requirements meant for other Federal

graduate fellowships, including the required payment of sizable institutional stipends. Under the existing law, the \$750,000 appropriation already available will support only 31 students rather than approximately 200 if the program is allowed to operate as it has in the past. My bill will allow the program to function much as it has so successfully done up to now.

Mr. Speaker, this bill has the support of the organizations and individuals involved in the CLEO program. I commend the administration for calling our attention to the need for this legislation and for its support. Because prospective program participants are already being contacted about participating in the program this summer, it is very important that our committee act as expeditiously as possible in approving changes to the authorizing legislation.

## PENSION INCREASE FOR DISABLED VETERANS

### HON. C. W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1974

Mr. YOUNG of Florida. Mr. Speaker, today the House unanimously passed H.R. 14117, a bill to provide increases in the rates of disability compensation for disabled veterans and the rates of dependency and indemnity compensation for their families. This is a much-needed cost-of-living increase for our disabled veterans and their dependents, and I hope that House-Senate differences in the legislation can be speedily resolved and the measure enacted into law without delay.

We are all well aware of the harsh impact which inflation has on those living on a fixed income. The cost of living index has risen almost 13 percent since the 1972 compensation increase for disabled veterans—but even more unfortunate is the fact that the cost of such essentials as food and health care have increased at double that rate. Therefore, I am especially happy that the Veterans' Affairs Committee provided rate increases larger than the increase in the cost of living, because this is a more accurate reflection of the needs of disabled veterans and their families.

Briefly, H.R. 14117 provides assistance in the following manner:

Increases the basic rates of disability compensation from 10.7 to 18 percent depending on the degree of severity of the disability;

Provides a 15 percent increase in the allowance to dependents of severely disabled—50 percent or more—veterans;

Increases the dependency and indemnity compensation rates—DIC—by 17 percent, across the board; and

Extends the presumption of service-connection to those veterans who served between the end of World War II and the beginning of the Korean War.

Mr. Speaker, of the 29 million living veterans in America, over 2 million have been disabled in the military service of their country. Those who have died of

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such disabilities have left nearly 375,000 survivors who look to a grateful Nation for assistance. While we can never fully repay these men and their families for their service and sacrifices, we can assure that the value of the benefits which they receive from veterans programs keeps pace with the cost of living. H.R. 14117 provides this assurance, and I am happy to join with my House colleagues in this unanimous expression of the continued gratitude of America to her veterans.

## POST OFFICE VERSUS MA BELL

## HON. ROBERT J. LAGOMARSINO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1974

Mr. LAGOMARSINO. Mr. Speaker, I insert the attached article "Post Office versus Ma Bell," a comparison of public and private industry to be printed in the RECORD:

## POST OFFICE VERSUS MA BELL

(NOTE.—This is a reprint of the Weekly Staff Letter for March 28, 1974, issued by David L. Babson & Co. Inc., investment counsel, Boston, Massachusetts.)

One of the most disturbing proposals we've heard lately is the Senate bill to create a federally operated oil enterprise. Its sponsors claim that it would stimulate competition and serve as a yardstick for measuring the petroleum industry's performance. Naturally, it would be subsidized by taxpayers with cheap capital and exemption from tax and royalty payments.

Some Congressmen and editorial writers want to take a bigger immediate step and nationalize the oil companies right away. And several politicians here in Massachusetts have been making noises about the "need" to take over electric utilities as well.

This latest outbreak of governmentalitis—along with the current leap in postal rates—reminded us of a Staff Letter first written in 1964 and reissued in 1967. Titled "Government vs. Private Operation—A Striking Contrast," it compared the operating results of the nation's two communications giants—the U.S. Postal Service and the privately run Bell Telephone System. So we decided to reprint the Letter this week—the only changes being to bring the figures up to date.

It has become the fashion—especially among politicians, union bosses and businessmen—to call more and more on the government for action. The extent to which its share of the economy has mushroomed over the years is shown in Table I.

Note that the public share of employment has been raising almost as fast since 1947 as it did during New Deal days. Also observe that 16.2% of all workers (one out of six) are now on public payrolls compared with 6.4% (one out of 16) in 1929.

The table also shows that the public sector now accounts for close to one-third of total economic activity against less than one-tenth in 1929. Our federal government is the biggest employer, borrower, lender and spender in the world. One out of nearly every three dollars of personal and business income now goes to a tax collector somewhere.

Particularly disturbing is the fact that this speed-up in public spending has been taking place during a period of record economic prosperity. In the past decade, non-defense outlays in the federal budget have shot up

by \$129 billion, or nearly 200%, while those of state and local entities have also tripled with a rise of \$122 billion.

Just in the past four years, total federal expenditures have jumped \$78 billion, or by nearly two-fifths. The entire rise in spending has been for non-defense activities. It seems incredible, but this increase in civilian outlays is nearly 10 times as much as the U.S. government paid out for all purposes in any year prior to World War II.

Moreover, Washington is constantly pressing, or being urged, into new fields—education, health care, credit, housing. Problems that are essentially local in nature—such as mass transit, traffic, urban decay—are now being passed on to federal bureaus. So the public sectors grows and grows.

A question that puzzles us is why anyone should think that such spheres of activity can be conducted more effectively under public than private management. Does anyone conceive that federal administrators have greater talents than private business managers or local civic leaders?

A good illustration of the striking differences in public vs. private management is afforded by a comparison of the two giants of the communications field—the U.S. Postal Service and the Bell Telephone System. It is interesting to observe how these two organizations have affected us as consumers and taxpayers over the years. As a starting point, let's take a look at the trend of postal rates since the early '30s. The first class rate for a one-ounce letter has risen as follows:

	[In cents]	
	Regular mail	Air mail
1974	10	13
1971	8	11
1968	6	10
1963	5	8
1958	4	7
1957	3	6
1947	3	5
1933	3	6
1932	2	5

In recent years, various public commissions, Congressional committees and the White House have investigated and criticized the "inflationary" pricing policies of private business. Yet it is a matter of record that during the past 10 years the Post Office has hiked its rates 65%—100%. Now let's see how prices of the privately-operated telephone system have fared over the past four decades. The rates for three-minute toll calls between Boston and other major cities are shown in Table II.

In addition to the rate drops shown in the table, Bell recently introduced a 35¢ rate for one-minute, coast-to-coast calls made after 10 p.m. While toll charges have declined substantially over the years, the cost of local telephone service has been trending upward. But even here, the rise since 1932 has been less than half that of the consumer price index and only one-quarter as much as the increase in postal charges for regular mail.

Thus, it's obvious that as consumers we have fared much better pricewise with the privately-operated organization than with the publicly-run one. This is largely a reflection of the degree to which each of the two systems has been able to lift its efficiency or "productivity." Despite some improvement in recent years, the public operation again makes an unfavorable comparison (see Table III). Note that over the past 43 years the postal service has managed to increase the number of pieces of mail handled per employee by 56%, but the Bell System takes care of 2.7 times as many conversations per worker as it did then.

Quality of service is, of course, much harder to measure than cost. But even without benefit of statistics, it is apparent that postal service has been going downhill for years despite the sharp increase in its rates. In the early part of the period under review we received two daily postal deliveries at home, four at the office. Now we are supposed to get one at home and two at the office. Despite fast planes and express highways, business mail from New York frequently fails to arrive here until the second day—even though it is less than an hour's flight and a five-hour train or truck trip. In contrast, a phone connection to almost any station in the country takes but a few seconds—a fraction of the time it did 40 years ago.

Now what effect have these two systems had upon us as taxpayers? Table IV shows the postal deficit and the taxes paid by the Bell Telephone companies, both annually and on a cumulative basis. Public operation makes a strikingly poor showing here. Even though as consumers we pay much higher postal rates than ever before we are even worse off as taxpayers. We now contribute \$1.4 billion a year to make up the deficit between postal receipts and expenses, or 20 times as much as when the letter rate was only two cents.

TABLE I—FEDERAL, STATE AND LOCAL GOVERNMENT ACTIVITY

	Employ- (millions)	Percent of total employment	Expendi- tures (billions)	Percent of total economy
1973	13.7	16.2	\$407	31.6
1967	11.4	15.3	243	30.6
1963	9.2	13.6	167	28.3
1955	6.9	11.1	98	24.5
1947	5.5	9.6	42	18.3
1940	4.2	8.8	18	18.4
1929	3.1	6.4	10	9.8

In contrast, note that while the Post Office has drained off \$23 billion from our tax revenues since 1932, the Bell Companies have, over the same period, put \$54 billion into public coffers through tax payments. And this figure does not include the federal excise taxes paid by Bell customers—\$18 billion in the past 20 years.

Moreover, the Bell Companies have millions of stockholders—American Telephone itself has three million, including colleges, churches and other institutions as well as individuals. Last year's dividend payments came to \$1.7 billion vs. \$248 million in 1950 and \$39 million in 1930. In the past two decades, these disbursements have created \$4 billion of federal income taxes to help finance the postal deficit.

Altogether, the contrast in the results of these two organizations is startling. If the government ever gets into the oil business and runs it like the Post Office, today's gasoline prices will be remembered as wistfully as the 10% income tax and the 2¢ stamp.

TABLE II—STATION-TO-STATION TOLL RATES<sup>1</sup> FROM BOSTON

Year	New York		Chicago		San Francisco	
	Day	Night	Day	Night	Day	Night
1974	\$0.80	\$0.55	\$1.15	\$0.65	\$1.45	\$0.85
1967	.75	.55	1.40	.70	7.75	1.00
1963	.75	.55	1.50	1.20	2.25	1.75
1955	.75	.55	1.60	1.30	2.50	2.00
1947	.75	.45	1.65	1.25	2.50	2.00
1939	.80	.50	2.50	1.50	6.75	4.50
1932	1.00	.60	3.25	1.75	9.50	5.75
Percent decline	20	8	65	63	85	85
1932-74						

<sup>1</sup> Excludes Federal excise taxes.

TABLE III

	Number of employees (thousands)	Volume handled	Volume per employee (1980 equals 100)		Bell Cos.
			PO	Bell Cos. (billions) <sup>1</sup>	
1973	701.1	798.9	89.7	432.0	156
1966	675.4	650.8	75.6	295.7	136
1963	587.2	571.4	67.9	251.4	140
1962	588.5	563.9	66.5	242.4	137
1961	582.4	566.6	64.9	226.4	135
1957	521.2	640.9	59.1	188.3	137
1950	500.6	523.3	45.1	140.8	109
1940	353.2	275.3	27.7	79.3	95
1930	339.5	318.1	27.9	64.0	100
Percent increase 1930-73	107	151	222	575	56
					169

<sup>1</sup> Pieces of mail<sup>2</sup> Daily number conservations.TABLE IV  
(In millions of dollars)

	Deficit of Post Office Department		Taxes paid by Bell Companies		Cumulative from 1932
	Annual	Cumulative from 1932	Annual	Cumulative from 1932	
1973	1,390	22,703	4,350	54,454	
1966	943	12,843	2,718	30,045	
1963	819	10,454	2,246	22,301	
1961	826	8,860	1,972	17,952	
1958	891	6,832	1,483	12,442	
1950	545	2,233	499	4,472	
1940	41	687	185	1,000	
1935	66	428	94	352	

## HON. JOHN RHODES SUPPORTS STRENGTHENING THE HOUSE

## HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1974

Mr. STEIGER of Wisconsin. Mr. Speaker, the distinguished Republican leader, JOHN RHODES of Arizona, released an incisive and thoughtful statement yesterday on the report of the select committee. It deserves the careful attention of all Members and I am pleased to make it available to my colleagues:

## JOHN RHODES SUPPORTS STRENGTHENING THE HOUSE

Reform of the House Committee structure is essential if Congress is to revitalize itself. The present committee system was devised in 1946. Since that time, there has been little change and virtually no improvement.

It was with this realization in mind that the Select Committee on Committees was established over one year ago. That bipartisan committee, under the able leadership of Chairman Richard Bolling of Missouri and Vice-Chairman Dave Martin of Nebraska, spent fourteen months receiving testimony from House Members, academic witnesses and many outside interest groups.

The result was, in my judgement, a monumental work, most of which I approve. With the exception of Congressional budget reform, I can think of no other single item that Congress needs to enact in order to become a responsive institution of government once again.

Unfortunately, recent indications have given rise to the fear that the important recommendations of the Bolling Committee report may never reach the House Floor for

## EXTENSIONS OF REMARKS

a vote. The Democratic Caucus is scheduled to meet on Thursday. Its vote may very well determine the ultimate fate of this necessary reform package.

The House Republican Policy Committee is on record in support of the objective of the Bolling Committee report. Individual Members can and will differ on particular aspects of the report. But the overall objective is enthusiastically endorsed. At the very least, the Members of the House have a right to expect the chance to vote on the amendments on the House Floor.

In my view, it would be a grave miscarriage of leadership responsibility to deny the committee reform amendments access to the House Floor. It is my hope that the Members of the majority party recognize the essential nature of committee reform, and act in a way that places the interests of the entire Congress over the interests of a powerful few Members.

Progress is never possible in an atmosphere where change is prohibited. With only a 30% approval rating, it is obvious that this Congress must act positively to regain the confidence of the American people. The importance of meaningful committee reform must not be ignored by this Congress.

## EMBROIDERY INDUSTRY OBSERVES 100TH ANNIVERSARY

## HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1974

Mr. DOMINICK V. DANIELS. Mr. Speaker, one of the most interesting and useful industries in Hudson County, N.J., is the embroidery industry. This industry employs thousands of people in northern New Jersey, and maintains over 500 embroidery manufacturing plants in New Jersey making it the largest embroidery center in the western world. This year we are observing the 100th anniversary of the establishment of this industry in the United States.

Realizing the size and importance of the industry Hon. Brendan T. Byrne, Governor of the State of New Jersey, officially proclaimed 1974 as Embroideries and Laces Year in recognition of the machine-made embroidery industry in the United States. The proclamation was presented by the Governor to Leonard LaVerghe, president of the Schiffli Lace and Embroidery Manufacturers Association, Union City, N.J., during a ceremony held in the Governor's office at the Trenton Capitol.

Governor Byrne in turn was presented with a framed set of embroidered Apollo Astronaut emblems—the same emblems worn by the astronauts on the space shots—by Seymour Schwartzberg, the president of the Schiffli Embroidery Manufacturers Promotion Fund.

The resolution follows:

## PROCLAMATION

Whereas, Man has been engaged in the honorable art of beautifully embellishing textiles for apparel and home furnishings for thousands of years; and

Whereas, creative embroideries and laces have brought color, interest and beauty to the life we know; and

Whereas, the Schiffli Lace and Embroidery industry, concentrated in northern New Jersey

is one of the Nation's oldest craft industries; and

Whereas, the lace and embroidery industry is one of the largest industries in northern Hudson and eastern Bergen Counties, employing thousands of people; and

Whereas, there are more than 500 embroidery manufacturing plants in New Jersey making it the largest embroidery center in the Western World; and

Whereas, the machine made embroidery industry was started in the United States one hundred years ago; and

Whereas, the size, role, history and importance of the embroidery industry should be brought to the attention of the residents of New Jersey:

Now, therefore, I, Brendan Byrne, Governor of the State of New Jersey, do hereby proclaim 1974 as "Embroideries and Laces Year" in New Jersey.

## YOUNG AMERICA! LEAD THE WAY

## HON. JACK BRINKLEY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1974

Mr. BRINKLEY. Mr. Speaker, last week as part of its observance of Law Day 1974, the Columbus, Ga., Lawyers Club, of which I am a member, sponsored an area high school essay writing contest. The winner of this contest, selected from more than 50 competitors, was Miss Linda A. High, a student at Pacelli High School.

Linda's winning essay is just excellent and I was most impressed with the mature perspective and insight which it contains—in fact it was reprinted as a guest editorial in the May 1, 1974, edition of the Columbus Enquirer.

Mr. Speaker, Linda's essay is one well worth repeating and, at this time, I highly commend it to the attention of our colleagues.

The essay reads:

## YOUNG AMERICA! LEAD THE WAY

(By Miss Linda A. High)

Between the America of yesterday and the America of tomorrow stands our generation. To us has fallen the duty of preserving the faith, honor, strength, and glory of America. This duty cannot be fulfilled in one day: It requires a day-to-day exercise—a program consisting of six basic steps.

First, we must accept our responsibilities as citizens. People who exercise their rights are the foundation of our country. They form the power group who leads the country toward tomorrow by accepting responsibilities today. They fulfill an obligation to themselves, their community, and their country.

Second, we must become doers. The doers know what is happening in their own backyard as well as across the nation. They oppose anti-democratic matters and speak out against wrong and injustice. They grasp opportunities to move forward instead of "letting George do it."

Third, we must think. Thinkers are always important because they allow nothing to slip by without fully understanding it. Their attitude is that nothing can be ignored. They share their ideas with others but do not force others to accept their ideas.

Fourth, we must become well-informed. An informed people listen to and read about significant news for analysis. By keeping

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up with events through the communication media, they learn how and why the government systems work effectively. They see what needs to be done for the country.

Fifth, we must assume that nothing is too big or complex for us to endeavor. Establishing a positive attitude lays the groundwork for expanding ideas. Through determination and hard work, anything can be accomplished.

Sixth, we must always be prepared for anything. If we faithfully follow steps one through five, then we have achieved step six.

After successfully completing this exercise program for becoming informed citizens, the youth are ready to accept the challenges in today's society. They must accept the challenge of preserving democracy instituted by yesterday's generation. They must accept the challenge of maintaining world peace fulfilled by today's generation. They must accept the challenge of striving toward technological advances to be accomplished by future generations. By determining to accept these challenges and by getting involved in the workings of the community, the youth learn the value of law in their lives and can appreciate its service to the society.

Young America, stand up and lead the way to establishing a better place in which God and man can live!

## THE RELATIONSHIP OF ANIMALS TO MAN

HON. G. WILLIAM WHITEHURST  
OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1974

Mr. WHITEHURST. Mr. Speaker, a marvelous article on the relationship of animals to man and how animals are regarded by mankind appeared in the May 6, 1974 edition of the Christian Science Monitor. It articulates seven categories in this relationship and goes on to pose important questions that need answers on what manner of stewardship man will give wild animals based on his past record. The author, John B. Cobb, says that man must begin regarding animals in a new fashion if the harmony and balance of nature is to be preserved. I insert the article at this point in the RECORD. The article follows:

MEN AND ANIMALS  
(John B. Cobb, Jr.)

For the first time, in the history of our planet, one species—man—has secured its foothold in our worldwide ecosystem by threatening the position of all its creature-competitors.

Animals can now survive only on our suffering.

Before our eyes the last wilderness areas are disappearing and the ocean depths are being mapped for human exploitation. In the entire evolutionary history of the globe this dominance of the planet by a single form of life is unprecedented, not just in ecological terms, but in moral and spiritual terms as well.

Since man, the species in question, has won his way chiefly by intelligence and adaptability, one has the right to hope that he will respond to this novel situation in novel ways. However, this must mean more than just expanding game preserves and protecting wilderness areas. It must mean deep fundamental change of attitude toward all created things.

This means we need to understand the depth of the change required. We need to

look with fresh eyes at the categories man has established for beasts, birds, fish, insects, as well as the images we have conjured up about them.

First there is the category, "live stock." This means a living form of human wealth to be slaughtered or disposed of entirely for the economic benefit of the human master. For centuries these animals have been bred—or the wry euphemism "domesticated"—for their humanly exploitable qualities, not for their intelligence or capacity to survive independently.

Second, there are "the resources of the ocean," especially fish and whales. Here, too, creatures are viewed as sources of food and other human needs. The chief problem is whether international agreements can control both pollution and the increasingly efficient forms of exploiting these resources so that they can survive for another generation.

Third, there is "game." This once suggested a source of food, but now it means chiefly "killing for sport." It once suggested matching wit and skill against dangerous competitors. Now the competition is primarily between individual hunters who want to match their skills with ever more bizarre equipment.

Fourth, there are "predators." These are the species that feed upon game and occasionally upon livestock. Here the element of competition remains, but it is now a competition between survival of animal species and the pleasure and wealth of human beings. Predators are trapped, poisoned, or hunted down in planes.

Fifth, there are "specimens." These may be kept in zoos for the observation of curious humans or in laboratories for study, medical experimentation, and dissection.

Sixth, there are "vermin." These are the rodents or insects that are best able to survive alongside of us because of their rapid reproduction rate and ability to adjust in some cases even to urban environments. Toward vermin the human goal is extermination.

Seventh, there are "pets." Here at last there is a contact between our species and others that allows a moment of tenderness. But this tenderness is bought by the four-footed at the price of total dependence upon humans. Further, as human population presses upon the limits of food production, pets will be the first to go.

In our situation none of these dominant ways of understanding animals entails respect for their integrity or inherent value. The relationship is determined by the relation of the animals to us and the effect has become ruthlessly and one-sidedly destructive.

Fortunately, many people are reacting against this human arrogance in relation to other aspects of life. New images are appearing. From the Orient we are learning conceptions of our species as one part of a natural system that includes many other species in harmonious interaction. From our own tradition we are rediscovering St. Francis' sense of brotherhood with wolves and birds. Albert Schweitzer's message of reverence for all life has a new resonance. We can be moved by the songs of whales and watch movies that present apes and dolphins as equal or superior to ourselves. We begin to think that other species have claims upon us, natural rights that we should learn to respect.

Now that human beings hold the destiny of the biosphere in their power, we are for the first time required to ask what matrix of living forms is to be desired. We recognize that continuing our present policies must lead to a highly simplified biosphere in which large animals only will survive, under controlled conditions. Monocultures of hybrid grains will replace the profusion of plants of the past. Is this biologically simplified future what we want?

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Few who face that question honestly are pleased by the prospect. There is value in diversity. Life systems are more durable when they are complex. Even if this were not so, there is an irreducible value in the richness and beauty of a complex world of myriads of strange creatures. This mysterious wealth will be lost forever if we continue to rationalize and simplify for short-term human purposes.

Some of us also see that the human perspective on the world is not the ultimate perspective. We dimly sense that in an inclusive vision each species has its worth and its place. For us to annihilate it is a desecration.

A new way of looking at animals must be part of a deeper and broader change in human thinking. It is part of a shift from a purely human ethic to an ecological one; from concepts of economic and population growth to ideals of stability, harmony, and balance; from the prizing of conquest and mastery to the prizing of restraint and generosity. We must learn to respect and enjoy differences rather than seek to make over others in our own image or relapse into an indifferent relativism. Without this larger context a changed attitude toward living creatures would bear no practical fruit and would only heighten our suffering as we watch the juggernaut of "progress" run roughshod over all.

But as part of a total change that is already occurring among sensitive people, new views of animals can contribute to a new self-understanding, a new vision of reality, a new life style, a new economics, a new legal system—to the new world, in short, apart from which we may not bequeath to our descendants any world at all.

## THE OAKLAND TRIBUNE SPEAKS OUT ON THE TAPES AND MR. NIXON

## HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1974

Mr. WALDIE. Mr. Speaker, in the past few days there has been a literal torrent of opinion regarding the decision of President Nixon to not comply with the demands for taped conversation that took place in the White House made by the House Judiciary Committee.

It is no secret that I view the President's noncompliance as an act of contempt. I have been outspoken in my belief that the President must fully comply with the Judiciary Committee's subpoena and that there is no constitutional right for him to determine what the committee may or may not review or to limit the nature of the committee's inquiry in any way.

Apparently, Mr. Speaker, many around the Nation and in my home State of California share that view. My mail and telephone messages, now in excess of 1,000, are running approximately 10-to-1 against the President's decision to again refuse to turn over unedited tapes to the committee.

Mr. Speaker, the editor and publisher of the Oakland Tribune, Joseph W. Knowland, summed up the feeling of many Americans, including those who have supported the President over many years, in a front page editorial on April 30, 1974. It is too bad the President has

decided to continue his long policy of evasion and concealment of truth.

The editorial, in the form of a letter to the President, follows:

**TRIBUNE EDITORIAL**

(By Joseph W. Knowland)

Dear Mr. President:

Last night you offered an alternate solution to the destructive confrontation being threatened by Congress.

In an effort to appease the hungry politicians seeking your hide, and yet to bare your soul honestly to the concerned public, you offered us edited transcripts of selected presidential tapes.

You need not prove to me your honesty, because I do not question it. I do not believe you had any pre-knowledge of the Watergate incident.

But I do question your sin of omission—your failure to use the full power and responsibility of your office to reveal to us, the electorate, the truth as soon as it has become known to you.

Each time we have searched for the truth, you have created roadblocks—red tape—all in the guise of "national security" cloaked by presidential "confidentiality," as though it were not in the best interest of the public to let the public know the truth . . . a sort of "ignorance-is-bliss" philosophy; or "what you don't know won't hurt you."

This presidential cloak of secrecy has resulted in public suspicion, which in turn has widened the credibility gap; "What is he hiding, and why? Is he telling us only half-truths?"

Mr. President, which is more important at this time in our country's history, when the very pillars of our democracy are being shaken:

The executive privilege of presidential confidentiality, or the American public's respect for and faith in the office of the President of the United States?

Now is the time to reflect on our country's history as well as its future.

Truth is the foundation of all knowledge; freedom, the birthright of all mankind. The search for truth and spirit of freedom—these are the pillars of democracy. The suppression of truth and restriction of freedom—these are the seeds of anarchy.

In short, Mr. President, I recommend that you release to Congress the unedited tapes relating to Watergate.

Perhaps then the United States Congress will set this political issue to rest and proceed to solve the more important problems facing our country today, such as inflation and lawlessness.

**THE SCHOOL LUNCH VOTE**

**HON. GUNN MCKAY**

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1974

Mr. MCKAY. Mr. Speaker, the House voted on May 7 to provide funding for the school lunch program, and I found myself among the few who opposed the measure. Mr. Speaker, like other opponents of this legislation, I did not oppose the intent of the bill; I doubt if there are a dozen Members in the House who would vote against a legitimate appropriation for the school lunch program.

But this was not such a measure. This legislation funnels money from tariff receipts which clearly were intended for another important purpose, bypassing both the Appropriations Committee and the Agriculture Committee. There is no

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question that we should provide the funding required for school lunch programs, but it should go through regular congressional channels.

Besides the procedural conflicts, the legislation weakens the program supported by the diverted tariff receipts. Section 32 of the Agricultural Adjustment Act provides that 30 percent of the import duties are set aside primarily to promote production of perishable commodities by purchase of surpluses. The practice of diverting these funds has weakened this fund by nearly two-thirds, jeopardizing food production in the future. Mr. Speaker if the Nation runs out of food no amount of Federal relief is going to help. Section 32 funds are essential in maintaining our production.

There is no question about Congress supporting school lunch funding. The Congress has acted repeatedly to support school lunch programs from general funds and I would readily vote to do so again. But I could not vote in support of this most recent measure which skirts conventional funding channels and weakens America's agricultural production potential.

**WATERGATE ISSUES**

**HON. BARRY M. GOLDWATER, JR.**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1974

Mr. GOLDWATER. Mr. Speaker, I recently received copies of two editorials from the Daily Chronicle in Santa Paula, Calif. I want to commend the publisher, Mr. C. E. Phillips, for helping to lend some perspective to the serious national problems we face today regarding the Watergate issue.

The editorials give attention to a side of the issue that many people seem to want to ignore, and I present these for my colleagues attention:

**LESSON FROM MITCHELL-STANS TRIAL**

Have we become a nation which has abandoned the American human tradition that a man is innocent until proven guilty? The trial of John W. Mitchell and Maurice Stans is a case in point.

Had a poll been taken during the trial with the question: "Do you think Mitchell and (or) Stans are guilty?" the majority would have said "yes". This view of public opinion is made on the strength of those who asked us, "How long will these men be in jail?" When the answer was, "But they haven't been found guilty yet", it was not what they wanted.

In the American system of justice, 12 men and women sat in the jury box for 10 weeks listening to testimony and weighing the evidence presented in great detail by government attorneys and the defense rebuttal of the charges in the indictments. The jury unanimously found the two former cabinet officers "not guilty" on all 18 charges.

Shouldn't this verdict suggest to some congressmen and others in public life who have made up their minds and sound off on the Watergate affair that just maybe a man isn't guilty until all the evidence is in and impartially considered? Shouldn't this suggest to everyone that opinions have little value in justice unless backed up with all the facts and prejudice has been eliminated?

Another point, John W. Dean's testimony against Mitchell and Stans was not believed by the jurors. In effect, they said he did not tell the truth. But it was Dean, you will remember, who made the original Watergate coverup charges against President Nixon and who was the star witness before Ervin's Senate Watergate Investigating Committee last summer.

Dean has admitted to criminal actions while on the White House staff. And yet this is the kind of man who has influenced a major political crisis in the nation and released a virus which has infected men and encourages them to pass judgment on their fellow men based on hearsay.

If there is a lesson in the Mitchell-Stans trial (and we believe there is) then it is that we should all be careful in forming firm convictions and prejudging without knowledge of what we are saying.

**WHO'S NEXT?**

The Watergate prosecutions have produced a strange backlash. It is fear—fear on the part of ordinary citizens that what is done to the bigwigs can all the more readily be done to small fry like themselves. When men like President Nixon, his former vice president, when top attorneys like his assistants can be hauled before committees, denounced and ruined, before even a fair trial has taken place—what will happen to lesser individuals who offend by any job or title the powerful Democrats who do these things to them?

On a recent trip we talked to a taxi driver; a restaurant owner; to a plumber; a woman with a small business of her own—and all voiced similar statements. The housewife said she had read in school about the French Revolution, how after the takeover the government was run by Committees like the Watergate one and where both high and low persons were brought to be "judged" and then sent to the guillotine. They didn't have a chance, she said, "and neither does any Republican today."

The taxi driver said he had unusual agony over his income tax. What if some local "committee" of those liberals (we won't try to reproduce the original language) could haul him up and denounce him for some nickels he didn't report ten years ago? He'd lose his license, be kicked out of the union, his kids would starve.

The restaurant owner said he was going to get out of business. "It's a laugh," he said, "that Kennedy, Ervin, and that bunch have got Nixon and his guys pegged for prison. Morals? Character? Don't make me gag. Somebody ought to get up and say what they know about them others. They wants get the country back. Then watch out! They'll be after you an' me. I thought this was the land of the fair trial—not no more!—what's goin' on in Washington today is like in the USSR. I've had enough."

While many across the nation may be thinking like those we talked to, the majority aren't so cynical. Nevertheless, the Watergate prosecutions have produced a strange backlash. Where it will lead is anyone's guess.

**H. I. MAJOR: A DEDICATED CIVIL SERVANT**

**HON. GARNER E. SHRIVER**

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1974

Mr. SHRIVER. Mr. Speaker, I wish to take this opportunity to pay tribute to Mr. Howard I. Major, district director of the Immigration and Naturalization Service in Kansas City, Mo., who will

conclude his Federal service on Friday, May 10, 1974.

Mr. Major will retire after nearly 39 years of outstanding service within this agency. A native Kansan, he entered on duty in 1935 with Immigration and Naturalization in a clerical position at Winnipeg, Manitoba. He has filled a number of responsible positions within the service throughout his career. Mr. Major has served continuously as District Director at Kansas City since May 16, 1960.

Mr. Major has been a dedicated civil servant who has performed his duties with efficiency, fairness, and compassion. He has been quick to respond in my efforts to assist constituents on immigration and naturalization problems.

I congratulate him on a job well done, and wish for him continued happiness and good health in the years ahead.

**A PROPOSAL OF SAINTHOOD FOR SISTER MIRIAM TERESA DEMJANOVICH OF NEW JERSEY DURING AMERICA'S BICENTENNIAL OBSERVANCE**

**HON. ROBERT A. ROE**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 8, 1974*

Mr. ROE. Mr. Speaker, at the request of the Honorable John C. Sciranka, distinguished editor of New Jersey's highly prestigious Slovak news publication of the Slovak Catholic Sokol, the Falcon, I am pleased to call to the attention of you and our colleagues here in the Congress a specially featured news item of worldwide spiritual significance relating to the proposal of a New Jersey priest, Father Charles McTague, submitted to Pope Paul for the canonization of six American saints during America's Bicentennial Observance in 1976.

Members of my district and the State of New Jersey are particularly proud of the nomination of Sister Miriam Teresa Demjanovich who was born in New Jersey in 1901 and died 47 years ago on May 8, 1927, at the young age of 26 years. It is indeed my privilege and honor to join in a special salute to her today on the anniversary of her death.

The news article that appears in the Falcon is as follows:

**NEW JERSEY PRIEST ASKS POPE FOR SIX AMERICAN SAINTS INCLUDING SISTER MIRIAM TERESA DEMJANOVICH**

The following outstanding story was released by N.C.W.C. News Service from Washington, D.C.:

A priest from Montclair, N.J., has proposed that Pope Paul VI canonize "at least six North American saints" during the 1976 observance of the United States bicentennial.

And in a telegram to the Pope—copies of which have gone to all the bishops of the country—he invited the Pope to come to St. Peter Claver Church, Montclair, N.J., to elevate the six to sainthood.

Father Charles McTague, administrator of

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the small predominantly black parish, admits that it's not likely that the Pope would come to St. Peter's. But he said it's the only church he has the authority to invite the Pontiff to.

However, he said that if such a ceremony were held in Sacred Heart Cathedral in nearby Newark, it would have "half a million people in Branch Brook Park listening to the ceremony over loudspeakers." The park is next to the cathedral.

Father McTague's main interest, however, is in promoting the canonization of the six: Pierre Toussaint, Mother Elizabeth Seton, Father Junipero Serra, Bishop John Neumann, Mother Katherine Drexel, Kateri Tekakwitha and Sister Miriam Teresa Demjanovich.

Father McTague's list of candidates for sainthood represents the diversity of American Catholic culture.

Pierre Toussaint, a black and a native of Haiti, died in New York in 1853 after years of working with orphans and helping needy seminarians and missionaries there.

Mother Elizabeth Bayley Seton, a New York native and convert to Catholicism after her husband died, founded the Sisters of Charity in the U.S. at Emmitsburg, Md. She died in 1821 and was beatified—declared "blessed"—in 1963.

Father Junipero Serra, an early Spanish missionary to North America, died in 1784 after founding the major Franciscan missions in California.

Blessed John Nepomucene Neumann was a native of Bohemia and fourth bishop of Philadelphia (1852-1860). In 1963 he became the first American bishop to be beatified.

Mother Katherine Drexel, a Philadelphia native, founded the Sisters of the Blessed Sacrament to minister to American blacks and Indians. She died in 1955 at the age of 96.

Kateri Tekakwitha was martyred in 1680 at the age of 24. Born in New York, she is the first North American Indian candidate for canonization.

Sister Miriam Teresa Demjanovich (1901-1927) was born in Bayonne, N.J., of Byzantine-Ruthenian Rite parents, but she lived the later part of her life in a Latin-rite parish and died as a member of the Latin-rite Sisters of Charity. Proponents of her cause consider her a tangible link uniting Catholics of all rites in a strong bond of charity.

In his telegram to Pope Paul, Father McTague said the list of candidates for sainthood would "represent north, east, south and west, Anglo-Saxon, Germanic, Spanish, Slavic and Negro."

"We suggest Pierre Toussaint to represent the blacks," he said. "It was a teacher and student of this parish who discovered his grave."

The "teacher and student" is Father McTague himself, who found the neglected gravesite in old St. Patrick's churchyard on Mot St. in New York when he was a seminarian in 1940. Even since he has promoted the cause of the Haitian slave turned benefactor of the New York's poor.

\* \* \*

Editor John C. Sciranka thanked Father McTague for this noble gesture and assured him of our continued cooperation for the realization of this sacred cause. May 8 is the 47th anniversary of her blessed death. Please remember her cause in your prayers.

Her parents were born in Bardejov, Slovakia.

Mr. Speaker, I appreciate the opportunity to seek this national recognition of Father McTague's noble efforts and know you will want to join with me in commemorating the standards of excel-

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lence and spiritual quality of life that have exemplified the lifetime of the six American saints as nominated for this most blessed and spiritual beatification by the Holy See.

**POLITICAL ASYLUM**

**HON. BILL GUNTER**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 8, 1974*

Mr. GUNTER. Mr. Speaker, my very good friend, Gwendolyn S. Cherry, who is a State Representative from the 106th District of Florida, sent to me a copy of a memorial which was passed unanimously by the Florida House of Representatives. I believe it draws attention to a very important subject, that being that a uniform policy for granting political asylum in the United States is needed.

Mrs. Cherry, who serves her constituents in Miami very well, was the author of this memorial resolution and I commend it to my colleagues for their consideration and their action by this body:

**MEMORIAL RESOLUTION**

A memorial to the Congress of the United States requesting the institution of a uniform policy with regard to the granting of political asylum.

Whereas, the United States of America has long been a home for persons of all nations, of all colors, of all creeds, and of all political persuasions, and

Whereas, this fact has for generations applied particularly to those persons suffering persecution in their homeland for their beliefs, both philosophical and political, and

Whereas, the "Golden Door" of America has liberally granted a protective political asylum to those persons who are, in words carved into our own Statute of Liberty, "yearning to breathe free", and

Whereas, the granting of political asylum, however, has often suffered from arbitrary standards applied in an irrational and discriminatory manner, and

Whereas, this fact has caused concern and frustration, both on the part of friends of our nation in other lands and on the part of residents and citizens of the United States who have loved ones and friends remaining in foreign lands, and

Whereas, a uniform policy establishing standard criteria for the granting of political asylum would significantly ease this problem and help America retain its reputation as a home for the persecuted of the world, now, therefore, be it

*Resolved*, by the Legislature of the State of Florida:

That the Congress of the United States is respectfully requested to institute a uniform policy and to establish uniform standards with regard to the granting of political asylum. Be it further

*Resolved*, That copies of this memorial be dispatched to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, and to each member of the Florida delegation to the United States Congress.

## DANIELS HAILS AMERICANIZATION DAY PARADE IN JERSEY CITY, N.J.

## HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1974

Mr. DOMINICK V. DANIELS. Mr. Speaker, there is no greater day each year in Jersey City than the annual Americanization Day Parade sponsored jointly by the city of Jersey City and the Clinton E. Fisk Post No. 132 of the Veterans of Foreign Wars.

For many years I have attended their observance at Jersey City's Pershing Field and I am proud to take a small part in the ceremonies as the Congressman representing Hudson County's largest city.

It is traditional for Jersey City and Hudson County officialdom to turn out on Americanization Day and this year the event was graced with the presence of Dr. Paul T. Jordan, Jersey City's chief executive who served as grand marshal and other notables.

Mr. Speaker, the main speaker this year was the Department Commander of the New Jersey Veterans of Foreign Wars, Donald L. Scott. His remarks were so much on point that I insert them at the conclusion of my statement for the edification of my distinguished colleagues.

Commander Scott's speech follows:

## COMMANDER SCOTT'S SPEECH

It is indeed my pleasure to be here in Jersey City with all you people who have turned out today to help us celebrate the 43rd Annual Loyalty Day—Americanism Day Parade. Loyalty day . . . just what do these two words mean? . . . Loyalty Day . . . a day we proclaim our loyalty to our country. A day we rededicate our love for a nation. A nation which believes in the freedom of speech, the freedom of religion, the freedom of the press, and the freedom from want and fear.

One must wonder with all of this going for us, why would anyone want to tear it down or destroy it?

Oh, we are not perfect. We have our problems. We have areas for improvement in local, state and national government. But in spite of these faults, this is still the greatest democracy God has ever let be created.

Many of your friends and relatives fought for what we have today and yes, many died for it. Some of them believed in its worth long before our time. In fact, almost 200 years ago. In two more years we will celebrate our 200th Anniversary. To survive this long has taken many wars and conflicts and lives and suffering. But we must be doing something right.

In 1917 William Tyler Page wrote the "American Creed" . . . and I believe it sort of sums up our appearance here today.

## THE AMERICAN CREED

I believe in the United States of America as a Government of the people, by the people, for the people, whose just powers are derived from the consent of the governed: A Democracy in a Republic; a sovereign nation of many sovereign states; a perfect union, one and inseparable, established upon those principles of freedom, equality, justice, and humanity for which American patriots sacrificed their lives and fortunes. I therefore believe it is my duty to my country to love it; to support its constitution; to obey its laws; to respect its flag; and to defend it against all enemies.

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Do you know what I see when I see Old Glory? Do you know what I see when I see the Stars and Stripes?

I see George Washington crossing the Delaware.

I see the Rough Riders on San Juan Hill.

I see Lincoln giving his Gettysburg Address.

I see the Doughboys in Verdun and Aragonne.

I see the Marines on Iwo Jima.

I see the GI's on the hills and fields and jungles of Korea and Vietnam.

And because I can see all of this, I can look out on this field today and I can still see and salute the Star Spangled Banner!

Thank you and God bless you.

## A SUBSTANTIAL TAX CUT FAVORED

## HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1974

Mr. GAYDOS. Mr. Speaker, I favor the "substantial" tax cut proposed by several other Members of this House and of the Senate to help the American people who are hard hit by spiraling inflation.

I favor this cut not only for the reason given but also in the belief that this Government for far too long a time has been preying on the earnings and savings of the public.

Taxes are too high now. They have been too high for years. And the effects on the economic well-being of the people have been evident for all thinking persons to see. Inflation has been with us for a decade. Now it threatens to run wild.

Not only does inflation menace the Nation, but the soaring Federal debt has come to hang as a cloud over the lives of generations yet unborn. It is not scare talk to say that, unless something is done soon, the free and progressive American society may collapse in time under the load of its economic irresponsibilities.

I have been for a sizable tax reduction since I entered Congress back in 1969. Indeed, tax relief was one of the issues upon which I first campaigned in my heavily industrialized district. I can assure you that the vast majority of the working people and most of the small and large business interests in my section of the country are united on the need for lower taxes.

It ought to be asked repeatedly where this Government received the authority to take money from the people which is not essential to the conduct of internal affairs and the national security of the country. I am amazed at times when I consider how blissfully we have come to speak of taxes as an economic regulator and not in accordance with their constitutional purposes.

Have we become, without fully realizing it, a socialistic, planned-economy nation? If so, then we should admit as much to our constituents and cease our pretensions about free enterprise and, indeed, freedom itself and instead proclaim the standards of a regimented, tax-controlled state. However, I do not think we have come this far yet and for one good reason. The people, who still hold the basic sovereignty of this coun-

try, have not given up. They remain committed to a free society. All the politics of economic manipulation have not changed the vast majority of them.

During the years of rising taxes and rising debt we have heard the supposed economic experts extol the virtues of using the taxing power and the money supply to counter what would be the natural workings of the economy and assure, as they say, continuing prosperity. But I ask if this kind of patch-work program can succeed in the long run. I think we are now facing the results of it in a nation more endangered than ever before by inflation, more burdened with debt than all the rest of the world combined, and with an economic future so clouded that no economist can forecast for certain what lies ahead, even for the balance of this year.

Perhaps the greatest lesson to be learned by this generation is that the basic laws of economics on supply and demand, interest rates, and productivity cannot be tampered with for long. Nor can they be suspended or curtailed. We can only postpone the fury from violating them. But we sometime must pay the piper. Such a time may now be upon us, a time demanding action by this Congress in defiance, if necessary, of all the administration's excuses and rationales for keeping the tax burden unchanged.

I agree completely with Senators MANSFIELD, KENNEDY, and MONDALE and the others in Congress who are pushing for substantial tax reductions. Taxes need not be cut to stimulate the ailing economy. They need to be cut also in the interest of getting us back to that free society which was once our pride and under whose concepts our nation grew to unrivaled greatness. We need to cut taxes, and we need to reduce Government spending—to eliminate the scandalous waste which is contained in the current budget and which has been the condition here in Washington for too long.

## THE 26TH ANNIVERSARY OF ISRAEL'S INDEPENDENCE

## HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1974

Mr. BIAGGI. Mr. Speaker, it is my pleasure to join with millions of Jews both in the United States and throughout the world in celebrating the 26th anniversary of the creation of the nation of Israel. It is a tribute to the untiring efforts of the Israeli people that they have been able to survive these 26 tumultuous years as a free state.

Yet as we celebrate this important event, it is tarnished somewhat by the continued unrest which continues to prevail in the Middle Eastern sector of the world. In fact, for the quarter century in which Israel has been a free state, she has been forced to fend off constant threats to her security, including two major wars fought on her soil, against her stronger Arab neighbors.

Despite these adversities, Israel

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through a sense of solidarity and perseverance among her people has developed into a strong, and vibrant nation. There are many whose genius and dedication has contributed to the present day State of Israel. No one man played a more influential role in the creation and early development of Israel than David Ben-Gurion, whose death this year plunged Israel and the world into mourning.

As we take this opportunity to commemorate this occasion, let us renew our efforts at finding the just and viable peace which has eluded Israel for so long. The brave people of Israel have worked hard and long toward the common goal of developing the nation into a respectable world power. Yet they are now weary of the bloodshed and anguish which has tormented them, and threatened the security of their beloved nation.

Israel's second generation of citizens are emerging today ready to contribute to the continuing growth of Israel. Let us fervently hope that theirs can be a generation of peace. There is no greater challenge before us.

#### HOW DOES YOUR GARDEN GROW?

**HON. JAMES A. BURKE**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1974

MR. BURKE of Massachusetts. Mr. Speaker, may I take this opportunity to bring to the attention of the U.S. Congress a prediction of sharp vegetable price hikes this summer from Mr. Guy Paris, assistant director of markets for the Massachusetts State Department of Agriculture. This bad news is springing up all over the country in addition to the prediction that this Nation can be facing real food shortages in the years ahead. What is the U.S. Department of Agriculture doing? The answer is very little. The American people are away ahead of them.

The need for this Nation to provide seeds upon the request of Americans throughout the country can be brought about by legislation I filed. A bill that was heard yesterday by the Subcommittee on Agriculture, headed by its distinguished chairman the Honorable JOSEPH VIGORITO of Pennsylvania. The need for this legislation is now. Let us return America to the soil, let us fight high prices, let us keep America healthy by producing good healthy nutritious food.

Let us promote the general welfare, particularly as it applies to the young people in our urban areas. Let the slogan be "How Does Your Garden Grow?"

I include an article that appeared in the Boston Herald American today:

#### SHARP VEGETABLE PRICE HIKES SEEN

A prediction that the price of fresh vegetables will probably be up from 15 to 30 percent in Massachusetts this summer was made yesterday by Guy Paris, assistant director of markets for the state Agriculture Dept.

James Cassidy, chief market investigator of the department, had more bad news for the consumer when he reported about one-third of the state's apple crop may have been lost because of frost.

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Paris said lettuce, tomatoes and potatoes will show the greatest increases, but corn also will be more expensive.

"I think salads will be the highest, Boston lettuce, chicory and escarole," he said. "Tomatoes will be more than 29 cents a pound and they could go as high as 39 and 49 cents a pound. Last summer they were 23 cents.

"Boston lettuce will be about 39 cents a head retail. It was 29 cents a head last year. Corn, I have a feeling will be higher than \$1 a dozen. It could be close to \$2 a dozen at the beginning of the season. Last year it averaged between 79 and 89 cents a dozen," Paris said.

He also predicted that as California potatoes become available they will sell for from 25 to 30 cents a pound. He said the only time he could see any easing in potato prices will be in September when local farmers and Maine farmers begin getting in their crops.

"For what you get, fresh vegetables will still be a good buy," he said. "There will be times when supply will exceed the demand, and prices will be low. People should buy them and put them up in jars or freeze them," he said.

Paris said the main thing is supply and demand. He said the fuel emergency also is involved, and it may cause more people to stay home this summer.

"If they stay home, there will be more cookouts with more salads, and this could cause the demand to continue high and the prices too," he said.

Paris also said the production of beans and peas is about the same as last year, which means the prices will be about the same. He said if the weather remains all right the consumer won't be paying much more for cucumbers, yellow squash and zucchini.

Cassidy said most of the damage to the apples was in the Nashoba Valley on May 1 and last Sunday.

"We've come to the conclusion that we're talking about a one million bushel crop loss," Cassidy said. "That's about a third of the crop, as we see it now. That translates to \$3 million or \$4 million to the farmer."

"Delicious apples look extremely hard hit," he said. "There's not much damage done to the Mackintosh. We've lost a good percentage of our Delicious apples in Middlesex and Worcester counties."

Cassidy said the apples were in a delicate bud stage when the frost hit and they were about two weeks ahead of normal because of the hot weather last month.

"Pollination is another factor that is worrying me," he said. "Bees will not work in this type of cold, cloudy weather. They need warm, sunny days."

Cassidy said the state's apple crop is worth about \$10 million annually, but the department will not be able to assess the exact extent of the crop loss until the small apples appear on the trees in early June.

#### GROUP PRACTICE TAKES POSITION ON NATIONAL HEALTH INSURANCE

**HON. WILLIAM R. ROY**

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1974

MR. ROY. Mr. Speaker, I recently received the position statement of the American Association of Medical Clinics on national health insurance. When I read it I was pleased to learn that this organization of physicians and dentists in group practice with whom I have been working closely for some time now has

taken a very forthright stance on this very vital domestic issue.

As the national organization of physicians and dentists in all forms of group practice, the American Association of Medical Clinics is well known as a dynamic leader in the health care field.

Long recognized as a prestigious organization of high professional standards, the American Association of Medical Clinics has been innovative in improving the delivery of ambulatory health care to the American public for over a quarter century.

Its membership includes groups ranging from the large multiple specialty referral centers with involvement in research and education to the smaller multiple and single specialty groups oriented toward providing quality health care to their communities. These include groups whose practice is on a fee-for-service basis, those who provide care on a totally prepaid basis and groups with a combination of the two payment mechanism.

For the benefit of my colleagues, I would like the American Association of Medical Clinics statement included in the RECORD:

AMERICAN ASSOCIATION OF MEDICAL CLINICS  
POSITION STATEMENT ON NATIONAL HEALTH INSURANCE

#### PREAMBLE

The American Association of Medical Clinics believes that every American has a right to quality health care. This care should be available, accessible and acceptable. We believe that everyone, regardless of financial resources, should have the ability to obtain the full range of needed health services at reasonable prices.

The AAMC believes very strongly in maintaining the free enterprise system—freedom for the practitioner to choose the mode in which he will practice and freedom for the patient to choose the manner in which he wants his health care provided and by whom. These principles can best be met by maintaining control of the health care delivery system in the private sector with appropriate input from providers, payors and the public. We feel that a cooperative alliance among providers, payors, government and the public is the best means for quality assurance and cost containment in the health care delivery system.

Furthermore, the AAMC feels strongly that group practice is the more efficient and effective means of delivering health care. Its cost containment incentives coupled with quality control initiatives must be recognized in the health care marketplace.

Accordingly, the AAMC supports the inclusion of the following basic principles into any National Health Insurance Program.

#### ADMINISTRATION

We feel that any National Health Insurance Program should be administered through a Cabinet Level Department of Health. This level of authority and responsibility is essential to deal effectively with the myriad health problems in this country. We support a National Health Advisory Council in the White House to set overall policy and guidelines for program operation.

Day-to-day administration of any National Health Insurance Program should be carried out at the State level. Local and regional differences require local decision-making machinery for effective and relevant administration.

We feel that both regulatory and policy-making bodies should consist of a majority of persons whose principal professional activity is in the health care field. Consumer

representation is appropriate at all levels in an advisory capacity.

We support State and local regulation of private health insurance carriers to include mandated uniform benefit packages established by National guidelines.

#### BENEFIT PACKAGE

We support the concept that any National Health Insurance Program should include both basic and catastrophic benefits.

The basic benefits should include at least: (a) full hospitalization coverage for physical illness and injury with appropriate utilization control; (b) all physician services, wherever rendered, subject to appropriate peer and utilization review; (c) out-patient prescription drugs with moderate patient cost-sharing; (d) mental health care with basic in-hospital treatment and some provision for post-institutional management; (e) extended non-acute institutional care upon order of a physician without the requirement of a prior hospital stay; (f) home health care on physician prescription, subject to appropriate utilization controls; (g) preventive services to include preventive dental care for children up to age 12 years with appropriate phasing-in of other dental care for all ages, well-child care up to age six years and eye exams by physicians or optometrists; (h) family planning; (i) periodic health testing, when ordered by a physician; (j) necessary rehabilitation services; and (k) patient education services when ordered by a physician.

Catastrophic benefits should supplement the basic program so that no individual or family is subjected to the possibility of financial ruin due to illness or injury.

#### ELIGIBILITY

Any National Health Insurance Program should be universal in coverage by providing the opportunity for equal participation by all persons, regardless of age, economic or health status.

Persons classed as categorically poor should be fully subsidized. Partial subsidies should be provided for the medically indigent, decreasing as the ability to pay increases. Persons with high health risks should be covered through a "pool insurance arrangement" with partial subsidy from general tax revenues, if necessary.

#### FINANCING

We believe that funding for National Health Insurance should come from two sources—mandatory employer-employee contributions and general tax funds.

Employer and employee contributions should be the primary means of purchasing qualified private health insurance coverage for the majority of the population. General tax revenues should be administered through a separate National Health Insurance trust fund for the payment of health insurance premiums on behalf of the poor and the medically indigent.

Reimbursement to all providers, institutions and practitioners, should be on the basis of assured payment. Institutional payment should be on the basis of prospective budgets. Practitioner fees should be determined by the "usual customary reasonable" method with peer review at the local level.

A system of co-payments should be utilized in order to contain program costs and as a means to preclude overutilization of services.

#### QUALITY CONTROL

National guidelines on health care services may be appropriate; however, we feel that they should be used only as guidelines. Standards of care for use in peer review and quality assurance should be established and administered at the local level by physicians and other health care providers.

#### MODIFICATION OF CURRENT HEALTH DELIVERY SYSTEM

We support the inclusion of all current Governmental health insurance programs be-

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ginning with provisions for immediate National Health Insurance coverage for Medicare, Medicaid and Maternal and Child Care beneficiaries. We also support the ultimate phasing-in of all other Governmental health programs such as CHAMPUS, Veterans Administration, Federal Employees Health Benefits Program, and Indian Health Service into a comprehensive and uniform health insurance system.

We feel strongly that any National Health Insurance Program should include appropriate incentives for the use of ambulatory care and preventive health services in lieu of more expensive individual institutional services consistent with the medical needs of the patient.

Incentives should also be provided to encourage better distribution of services to medically underserved areas, and to foster the development of alternatives designed to improve access, cost and quality, and achieve a better system of organization for more efficient delivery.

Mr. Speaker, I personally wish the American Association of Medical Clinics every success in their endeavors and look forward to my continued working relationship with them.

#### THE QUESTIONS ANSWERED

### HON. DAN KUYKENDALL

OF TENNESSEE

#### IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1974

Mr. KUYKENDALL. Mr. Speaker, columnist James J. Kilpatrick in the Washington Star-News of today, addresses himself to some of the vital questions of the ongoing Watergate controversy and comes up with answers that ought to be of interest to any thinking person.

I compliment Mr. Kilpatrick and commend this column to your attention:

#### THE QUESTIONS ANSWERED

(By James J. Kilpatrick)

When it was announced a week ago that the White House would release transcripts of certain presidential tapes, I voiced a sure prediction: Someone is going to say, "The transcripts raise more questions than they answer."

Sure enough, the next voice on the television screen was the voice of Carl Stern of NBC. He was saying, "The transcripts raise more questions than they answer." Nonsense. The transcripts do raise certain new questions, having to do with the transcripts themselves, but this monumental publication answers more Watergate questions than most Americans will ever want to ask.

What were the big questions? Let me grapple with two or three.

Did the President know in advance about the bugging and burglary of Democratic national headquarters? The answer is, he did not know. In the whole of these 1,308 pages there is not a line, a hint, or a breath of a suggestion of any such foreknowledge.

Did Mr. Nixon know of the ensuing cover-up? He did not know. By early March of 1973 he had inklings, but it was not until 10:12 o'clock on the morning of March 21 that he began to get the whole story.

Do the transcripts tell us how and why Watergate happened? Yes, they do. This wretched business happened because Gordon Liddy was strong and persistent; because John Mitchell was weak and preoccupied; because Charles Colson was vain and presumptuous; because Jeb Magruder was obedient and inexperienced. The subsequent coverup resulted out of the misguided loyalty

and bad judgment of John Dean, John Ehrlichman and H. R. Haldeman. They kept their knowledge from the President.

Did Mr. Nixon act wisely and responsibly once he heard the story? The answer is yes and no. He acted humanly.

Let me dwell on this last point especially. The President's critics are stuffed like sausages with wisdom, virtue, and morality. For the past week they have been clucking and sighing.

Mr. Nixon, they say, did not react instantly with public cries of shame and remonstrance; the President did not leap from the Oval Office and cry for guards to haul his aides away in chains. The President resisted—and still resists—full disclosure of his words and acts.

Very well. Let me suggest an analogy from everyday life. The parents of a 16-year-old girl suspect something is wrong. They are concerned and anxious, but no one likes unpleasantness. They avoid direct confrontation. Then one day in March she faces them: "You have to know," she says, "I'm pregnant."

To listen to the sausage moralists, you would suppose that the girl's parents should react with instant sermons on chastity; they should cry reproaches; they should hurl her into the street.

This is not the way the world is. The probabilities are 99 in 100 that the girl's parents would respond with questions. They would try to think what to do next. They would discuss options: Forced marriage? Abortion? Have the child in secret? It might be a long while before someone said of abortion, "but that would be wrong."

They would be concerned with salvaging whatever might be salvaged of their daughter's reputation and future. The girl's father might keep saying, "I am just trying to think . . . I want to get all of this in my mind if I can."

The transcripts are enormously, painfully embarrassing to the President. They provide an opportunity for his critics in politics and the media to pluck him like a live chicken. He says and does things that are less than admirable. Every deletion—and there are many deletions—is certain to provoke new suspicions.

One is reminded, ironically, of poor old Job, who was scorned by his friends and smitten by his enemies. "How long will ye vex my soul," he asked, "and break me in pieces with words?" Job was convinced he had acted rightly, and that the record would show it: "Oh that my words were now written! Oh that they were printed in a book!"

Well, Mr. Nixon's book is now written, not by his adversaries but by himself, and my own impression is that he emerges from its pages in pretty good shape.

#### SANFORD MASSIEN TO RECEIVE B'NAI BRITH "MAN OF THE YEAR" AWARD

### HON. THOMAS M. REES

OF CALIFORNIA

#### IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1974

Mr. REES. Mr. Speaker, it is with great pleasure that I take this opportunity to pay tribute to one of my constituents. On June 1, 1974, Sanford Massien will receive the 1973 B'nai Brith "Man of the Year" award. It is a fitting tribute for a man whose whole career has been dedicated to the welfare of others.

Sanford Massien, born in Cleveland, Ohio, in 1921, received his formal educa-

## EXTENSIONS OF REMARKS

tion in Los Angeles. After completing his tour of duty with the U.S. Navy, and being honorably discharged, Mr. Massien became a hospital administrator, having become familiar with hospital administration at the U.S. Naval Hospital Corps School. While in the Navy, Mr. Massien met and later married his lovely wife Sandy. They have two children, Jeff and Bonnie.

In addition to a long and outstanding affiliation with the B'nai Brith, Mr. Massien is a former president of a City of Hope Chapter, Beverly Drivers, a member of the Friars Club, a member of the Attorney General's Advisory Council, a recipient of the B'nai Brith Akiba Award, and one of the founders of the Physicians Support Group of the Medical School of the Technion Institute in Israel. In 1968, Mr. Massien also received a nomination to the American College of Hospital Administrators.

As a member of the Hollywood Wilshire Lodge 11-11 B'nai B'rith for the past 27 years, Mr. Massien has personified the high standards set by this group. His laudable record is ample proof of a career of service to the community and his fellow man. Sanford Massien will receive the "Man of the Year" award for 1973, but it is indicative of his many years of dedication and work for the welfare of others.

## FLORIDA LEGISLATURE CALLS ON CONGRESS

## HON. C. W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1974

Mr. YOUNG of Florida. Mr. Speaker, one of the long-standing veterans problems facing the Congress has been the need to provide for additional national cemeteries so that the current severe shortage of space is alleviated. Last year we passed the National Cemeteries Act, transferring responsibility for all national cemeteries from the Department of Defense to the Veterans Administration and directing the VA to submit a report to the Congress on the development of the new National Cemetery System.

The need for new national cemeteries in Florida has long been critical, and I have introduced legislation to provide for national cemeteries in the central west coast area. As further evidence of the continued importance of this need, I have just received a copy of House Memorial No. 2277, approved by the Florida Legislature during its regular session 1974, requesting the U.S. Congress and the Veterans Administration to provide cemeteries for veterans in central and south Florida. The text of the memorial follows:

## HOUSE MEMORIAL NO. 2277

(A memorial requesting the United States Congress and the Veterans Administration to provide cemeteries for veterans in central and south Florida)

Whereas, the people of Florida sincerely appreciate the sacrifices of Florida veterans in times of war and peace, and

Whereas, veterans are entitled to a final

resting place provided by the country they so selflessly defended, and

Whereas, it is proper for the state to participate in the selection of a location for a veterans' cemetery. Now, therefore, be it

Resolved by the Legislature of the State of Florida:

It is the intent of the legislature to provide for, encourage, and promote the welfare and dignity of veterans. In this regard the United States Congress and the Veterans Administration are requested to provide cemeteries for military veterans to be located in central and south Florida; be it further

Resolved, That a copy of this memorial shall be spread upon the journals of the House of Representatives and Senate of the State of Florida and copies shall be forwarded to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, and to each member of the Florida delegation to the United States Congress.

## REV. MICHAEL ZEMBRZUSKI AND THE SHRINE OF OUR LADY OF CZESTOCHOWA

## HON. EDWARD G. BIESTER, JR.

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1974

Mr. BIESTER. Mr. Speaker, I would like to call the attention of our colleagues to the Very Reverend Michael M. Zembrzuski—a man who came to the United States in 1951 with \$36 in his pocket and a dream.

The dream was to inspire the Polish-American community of the United States to build an American Jasna Gora, a sister to the Shrine of Jasna Gora located in the city of Czestochowa, Poland. For centuries, the shrine has been the spiritual capitol of the Polish people and the Polish Nation.

The Shrine of Jasna Gora in Poland has always been an inspiration to the Polish people, the overwhelming majority of whom are devout Roman Catholics.

In 1966 a miracle occurred in the United States that received national and international attention and acclaim.

A large segment of the Polish-American community in the United States had rallied around the Reverend Michael Zembrzuski with money and support. On October 16, 1966, the American Jasna Gora—the National Shrine of Our Lady of Czestochowa—was dedicated as the Shrine of Poland's Millennium of Christianity—966 to 1966—and as a monument to Christianity on the free soil of America by John Cardinal Krol, in the presence of the President of the United States, Lyndon Johnson, and more than 135,000 people.

This event served to reinforce and reaffirm the traditional links between the Polish and American people which have existed since the days of George Washington and the American Revolution.

Annually more than 600,000 people come to Doylestown, Pa., to visit the shrine—to pray and to enjoy or participate in a full calendar of religious, civic, cultural, and ecumenical events. The shrine is a place for spiritual fulfillment and human renewal, but it is also a repository of Polish culture and tradition

that a proud and loyal segment of American society wants to preserve for itself, its children and to share with all Americans.

In a country which was founded under God and looks to God for guidance and inspiration, the National Shrine of Our Lady of Czestochowa is proof that the religious freedoms which our Pilgrim Fathers sought and established are still alive and flourishing today.

The Very Reverend Michael M. Zembrzuski, O.S.P., who is 65 years old, celebrated his 40th anniversary as a priest and his 40th anniversary of service to people of all faiths on March 30, 1974.

Mr. Speaker, it is most appropriate with Polish Constitution Day a recent memory that we recognize Father Zembrzuski's great contribution to the fabric of American culture and heritage.

## A TRIBUTE IN MEMORIAM TO PATROLMAN GEORGE A. FREES

## HON. JAMES R. GROVER, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1974

Mr. GROVER. Mr. Speaker, the House of Representatives last week passed legislation which acknowledges the courageous and faithful service of our men in blue by providing survivors' benefits where a policeman's life is lost in the line of duty.

This legislation was long overdue and although his survivors may not benefit from it, it was my memory of the tragic loss of the George A. Frees family that impelled me to support the legislation with enthusiasm.

This week, hundreds of people will gather at the Colonie Hill in Hauppauge, L.I., New York, to do homage to the first of Suffolk County's 1,000 man police department to give his life in performance of his duty.

Mr. Speaker, I submit for the record the comments of Chic Pizzurro, president of the Patrolman George A. Frees Memorial Fund:

## A TRIBUTE IN MEMORIAM TO PATROLMAN GEORGE A. FREES

On a cold drab day, April 6, 1971, a call was put in about a disturbance in Amityville.

A patrol car with two police officers answered the call. They were Ptl. George A. Frees and Ptl. William Staub.

When they approached the driveway a shotgun blast went through the windshield and hit Ptl. Frees in the neck killing him instantly. A second shot was fired wounding Ptl. Staub and in spite of his wound he called for assistance. The cars responding were then also fired upon.

Ptl. George A. Frees died in the line of duty, becoming the first patrol officer in Suffolk County to be slain in the twelve years of its existence.

The citizens of Suffolk County joined together to assist with the problems of Mrs. Frees and her three children. With the help of the news media, and the radio stations, a memorial fund was created to aid not only the Frees family but all the widows and children of other police officers who are slain or permanently disabled in the line of duty.

One can see that whenever a dreadful event like this takes place, citizens from all walks of life rally and help in the spirit and

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the good nature that we Americans seem to possess.

The Patrolman George A. Frees Memorial Fund is unique because it is the first of its kind in the nation.

We the members of the fund, feel it is an honor and our duty to assist any widowed police family of Suffolk County that may need help.

On this day, May 10, 1974, we hope to God that all police officers who watch over us live a long life of happiness with their families.

#### AND FIRST IN THE POCKETS OF THEIR COUNTRYMEN

#### HON. FRANK J. BRASCO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1974

Mr. BRASCO. Mr. Speaker, many of the Nation's banks are now charging a prime interest rate of 11 percent. Those who have not yet reached that point will do so in the next few days. These are the highest interest rates ever charged in the history of our Nation, and I believe they constitute a potential national disaster of such significant magnitude as to command both congressional attention and action.

The banks of the Nation are, along with the major oil companies, making more pure profit off the sweat and work of the average American than any other group or institutions doing business for profit. Because of their activity and interest policies, we are fast arriving at conditions of economic upheaval in a number of areas of endeavor.

Housing can be immediately singled out as an area of prime concern. Today millions of Americans can no longer afford a decent home, and this situation is particularly acute and discernible in my home district of New York. New homes under \$20,000 in price are a thing of the past. Real estate people and builders inform me that shortly homes under \$35,000 that are new will become unknown.

A few authorities I have spoken to even predict that soon, in many parts of the country, no one will be able to find a home for under \$40,000. I am informed that just such a situation has almost been brought into being already in the Washington area.

The banks and the interest rates they are demanding are directly to blame for this outrageous state of affairs. Certainly these institutions are not in money for their health and are entitled to make a profit. But the same thing can be stated to them that was said to the major oil companies—not at the price of driving segments of the Nation over the brink of economic ruin and dislocation. It has become my reluctant conclusion that these people at the top of the banking industry are simply practicing an old-fashioned form of criminality known as usury.

If the average person who must have a decent home for his family is simply unable to go into a bank and obtain a mortgage at other than extortion-type terms, then the American promise of so many years that every family can look

#### EXTENSIONS OF REMARKS

forward to owning their own home has gone a-glimmering. And this is now the case in many places.

Further, this is the interest rate the major banking institutions are charging their supposedly best customers and largest borrowers. If such powers are paying these rates, then obviously the consumers and smaller businesses who in turn obtain money or do business with the prime borrowers are being charged a much higher rate of interest at the end of the borrowing chain. Finance companies, for example, which borrow large quantities of bank capital, turn around and pass such charges plus a profit and service charge on to their customers.

Banks are virtually totally dominant in the money-lending field, and the smaller institutions in every corner of the land take their cue from the activities and policies of larger banking institutions. Such institutions are the ones leading the way to new heights of interest. And as a direct result, the entire Nation is feeling the pinch, particularly the little man and woman at the bottom of the economic pecking order.

Many homeowners are finding that escalator clauses in their mortgage contracts are being enforced, sending their interest rates and monthly payments soaring. Millions of people are being forced to pay vast sums in interest out in a thousand different ways. A golden stream of profit pours into the banking institutions of the country, which they in turn first pocket and then lend out again at even higher rates.

Congress should and must act, because this is one of the worst elements in the inflationary equation. Combined with a total absence of any kind of price controls, the economy and prices people pay for necessity are bound to continue their rise, only faster. The steel industry's action in raising prices across the board for that basic product is only the first indicator of what we can expect.

A moratorium on interest rates is a viable, constructive first step that we can and should consider here. The Nation needs immediate relief from this situation which I believe is totally out of hand. There is no reason why a group of very wealthy bankers at the top should have such power over the lives, incomes, and destinies of so many millions of Americans.

#### PRESIDENT AND THE LAW

#### HON. DONALD W. RIEGLE, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1974

Mr. RIEGLE. Mr. Speaker, I insert the following editorial from today's New York Times for the interest of my colleagues:

##### PRESIDENT AND THE LAW

Although he was educated in the law, President Nixon seems to have difficulty comprehending that the problems that now engulf him are problems neither of politics nor of public relations, but of law. There are well-established legal rules of procedure that are followed regardless of the identity

of the individuals involved in a particular case.

These rules, no less than the law itself or the Constitution, cannot be waved aside by cries of "national security" or "executive privilege" or by impatient slogans such as "one year of Watergate is enough." Neither will they yield to the outright defiance that President Nixon announced yesterday through his counsel, James D. St. Clair.

The President's response to the several subpoenas that have been served upon him have never been those of a lawyer cooperating in the settlement of serious issues or even those of an ordinary citizen respectful of the law. On the contrary, Mr. Nixon seems always in search of the one big fix, the public relations coup that will extricate him from legal issues in which, in reality, he is inextricably involved.

He has had his only success in fending off two subpoenas issued by the Senate Watergate Committee. But in dealing with the subpoena from the House Judiciary Committee, the President is not dealing with just an ordinary Congressional committee. In its impeachment inquiry, the Judiciary Committee is exercising a rarely invoked but awesome power of Congress to stand guard against Presidential attempts to subvert the Government by grave misconduct. This power has unique constitutional status, and no court is going to stand in the way of its exercise by Congress.

Nevertheless, when the Judiciary Committee last month subpoenaed tapes and documents, Mr. Nixon responded with a publicity campaign built around a huge mass of edited transcripts. This publicity campaign was carried forward by a televised address by the President to the nation and two follow-up speeches, a one-sided summary of the evidence by his own counsel, and a round of appearances by Presidential aides on television interview shows.

This whole effort was a broad-brush appeal to those who read as they run or who watch only a few moments of television news. This media was apparently the President's last throw of the dice. Whether it has failed or not in public relations terms, Mr. Nixon is apparently determined to stand fast. But these public relations maneuvers have nothing to do with the law. One of the fundamental rules of law is that a judge or jury is entitled to the best evidence available. The tapes themselves are obviously better evidence than transcripts edited by the person under inquiry.

Public relations is concerned with general impressions; the laws deal in provable specific facts and carefully restricted inference from those facts. Mr. Nixon keeps trying to create impressions in the public mind and thereby influence the atmosphere in which the House committee and the courts do their work. But the work itself remains a matter of law. Regardless of atmospherics, the law turns on evidence of deeds done and words spoken. Images are no substitute for evidence, and publicity is no match for the law. That is why the courts and the Judiciary Committee move inexorably forward and the President slowly but steadily retreats.

In a nation governed by law, Mr. Nixon cannot possibly win a confrontation on the ground on which he has chosen to stand and fight.

#### HISC—A "UNIQUE ORGANIZATION"

#### HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1974

Mr. ASHBROOK. Mr. Speaker, during the decade of which I have been a

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member of both the House Committee on Internal Security and its predecessor, the Committee on Un-American Activities, I do not recall that the committee has received such overwhelming endorsements as those which have been pouring into the offices of the House Members since the ad hoc Select Committee on Committees first proposed the abolition of HISC.

As ranking minority member, I am very grateful for these generous expressions of support, and while I cannot speak for the Chairman, DICK ICHORD, I feel sure that he must be most pleased, reflecting as does such support, on his role as the committee's pilot in the turbulent atmosphere which inevitably seems to engulf security activities.

I believe it is not an understatement to say that, in the field of internal security, the oft-alluded-to "silent majority" is becoming a vocal majority. Today I place in the RECORD the resolution concerning HISC passed in April at the 83d Continental Congress of the National Society Daughters of the American Revolution in which HISC is referred to as a "unique organization":

## HOUSE COMMITTEE ON INTERNAL SECURITY

Whereas the purpose of the House Committee on Internal Security is to conduct investigations concerning organizations or groups which advocate the overthrow of the government of the United States or any of its subdivisions by force, violence, terrorism or other unlawful means; and

Whereas the House Committee on Internal Security has served this Nation well, and is a unique organization, supplying to Congress accurate and up-to-date information available from no other source; and

Whereas the threat of subversion remains a present danger, and always will as long as power is the reality that controls relationships in foreign affairs; and

Whereas the continued existence of this Committee is in jeopardy because of a proposal to dissolve the Committee and turn its duties over to a more general committee;

*Resolved*, That the National Society, Daughters of the American Revolution inform the public of the vital function performed by the House Committee on Internal Security in an effort to protect this Nation.

Second, from another staunch committee ally, I offer an article from the American Legion's Missouri Legionnaire, Show Me, of February 1974, written by Jack Sanders, Department Americanism Chairman:

## ABOLISHMENT OF HOUSE COMMITTEE ON INTERNAL SECURITY

For years—ever since it was the Dies Committee—the Communist Party has been trying to abolish the House Committee on Un-American Activities, now known as the House Committee on Internal Security.

You will remember that in San Francisco in May of 1960, during House Committee on Un-American Activities hearings into Communist activity and infiltration in Northern California, misbehavior of witnesses and spectators occurred. There was mob rioting in the rotunda outside the hearing room and mass picketing of City Hall where the hearings were held. The fracas was filmed by TV cameras. It was so bad that the Committee later used the TV films to illustrate the tactics of disruption in a film entitled, "Operation Abolition." You will also remember that more recently in Chicago more civil commotion occurred which involved lawyers trying to disrupt the hearing and demanding abolition of the Committee.

An odd coincidence now is that the views of Missouri Congressman Richard Bolling (D), Kansas City, perfectly coincides with the well-known wishes of the Communist Party, and its activists and radicals, for abolition of the Committee. This may come about soon if Congressman Bolling has his way. Bolling, one of the few Congressmen who recently voted against funding for the committee, is now Chairman of a Select Committee on Committees, which is weeding out inactive or unproductive committees. Apparently the Internal Security Committee is one he feels falls into that category.

The House Committee on Internal Security is headed by popular Missouri Congressman: Richard Ichord (D), who has also long been a dedicated Legionnaire. Dick Ichord holds a distinction of being a chartering member of his own American Legion post. He is a skillful debater and a fearless champion of American principles and ideals.

As Americanism Chairman, I felt responsible to find out why Congressman Bolling would abolish the House Committee on Internal Security, so I addressed him. He replied: "While Congressman Richard Ichord is a responsible Chairman, I feel that the legitimate function of this Committee is with the House Judiciary Committee which in my view can effectively do the job that needs to be done in terms of dealing with the revolutionaries and subversives in this country." Such a move could mean death for internal security, if the Judiciary Committee is as overburdened as it is indicated it is, or if there happens to be no one with any particular interest in pursuing internal security.

Upon the prodding of my advisors, I again addressed Bolling to ask him why he felt the Judiciary Committee could do a better job. He merely replied: "Based on my 25 years in the House of Representatives, it is my view that the House Judiciary Committee is the legitimate and best vehicle for achieving our common goal." Since he apparently realized this comment was only a repeat of what he had said earlier, with no evidence of why he thought the Judiciary Committee could do a better job, he added a pen notation on this letter. "Perhaps we had better have a talk about it sometime when I am in K.C. Then you could discuss my detailed views with Dick Ichord and see what you thought then." This appears to be a fence-mending comment, indicating influence of the American Legion of insufficient importance to outline his ideas in writing where they could be published and contested, placing him in a position of having to defend them. Also, one wonders just how much time Bolling is actually in Kansas City, since he spends his "vacations" in St. Barthelemy Island in the French West Indies.

William Hecht, who handles Internal Security Committee matters for Ichord, was reported by the Kansas City Star as saying Ichord will not sit still for putting internal security under the Judiciary Committee. The comment also was that Ichord said his ego does not require the committee chairmanship, and that his family would be happy to have some other person do the work. The assignment has brought "considerable harassment which has been unpleasant." This would indicate to the writer that Dick Ichord is sacrificing an easier public life and perhaps richer rewards, for work he considers vital.

While "liberal" newspapers such as the Kansas City Star give him little in affirmative reviews, Ichord's committee, under difficult pressure, conducted hearings into subversive influences in riots, looting and burning in 1968. It conducted the all-important investigations of the Students For A Democratic Society (of which Hayden, husband of Jane Fonda, was a founder), the Black Panthers, and revolutionary parties and organizations. Ichord went before the House on many occasions to warn Congressmen and the coun-

try of Communist leadership and participation in "peace" demonstrations across the country.

In the Congressional Record of March 13, 1972, Ichord placed the context of his speech to the House covering demonstrations planned and the background of the NPAC (National Peace Action Coalition) and the PCPJ (Peoples Coalition for Peace and Justice), and named hundreds of individuals, organizations, and their affiliations. Our Americanism Commission purchased several hundred reprints of this Congressional Record article and mailed them to the Social Studies Departments of high schools in Missouri.

The Internal Security Committee approved the Jane Fonda Bill, which was drafted after Fonda and former Attorney General Ramsey Clark made controversial statements in Hanoi during the Vietnam War. However, the bill was not passed by the House. Later, Ichord's Committee proposed fines and prison terms for persons who willfully travel in restricted areas. This bill is stalled in the House Rules Committee.

Lately, the Internal Security Committee has conducted a study of revolutionary forces in prisons. The American Legion Firing Line publication of November 1973 devoted two pages to the highlights of this investigation and its findings. This is highly recommended reading for all Legionnaires.

I would recommend, as an act of Americanism to help safeguard our Country, in preventing the abolishment of the House Committee on Internal Security, that every Legionnaire write or telephone his Congressman, urging him to vote against abolishment of this Committee. Also, it would be good to drop a card or letter to Congressman Richard Bolling, in care of the Rayburn House Office Building, Washington, D.C. 20515.

## AMERICAN BAR ASSOCIATION: SECTION OF INSURANCE, NEGLIGENCE, AND COMPENSATION LAW

## HON. DAVE MARTIN

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1974

Mr. MARTIN of Nebraska. Mr. Speaker, in view of the efforts being made in some quarters to federalize the workmen's compensation program, I list below a resolution on this subject as approved by the American Bar Association House of Delegates in February 1974:

## AMERICAN BAR ASSOCIATION: SECTION OF INSURANCE, NEGLIGENCE, AND COMPENSATION LAW

*Resolved*, That the American Bar Association reaffirms its position that our Workmen's Compensation systems remain the responsibility of the several states, opposing federal legislation that would infringe upon state systems, and that the states be given every encouragement to effect any necessary improvements in their own statutes;

*Resolved*, That the American Bar Association supports the creation by each state of an advisory commission, charged with the responsibility of studying the Report of the National Commission on State Workmen's Compensation Laws and recommending to its governor and legislature such changes as are essential to modernize that state's Workmen's Compensation Law and the administration thereof;

*Resolved*, That the American Bar Association supports the proposition that all state Workmen's Compensation Laws be reevaluated, commencing on July 1, 1975 (the date established by the National Commission on

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State Workmen's Compensation Laws), by a committee of Workmen's Compensation experts appointed by the President of the United States or the Congress.

#### PROTECTING FARMLAND UNDER THE LAND USE PLANNING ACT

**HON. MORRIS K. UDALL**

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 8, 1974*

Mr. UDALL. Mr. Speaker, the Subcommittee on the Environment recently concluded 3 days of additional hearings on the Land Use Planning Act of 1974, H.R. 10294. I think these hearings were helpful and provided a good forum for additional dialog on this legislation. I am hopeful that some of the fears and misunderstandings concerning the provisions of this bill were answered as a result of these hearings.

One criticism of this legislation made by sincere individuals representing agricultural interests is that this act will be detrimental to agriculture, to the farmers of this country. This allegation disturbs me very much and as the sponsor of this bill I want to assure the Members of the House that this is simply not the case. On the contrary, the act encourages the States in their planning to take into account the significance and importance of agricultural, grazing and forest lands within their borders.

Although the States are left to develop their own substantive policies, planning must focus on our renewable resource lands on which we depend for future food and fiber production. Indeed, the intent of section 412(a)(3) of the bill is to assure that participating States do take measures to protect these renewable resource lands from development which would cause a reduction or loss of long range productivity.

The simple fact is that prime agricultural land is fast becoming a scarce commodity in this Nation under the constant pressure of urban sprawl and fast-buck developments. With the corresponding rise in property taxes that often accompanies such developments, farmers simply cannot afford to remain on the land and farm. For this reason, the Land Use Planning Act would also require States to look at their tax structures.

The question is, can we afford, in the face of increasing national and international food shortages, to let this kind of irrational nonplanning go on—to allow thousands of acres of farm and forest land to be consumed monthly?

This point was eloquently made by Gov. Thomas P. Salmon of Vermont in his testimony during the recent hearings. Governor Salmon's State is primarily rural and agricultural but is vulnerable to developmental pressures because of its proximity to large population centers; his experiences are worthy of our attention. Governor Salmon stated:

All of us in this room know that these United States of America today represent a mobile society. Despite inflation, discretionary income is up, and I suggest to you that there is discernible evidence in this

country today of a back to the land movement, if you will, which in my view will place tremendous pressures on rural States, such as Vermont, and all States in this Union that are located within a stone's throw of major population areas.

And we have also learned this, Mr. Chairman. We have learned that when the competition in the market place comes down to competition between the farmer and the forester and the developer, the developer usually wins because he will pay the long price, and regrettably that has become in this country in very large respects the bottom line. Recent statements of our own Senator George Aiken attest to this.

Senator Humphrey pointed out that the next potential major natural disaster that this planet may face is the scarcity of food, and yet while reasonable men would agree with this principle we sit back idly in this country and we permit every month of every year thousands of tillable acres of land to be converted to nonagricultural uses. Unless we develop a mechanism, Mr. Chairman, in the States with some aid and assistance from the Federal Government to deal with this problem, we have got trouble, and that trouble is spelled with a capital T."

The State of New York has had similar problems and has reacted with what seems to be a sensible program of land use planning to save farmland. A recent article in Farmland News by Alvin S. Fick is an excellent description and analysis of the New York experience and I submit it for the Members' attention. The article follows:

**NEW YORK MOVES TO SAVE FARMLAND AT THE LOCAL LEVEL**

(By Alvin S. Fick)

As population increases, preservation of good farmland for its unique qualities essential to the production of crops assumes more importance. New York state's agricultural districting law has moved into this relatively unguarded breach, providing the means for guidance of the direction of growth and the preservation of open land.

Under the law, which went into effect in June 1971, the decision to protect and preserve viable farmland is a local one which reflects the wishes of the landowners.

There is widespread activity across the state in the formation of districts. "Agriculturalness and ruralness are rather fragile," one Northeastern agriculture spokesman said. "Once gone they seldom return . . . Agricultural districts can provide the occasion for rural people to rededicate themselves to the reasons why they are rural, and to make this rededication a matter of public record."

Since New York's farmer attitudes differ little from those of their Midwestern counterparts, one finds a common ground of sentiment concerning the family farm revealed in a letter written to New York's Environmental Conservation Department by the West family of Cloverlands Farm, Willsboro, N.Y.:

"As owners and operators of a 300-cow dairy, 1,000 acres (owned and rented land) family farm located within the boundaries of one of these proposed districts, we would like to state the following reasons for our active support of the formation of Agricultural Districts within Essex County: . . . As the fourth and fifth generations to own and operate our family farm which dates back to the 1830's, and with three young men who wish to continue in the West tradition of dairy farming, we are very anxious to avail ourselves of every means that will enable our sons to continue on in the business of farming. We feel an Agricultural District would facilitate in ensuring our sons, and others like them in the county, their right to remain on the land."

Economic stresses are the largest factor

in the conversion of farmland to industrial, commercial or residential purposes. As development surrounds the few farmers holding on in a growing area, such elements as taxes and assessments, change rapidly, bringing to bear pressures or presenting tempting offers which the owners cannot resist. It is the supreme irony that these pressures are the greatest around the larger urban areas where open space is most needed and in shortest supply.

During a public hearing in Washington County preliminary to the formation of an agricultural district there, farmer Anthony Turi spoke as follows:

"I am not a native of Cambridge, having come to the area from a part of New Jersey that has seen a rapid change from a semi-rural environment to a highly developed urban area. Most farmers in the area were forced out of farming, primarily because of high taxes brought about by the demands for more services and schools. Some of the farmers attempted to continue farming, but soon found it was impossible and sold out to builders and developers. Others prolonged the inevitable by selling a few building lots annually."

Although many people do not think of New York as an agricultural state, it ranks 14th in the nation in terms of total value of farm production—\$1.1 billion in 1971—and farming is the state's largest single industry. In every state where similar statistics abound, farming is the hub of an industrial complex which employs thousands of people in support firms involved in processing, packaging, selling and transportation, as well as in direct services and goods to the farmer.

Food on the table is the most obvious connection the average citizen has with farming, but he is also tied to the land which nourishes him by an intricate economic web. Less easy to measure than dollars on a graph but no less important is the effect on the environment of millions of acres of open land. In announcing formation of New York's first agricultural district, Commissioner Henry L. Diamond, whose Department of Environmental Conservation administers the new program, said, "Healthy and productive farmland leads to a healthy and productive environment."

The dual role of farming in the production of food essential to the support of life and the preservation of open space buffers is well understood. For aesthetic, psychological and health reasons we need the visual relief from cellular urban living. The cleansing effect on our atmosphere of millions of acres of green open space is incalculable.

Under New York's law, landowners benefit from a mandate that policies of state agencies and local governments must encourage maintenance of viable farming within the districts, and shall not unduly restrict agricultural practices. A limitation is placed on the power of service districts to impose assessments and levies. The exercise of eminent domain is curtailed through a process of public accountability. In addition, farmers in the districts are helped to resist pressures from land speculation through tax relief based on an agricultural assessment ceiling which may be applied to land committed to agricultural use for five years.

Farmers whose land is on the fringe of suburbs may choose to decline making the annual commitment to agricultural purposes in order to preserve their speculative options.

Inquiries concerning its districting program received by New York's Department of Environmental Conservation from state agencies across the nation indicate the groundswell interest in methods of preserving good farmland. In New York, six basic steps are involved in the creation of an agricultural district:

1. Landowner submission of application to county legislative body.

2. Referral by county legislative body to

agricultural advisory committee and county planning board.

3. Public hearing held by county legislative body.

4. Decision by county legislative body.

5. Certification by Department of Environmental Conservation.

6. Final county action.

If no agricultural districting advisory committee exists, one must be formed preliminary to the formation of a district. The committee is made up of four active farmers, four agribusinessmen residing within the county, and a member of the county legislative body who acts as chairman of the committee. Certification by Environmental Conservation encompasses determinations made by the Agricultural Resources Commission and the Office of Planning Services. Care is thus taken to assure that the area to be districted consists primarily of viable agricultural land, and affirms that districting of the area is not incompatible with state comprehensive plans and objectives.

The fact that the formation of agricultural districts in New York is strictly a locally initiated decision has instilled confidence in the program and generated widespread interest among rural residents. Speaking editorially in *The Conservationist* magazine, Robert Hall stated, "... saving farmland from development for non-farming purposes is socially desirable, environmentally necessary, and essential to the production of feed for our growing population ... In the final analysis, it is the control of land use which is the heart of the problem. In the metropolitan areas, planning and zoning—the tools of land use control—have come to be accepted as a necessity. It is in the rural areas, where such tools are increasingly needed, that the strongest opposition exists.

"This isn't hard to understand. The self-reliance, independence and individualism of the countryman, the product of his way of life, are admirable qualities. It is paradoxical that they should also become obstacles to a remedy called for by the threat to that way of life."

One of the protections built into the districting law serves to relieve concern for what may seem to the farmer to be restrictive arrangements which modify his traditional independence. Each district must be reviewed every eight years, and perhaps revised, depending on changes within the county.

Farmer acceptance of these assurances is reflected in the formation of more than 110 districts. Largest of these is one encompassing 58,146 acres in Montgomery County. One area includes the second largest muckland in the United States (only the Florida Everglades is larger), famous for its onions, celery, lettuce, potatoes, corn, spinach, radishes and pumpkins—\$20 million in annual agricultural output. Many others are at various stages in the 6-step formation procedure. In addition, the Cooperative Extension Service estimates that landowners in more than 200 towns are considering the formation of agricultural districts.

Speaking out at a public hearing, Chester Hardt, 141st District Assemblyman, said, "The time has come for all of us to recognize that urban penetration cannot be allowed to continue unchecked, with arrogant disregard for our precious land resources. We have to begin to promote the essential concept of the compatibility of both urban and agricultural growth, realize the basic interdependence of the two, and work towards a realistic compromise between farming and non-farming interests." These precepts apply to the larger farming areas as well as to the more populous states where the urban-rural problem is more acute.

The city dweller tends to equate the rural in visions of rolling green hills and fields, of bosky dells and wooded slopes, perhaps all too infrequently recognizing that the countryside also is the source of the food

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which nourishes him and his family. As much as the farmer needs a thriving populace as a market, even more do those teeming millions need him and the land under his stewardship.

### FOUR YEARS AFTER KENT STATE

#### HON. CHARLES B. RANGEL

OF NEW YORK

#### IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1974

MR. RANGEL. Mr. Speaker, it is now 4 years, almost to the day, since four college students were shot to death and nine others wounded by Ohio National Guardsmen on the campus of Kent State University. On May 14, 1970, two students were shot dead by Mississippi highway patrolmen at Jackson State College.

As a member of the Subcommittee on Civil and Constitutional Rights of the House Judiciary Committee that is presently looking into the matter, I have pressed for a full investigation to answer the unanswered questions.

Peter Davies, author of "The Truth About Kent State: A Challenge to the American Conscience" has written an article which recently appeared in the New York Times. After reading the article I decided to insert it in the CONGRESSIONAL RECORD for the information of my colleagues.

#### FOUR YEARS AFTER KENT STATE, UNANSWERED QUESTIONS

(By Peter Davies)

Unlike previous anniversaries of the May 4, 1970, shootings at Kent State University, today's scheduled ceremony on the campus takes place in the aftermath of Federal grand jury indictments of eight Ohio National Guardsmen and a unanimous United States Supreme Court decision that the parents of the four dead students, as well as the nine wounded, have the right to sue Ohio officials and Guard officers for having violated the students' civil rights.

It is the first anniversary that is not marred by clouds of cover-up and injustice. But what do the eight indictments mean in terms of over-all responsibility for what happened at Kent State four years ago?

None of the guardsmen alleged by the grand jury to have "willfully" assaulted and intimidated the students held ranks higher than that of sergeant, and none are accused of having ordered the shooting or of firing the first shot that triggered the thirteen-second volley of fatal gunfire.

Was there an order to fire? Who bears ultimate responsibility for issuing live ammunition to the hundred or so soldiers sent out to break up a lawful rally? Was the shooting the result of some kind of decision reached at the state, or even the national level, in the context of a natural White House desire to put a lid on campus demonstrations against President Nixon's decision to support the South Vietnamese invasion of Cambodia?

These questions, and more of a specific nature, have not been answered sequentially, the indictment of eight low-ranking guardsmen calls to mind the Watergate burglars and how their indictments and convictions left such an abundance of haunting questions that were not answered until James W. McCord Jr. wrote his famous letter and John Dean appeared before the Senate Watergate Committee.

It is possible that when the trial of the eight gets under way some light will be shed

on why no officers were indicted, and why Sylvester T. Del Corso, former Adjutant General of the Ohio National Guard, has recently refused to comment on the question of who authorized the loading of M-1 rifles.

Beyond the part played by the Guard, there are other curious aspects of the case yet to be fully investigated, either by the Justice Department or Congressman Don Edward's civil rights subcommittee of the House Judiciary Committee. To what extent, for instance, was the administrative hierarchy of Kent State University informed of a possible decision to suppress the demonstration by force? Why did Dr. Robert I. White and Dr. Robert E. Matson, the university's president and vice president at the time, go to lunch in the town of Kent immediately after a meeting with Assistant Adj. General Robert H. Canterbury, at which it was decided that the noon rally on May 4, 1970, would be dispersed by troops equipped for combat? Instead of being on the campus, they were at the restaurant when word came of the shootings.

In 1970, Frank Haas, a guardsman, was intensely questioned by Federal agents when it was discovered that his .45-caliber pistol had been fired, even though he was six miles away from the campus at the time his weapon was used by another guardsman. He was able to satisfy the F.B.I. that it certainly was not possible for him to have used the weapon, but why was this vital fact kept secret? It was not until last October that it was learned publicly, by The Akron Beacon Journal, that someone had fired Frank Haas's .45 on May 4, 1970. Inevitably, this stunning disclosure directed attention to an odd statement in the Justice Department's summary of the F.B.I. report on the Kent State killings: "The F.B.I. is currently in possession of four spent .45 cartridges which came from a weapon not belonging to any person who admitted he fired. The F.B.I. recently obtained all .45's of persons who claimed they did not fire, and is checking them against spent cartridges."

The American people still have not been informed of the result of this check, even though eight guardsmen have been indicted.

As for the eight guardsmen, I wonder to what degree their lawyers are going to feel free to solely represent the interests of their clients at the expense of the interests of former state officials.

Gov. John J. Gilligan of Ohio recently overruled his attorney general and ordered the state to pay the legal expenses of the indicted guardsmen. It is difficult to see how their lawyers, depending upon the state for their fees, can disregard the high stakes involved when it comes to the responsibility for what happened at Kent State.

The local coverup of 1970 was effectively conducted by James A. Rhodes, then Governor of Ohio, and the National Guard officers, Major General Del Corso and Brigadier General Canterbury. This was nationally sustained by the 1971-72 decisions of former United States Attorneys General John N. Mitchell and Richard G. Kleindienst, against permitting a Federal grand jury to hear the case.

The local cover-up was evident in the selection of Seabury Ford as one of the state's special prosecutors for the Ohio grand jury in Portage County, which exonerated the guardsmen and indicted 25 students on various counts. Mr. Ford, once a member of the same guard unit involved in the shootings, told a newsman that the guardsmen "should have shot all the troublemakers."

When Elliot L. Richardson, as Attorney General, reopened the investigation of the Kent State incident last year, it culminated in the indictments. Nevertheless, the burning question on this fourth anniversary is a remarkable reflection of the same question left unanswered by the trial of the Watergate burglars: Who set the wheels in motion that led to the crime and why?

May 8, 1974

THE CRISIS OF FEAST TO FAMINE:  
WILL BREADLINES REPLACE THE  
GASLINES? AMERICA'S BAKERS  
ANALYZE THE WHEAT SUPPLY  
SITUATION

HON. ROBERT A. ROE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1974

Mr. ROE. Mr. Speaker, the exporting of wheat, particularly since the Russian wheat deal, has been a crucial matter of deep concern to all of us and there is no question that the ever-spiraling prices of basic food staples, and particularly wheat, which has long been considered a staff of life, must be curtailed.

In your opening statement to our second session of Congress, Mr. Speaker, you stated:

The administration kept wheat export subsidies at artificially high levels in July and August 1972 even while massive wheat sales to Russia were being consummated... The Department of Agriculture took millions of acres of wheatland out of production at the same time that they were negotiating the huge Russian wheat deal... Members of the House are now hard at work on legislation to assure that should further grain sales be arranged, the abuses we have experienced in the past will not be repeated.

Legislation is indeed needed now. Our congressional efforts with the administration which I have participated in over the past 2 years to recognize the seriousness of this growing problem and take administrative action to resolve same have gone by the wayside. In the absence of definitive action by the administration, as you know, I have introduced considerable legislation seeking a legislative remedy to the continuing shortages crises that are delving into many of our country's critical materials supplies and causing foreign invasion of our Nation's economic security. My most recent legislative action dealing specifically with the wheat situation was to join with Congressman TIERNAN of Rhode Island and others in a bill establishing a National Wheat Council and providing for a wheat export marketing stamps program to regulate the price of wheat in order to stabilize food prices—(my bill H.R. 13679).

Mr. Speaker, my purpose in addressing the Congress today is to advise you of my recent meeting with Mr. Walter Kosenski, president of New Jersey Bakers Board of Trade and Mr. John L. Csenge, vice president-sales marketing of Drake Bakeries, and other representatives of the American Bakers Association in which they expressed their deep concern for the need to halt the export of wheat and work toward restoring America's confidence in having a plentiful supply of wheat in the storage bins of our own country. I hereby submit for consideration by the Members of Congress the following analysis of the wheat supply situation by the American Bakers Association entitled, "Meat, Heat and Now the Wheat Crunch":

MEAT, HEAT AND NOW THE WHEAT CRUNCH  
(An analysis of the wheat supply situation by the American Bakers Association, February 15, 1974)

EXTENSIONS OF REMARKS

WE'RE RUNNING OUT OF WHEAT!

The U.S. is running out of wheat! Impossible! We produce three times more wheat than we consume. But here are the USDA's own figures through February 3, 1974. Read 'em and weep American consumers—

U.S. wheat supply and demand situation  
(Wheat (1973-74 Crop Year))

	Millions of bushels
Supply (as of Feb. 3, 1974):	
Carryover July 1, 1973	438
Crop 1973	1,711
Imports	1
Total supply	2,150
Domestic disappearance (as of Feb. 3, 1974): <sup>1</sup>	
Food	532
Seed	80
Feed	160
	772
Balance left for export	1,378
Exports (as of Feb. 3, 1974):	
Exports shipped	814.7
Exports unshipped	514.2
Estimated wheat exports as flour and other products	50.0
Total destined for export	1,378.9
Carryover July 1, 1974 (deficit)	(0.9)

<sup>1</sup> Statistical Reporting Service U.S.D.A.

Unless the government takes immediate action there could be no bread on our tables for up to four weeks this spring.

No hamburger buns.

No rolls for hot dogs at the ballgames.

No bakery snacks for children.

No birthday cakes.

No pizza.

These are the USDA's own figures. We are not alone in reaching this conclusion with their figures. Frederick Uhlmann, head of the Chicago Board of Trade, also projects a zero total carryover. Yet USDA clings to the official fiction of a 178 million bushel carryover.

FROM SURPLUS TO DEFICIT—THE EXPORT BINGE

At the end of the 1971-72 crop year, the U.S. had a wheat carryover of 863 million bushels, and at the end of the 1972-73 crop year it was 438 million bushels. Yet today we are projecting the smallest wheat carryover in 25 years. How did we get here from there?

The answer begins with the Soviet wheat deal in the summer of 1972, when before officials in USDA realized what was happening, Soviet buyers snapped up over 400 million bushels of wheat at about \$1.65 a bushel. The Russian sale, by itself, was not large enough to create a wheat shortage. But it set off a chain reaction around the world, generating orders from many nations seeking available American wheat. During the crop year ending June 30, 1973, every one of the top 12 foreign destinations for American wheat took more grain than the previous year. With wheat in the vanguard, our agricultural exports increased over 90 percent to \$17.7 billion.

Exports continued at a record pace into the current crop year. As a result, our seemingly inexhaustible store of wheat vanished in just 18 months.

Let's analyze the USDA figures a little further. There are five different classes of wheat.

Hard Red Winter—The basic bread wheat. Soft Red Winter—Used in cakes and snack foods.

White—Used in cakes and snack foods.

Durum—Used in pasta products such as spaghetti, macaroni, and noodles.

Hard Red Spring—Used in rolls and also as a bread wheat blend.

Here is the USDA's latest supply projection for each class:

Hard Red Winter	23.0
Soft Red Winter	6.3
White	9.2
Durum	2.8
Hard Red Spring	67.4
Total	62.7

<sup>1</sup> In millions of bushels as of February 1, 1974.

<sup>2</sup> Exports of flour and other products will amount to an estimated 50 million bushels, leaving an insignificant carryover.

We calculate the necessary carryover for the second quarter of 1974 at 250 to 300 million bushels. This will provide an adequate amount for production processes and the transportation pipeline from farmer, to miller, to baker.

The huge prospective deficit for hard red winter is especially ominous. It means we face the real possibility of a bread blackout. That 23 million bushels would produce over 1.2 billions pounds of bread—enough to feed the entire country for more than a month.

\$7 BILLION IN ADDED COSTS TO CONSUMERS

In 1972, Americans paid \$125 billion for food. In 1973, our total food bill jumped \$14 billion to \$139 billion. Gary L. Seavers, the agricultural expert on the Council of Economic Advisers, has estimated that "perhaps half of the acceleration in food prices could be attributed to factors associated with the worldwide boom in export demand." Thus the export binge has cost the American consumer \$7 billion from his frayed pocket in 1973.

THE USDA'S "NO WIN" POLICY FOR AMERICAN CONSUMERS

Despite the stark, overwhelming evidence of an impending wheat shortage USDA has no idea how much wheat will be needed to assure an adequate domestic supply until the new crop is harvested late this spring and summer. Moreover, USDA maintains it has no responsibility to assure an adequate domestic supply of wheat. USDA believes its only responsibility is to provide a free and open market for buyers and sellers. This may be classic theory but in reality, it means individual American buyers must bid against the state monopolies of Russia, China and other countries, some of whom can buy on generous American credit terms as the Soviet Union did in 1972. It's an exciting game—but the American consumer loses most of the time. The USDA policy amounts to nothing more than Russian roulette with the American grain supply.

The USDA believes American consumers are the richest in the world and should compete with other countries for the commodities they want without favor from their own government. The disastrous results of this policy are plain for all to see.

THE USDA ANSWER—FIRST DENY IT—THEN BLAME SOMEONE ELSE—THEN HOPE ANOTHER COUNTRY WILL BAIL US OUT

Over the past months the USDA has employed three strategies to deal with the growing wheat shortage. First, it attempted to cover-up the problem with a blizzard of press releases denying any shortage. When this became untenable because its own figures revealed the magnitude of the problem, the Department attempted to deny responsibility and shift the blame to millers and bakers.

Secretary Butz advises us we can avoid higher wheat prices later by contracting for our requirements now. The trouble with this idea is that it would force us to trade our bakers' hats for a gambling license. It would commit us to high bread prices for the next five months, or ruin in the marketplace if wheat prices drop.

## EXTENSIONS OF REMARKS

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Cost of Living Council regulations require bakers to reduce their prices when ingredient costs go down. So if one baker can buy flour cheaper than any other, the economics of the marketplace, reinforced by COLC regulations, requires all of them to reduce their bread prices. Thus the risk of extended forward purchasing is too great for most bakers to assume. They simply can't afford to buy flour many months in advance.

Secretary Butz should also recognize that a baker's contract is no guarantee of flour delivery later this year. If all the wheat has been exported by April, there will be none to fulfill his contract in May.

Now the Department is falling back on voluntary schemes to increase domestic supply and reduce exports—such as removing wheat import quotas, encouraging early sale by Canadian and European wheat agencies and negotiating stretch-outs in American export sales. But no one knows whether these devices will leave an adequate domestic supply for the remainder of the crop year.

Our analysis of the USDA's latest strategy leads us to believe that it too will fail. *First*, removal of import quotas is unlikely to generate substantial additional imports. The USDA acknowledged this in recent testimony before the Tariff Commission. *Second*, so long as American prices are less than Canadian and European wheat prices, which they presently are, there is no reason for other nations to shift their purchases. There is a growing suspicion among knowledgeable observers that the Canadians and the Europeans will hold their unsold wheat until the American supply is exhausted, so they can sell it for whatever the traffic will bear, like the Middle East oil sheiks. If this occurs, dollar a loaf bread could look cheap.

*Third*, there is no evidence the export stretch-out strategy is paying off. Actual exports are continuing at a high level. The announced Soviet deferral was relatively small, and has been offset by other sales and shipments. If the Department knows how many bushels can be saved for domestic use by this method over the next five months, it has an obligation to come forward and tell the American people. For if it cannot, then the American economy will truly have been burned far worse than Secretary of the Treasury George Shultz knew last September, when he acknowledged that we had gotten "burned" in the Soviet wheat deal.

(Rubbing salt in our wounds, the Russians have now indicated they might sell us back some of our own wheat, to ease the shortage USDA created, but not at the price we sold it to them, at the going market price—a gigantic profit for the Soviet Union!)

Nothing could more perfectly illustrate the folly of USDA's unlimited export policy. Only through gross mismanagement could the United States, which produces nearly three times more wheat than we consume, reach a position where we are dependent on the good will of foreign governments for the maintenance of our wheat supply.

President Nixon has established a national goal of energy independence by 1980. We believe it is just as important that the United States be independent of foreign nations for our supply of basic foods which we produce in abundance. All our mechanical energy will be of little value if our people lack essential food energy in their diet.

Wheat is the largest single source of human energy, accounting for more than 15 percent of our requirements. In contrast, beef supplies only half of wheat's energy contribution—(7.4%). Paradoxically, while the Food and Drug Administration has just acted to make bread more nutritious by increasing its B vitamin and calcium content, the USDA is following a policy which threatens to remove bread from our stores. Thus, the Federal Government gives with one hand, and takes away with the other.

## WHAT'S THE ANSWER?

There is no easy answer to the wheat shortage. The ABA does not favor an embargo on foreign wheat shipments. We believe wheat farmers should receive a fair price for their crop. We support the commodity export program and recognize its importance to our balance of payments. All we ask is that USDA leave a little for the home folks.

We believe President Nixon started the proper policy for our country last June 13, when he said, "In allocating the products of America's farms between markets abroad and those in the United States, we must put the American consumer first." But this is precisely opposite of what the USDA is doing.

To carry out the President's policy, we recommend as a first necessary step, USDA should determine the minimum wheat supply necessary for domestic consumption during the second quarter of 1974. It should also prepare a plan to assure that supply. This is basic to any intelligent solution.

Then every effort should be made to avoid interference with existing private contracts. Delivery of foreign purchases should be delayed whenever possible into the new crop year. The USDA has attempted to obtain such delays. But we do not know whether these efforts have achieved significant savings of U.S. wheat. It is now time to lift this effort out of the Agriculture bureaucracy and assign it high priority in the White House. The Director of the Council on International Economic Policy should be given responsibility for securing firm agreements from other governments to delay their shipments until after July 1.

Third, the government should review planned concessional sales and donations under the PL 480 program to determine which ones could be postponed without causing undue hardship in foreign lands.

Finally, if these methods do not yield the necessary assured domestic supply, the Secretaries of Commerce and Agriculture should move under the Export Administration Act of 1969, to establish an export licensing system. This should be combined with an immediate announcement that 1973-74 U.S. wheat is "sold out" and that no additional export licenses will be granted for sale of such wheat. This would allow most existing contracts to be filled, but permit the government to adjust actual shipments as necessary to provide an adequate wheat supply for American consumers.

We believe a combination of these actions will succeed in keeping bread on the American table this spring. But obviously, these are emergency measures. They should not be repeated year after year. In the future we must have better planning and a long range policy for allocation of our wheat between domestic needs and foreign markets.

Unless USDA acts, and acts quickly, there may be a bread shortage or no bread in America this spring and summer. People may have to stand in line for a loaf of bread, at much higher prices, the way they now wait in line to buy gasoline.

Bread shortages and empty bakery shelves can be avoided. If there is enough wheat there will be enough bread. But the Agriculture Department gives us nothing but words. We can't bake words and Americans can't eat words. Inaction now will mean breadlines later.

## OIL MONEY AND THE POOR

HON. HENRY B. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1974

Mr. GONZALEZ. Mr. Speaker, everyone in this country realizes the awesome

impact of oil price increases imposed by the Organization of Petroleum Exporting Countries on our own economy. Less well recognized is how much the poor countries have been and will be affected by the oil price hikes. We hear much about what the exporting countries might do in behalf of the poor, but one litmus test of their real intentions is what the Arab nations are doing for their truly desperate Moslem brothers in the sub-Saharan regions of Africa where mass starvation is not merely a threat but a daily fact. Here is a region where the wealthy Moslem countries might well show their concern for the fate of the poor and helpless.

But as a recent article in the New York Times points out, little or nothing has been forthcoming from the oil wealthy states to relieve the extraordinary and terrifying disaster that has overtaken the Sahel area of Africa. If the Arab nations have done so little for their Moslem brothers, I can only wonder how sincere they are in their proclamations of willingness to help other poor countries meet the extraordinary demands placed on them by the OPEC increases in petroleum prices.

The article follows:

[From the New York Times, Apr. 3, 1974]  
OIL BILLIONS FOR THE FEW—SAND FOR THE STARVING

(By Chester L. Cooper)

WASHINGTON.—By the grace of Allah, a few Middle Eastern nations have become rich beyond even the wildest dreams of the fabled potentates of ancient Araby. Through little effort of their own, 55 million people—or, more accurately, their leaders—of Saudi Arabia, Kuwait, Iran, Iraq, Abu Dhabi, Qatar and Libya "earned" \$16 billion in 1973 and are expected to "earn" almost \$65 billion this year. The spice trade was but salt and pepper compared with commerce in black gold.

The roll of the dice and the leaders' greed have combined to raise havoc with the energy-intensive, interdependent economies of Western Europe, Japan and the United States and to jeopardize the development prospects of scores of countries in Africa, Latin America and Asia. Because of quantum jumps in oil prices, worldwide inflation is sharply accelerating. International monetary arrangements, chronically fragile in the most stable of times, are under severe stress. The specter of a worldwide depression is becoming all too real.

Meanwhile, life goes on, at least for some—the lucky ones whose only urgent need is oil. But millions of Africans are facing another, more terrifying crisis. They are dying of thirst and hunger. Unknown thousands have perished over the last year and scores of thousands have fled from baked fields and destroyed herds to rot slowly away in unfamiliar, frightening cities.

On his return recently from the sub-Saharan region of Africa, Secretary-General Waldheim of the United Nations was aghast at what he had witnessed. "Peoples and countries could disappear from the face of the map," he said. "This region has not seen such a disaster in two centuries."

The international community, or rather a part of it has not remained unconcerned. Approximately \$350 million in aid—food, money and services (not including airlifts)—have been contributed to the stricken countries of Senegal, Mali, Mauritania, Chad, Niger and Upper Volta. Of this, the United States, despite domestic problems, has contributed more than a third. The European

Economic Community, racked by balance-of-payment problems and inflation, has contributed slightly less than a third.

The United Nations and its subsidiaries, not including the Food and Agriculture Organization, has given approximately 7 per cent. The F.A.O. has provided separate assistance, largely from American and European contributions. France, West Germany, Canada, China, Nigeria and the Soviet Union have made up the remainder.

On rereading the roster of contributors, one has the feeling that it must be incomplete. Are there not some countries missing? Some of the very rich perhaps? Some Moslem countries, since most of the stricken people south of the Sahara are also Moslems? Some fellow African countries, possibly? We had better review the official data.

Strictly speaking, three countries were overlooked: Libya contributed \$760,000— from the \$2.2 billion it collected in oil revenues last year. Kuwait contributed \$300,000—from the \$2.130 billion of its oil earnings in 1973. But what of Saudi Arabia, which earned twice as much as Libya? Not a dollar in 1973, and only \$2 million so far this year.

And Iraq, which earned as much as Kuwait? Not a penny. Abu Dhabi, which earned over \$7 billion, or about \$23,000 for every one of its inhabitants? Nothing. And Qatar, which earned almost \$400 million, or about \$2,600 per capita? Zero. Bahrain? Zero. Algeria? Another zero. And what of Iran, with almost \$4 billion in oil revenues in 1973 and \$15 billion projected for this year? A further zero.

Altogether, then, the Middle Eastern oil-exporting nations have contributed less than 1 per cent of the total aid to the starving people south of the Sahara.

This is not to say that they remained entirely aloof. Not at all. They raised the price of oil, not only for the rich industrial countries but for the desperately poor ones as well. As a consequence, virtually all of the American financial assistance to the stricken countries of sub-Saharan Africa will be absorbed by the increased cost of their oil imports—a "contribution" by the oil exporters to the needy that should not go unnoticed.

To be sure, the Arab League, with all deliberate speed, has been discussing easing the borrowing terms and doubling to about \$400 million, the capital of the Arab Bank for Economic Development in Africa. And there has been talk of preferential oil prices for some of the developing countries and some desultory discussion of eventually doing something about the famine. But, meanwhile, by the grace of Allah, the oil flows out and the billions flow in. And life goes on, for some.

#### FINANCIAL DISCLOSURE STATEMENT

#### HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1974

Mr. GILMAN. Mr. Speaker, I am pleased to join my colleagues in the New York State Delegation to Congress, in providing data concerning my financial status for 1973. Financial disclosure by public officials is a matter of growing public concern in the interest of assuring the integrity of those who hold positions of public trust.

Recognizing this concern, Congress, from time to time, has addressed itself to the issue of financial disclosure. In 1968, the House adopted rule 44, requiring the disclosure and filing of those

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interests of a Member and of his principal assistants, which might conceivably involve, or appear to involve, any conflict of interest. Closely related to personal financial disclosure is the Federal Election Campaign Act of 1971 which imposed limitations on campaign communications and media spending and established a series of recordkeeping and disclosure requirements furthering the objectives of deterring potential conflicts of interest and minimizing the influence of special interests.

In the present Congress, campaign spending and financing is again an issue of concern, as we continue to seek appropriate means by which to assure equal access to elected public office and to eliminate the high costs of campaign financing which have made aspiring public officials vulnerable to special interests.

I am committed to the objective of eliminating such conflicts of interest, as a cosponsor of the Anderson-Udall "Clean Elections Act of 1973."

Full public disclosure by Members of Congress of their finances is not required by law; House Members being required only to file with the House Committee on Official Standards of Conduct a form listing business interests. I am, therefore, taking this opportunity to further disclose the following of my financial interests, aside from the annual salary I receive as a Member, in recognition that the public confidence entrusted to me in public office imposes a responsibility to make public pertinent information concerning my personal assets and liabilities:

##### FINANCIAL STATEMENT

1. My sources of income, apart from my Congressional salary: \$410.00<sup>1</sup> from the "26th Club," an account for unrestricted, nonpolitical contributions for the reimbursement of travel expenses beyond those officially allowed by the Congress.

2. The identity of my creditors for all unsecured indebtedness: Empire National Bank, Middletown, New York.

3. The sources of all reimbursements for expenditures other than from the U.S. Government: \$410.00 from the 26th Club for transportation (previously noted in item No. 1).

4. Identity of all stocks, bonds and other securities owned outright or beneficially:

(a) Mortgagee on Hare Premises and Diakopoulos Premises in the City of Middletown, New York.

(b) 25 shares of Equitable Gas Company, held in trust for my children.

5. Identity of all business entities and foundations in which a position is maintained as a director, officer, partner, or in which service is performed in an advisory or managerial capacity: I am on leave from the law firm of Gilman, Gilman & Goldstein, Esqs., of Middletown, New York. I have not practiced law since becoming a Member of Congress and I do not receive any income from that firm. My wife, Jane Prizant Gilman, continues to be an active, practicing partner in that firm.

6. In 1973, my total income tax liability (State and Federal) was \$10,490.16 of which \$2061.00 was paid to the State of New York. Federal taxes in the amount of \$9,027.16 were withheld, including an overpayment of \$598,

<sup>1</sup> Income of the 26th Club was included in gross income for tax purposes with offsetting business expense deductions.

leaving a net Federal tax payment of \$8,429.00. Of a total income of \$39,132.08<sup>2</sup> in 1973, 26.8 percent was paid in State and Federal taxes.

Additionally, during 1973, I incurred expenses incidental to my office in the total amount of \$10,641.27 of which only \$7,728.40 was reimbursed.

Mr. Speaker, in addition to this data, I would add that although I made approximately 50 trips to the 26th Congressional District in New York during 1973 and appeared before more than 100 groups, I received no honorariums.

#### ONE HUNDRED AND TWENTY-FIVE MEMBERS FROM 48 STATES HAVE COSPONSORED RARICK'S BILL TO ALLOW A TAX DEDUCTION FOR ADOPTION EXPENSES

#### HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1974

Mr. RARICK. Mr. Speaker, today I reintroduced legislation which would allow taxpayers a personal income tax deduction for expenses incurred in the adoption of a child.

A total of 125 Members, representing 48 of the 50 States—with the exception of Delaware and Vermont—have joined me in cosponsoring this much needed legislation.

I am encouraged by this widespread, bipartisan support that this bill (H.R. 1858) has generated in the House.

Existing law allows a tax deduction for certain medical expenses connected with the birth of a child. It is only right that the Congress act to extend similar tax advantages to those people who seek to provide a home and family for children through legal adoption.

Adoption expenses could run as high as \$1,000 or more for an adoption arranged through a private agency and \$800 for an independent adoption. Even through a public agency which does not charge for their services, attorney fees could cost adoptive parents \$450 or more.

Adoption expenses consist of legal fees, social agency costs which may include medical care of the natural mother and infant, court costs, and the costs of making the necessary social studies to insure that the child is placed in the correct home.

The general range of adoption expenses parallels the cost of medical costs of childbirth. While birth expenses are usually covered by some form of insurance or are tax deductible, adoption expenses are not.

Since many middle- and low-income families who may want to adopt a baby are unable to afford to pay these high expenses, thousands of children remain homeless.

<sup>2</sup> While a Member's authorized annual salary is \$42,500, the first-year income of a Member is \$38,722.08 based on payments from January 3rd to November 30th, 1973. The payment of salary for December, since it was not paid until January 1st, 1974, will be reported as 1974 income.

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The Child Welfare League of America estimates that there are approximately 190,000 children in foster homes and institutions who have not been placed in permanent homes.

Adoption costs are one of the big factors in determining whether or not a child continues as a ward of the State or finds a welcome home and family environment.

At the present time, these thousands of children who are in public institutions and foster homes represent a financial drain on society. They must be supported through public funds or charity.

My proposal would help ease this financial responsibility of the taxpayer, while at the same time offering homes to homeless children.

I originally introduced the adoption bill in the 92d Congress and again early in the first session of this Congress with 57 cosponsors.

I am greatly encouraged by the wide range of support this bill has received in this Congress.

The cosponsors represent a cross section of the country, conservatives and liberals, Republicans and Democrats, whites and blacks. The diversity of the congressional backers indicates to me that there is an increased awareness on the part of Congress of the need to help ease the plight of orphaned and homeless children in this country.

With this broad base of support, I feel certain that the Committee on Ways and Means will be inclined to act favorably on this legislation.

There is nothing more valuable to a child than parents who love him and will help him establish roots and a sense of belonging. Our society owes this much to our children.

I insert a complete list of cosponsors of H.R. 1858 and a copy of the bill following my remarks:

## COSPONSORS OF ADOPTION TAX CREDIT BILL

Alabama: John Buchanan, Tom Bevill.  
Alaska: Don Young.  
Arizona: Sam Steiger, John Rhodes.  
Arkansas: Bill Alexander.  
California: Phil Burton, John Rousselot, Pete Stark, George Brown, Del Clawson, William Ketchum, B. F. Sisk, Ronald Dellums, Alphonzo Bell, Mrs. Yvonne Burke, George Danielson, Carlos Moorhead.  
Colorado: Jim Johnson.  
Connecticut: Mrs. Ella Grasso.  
Florida: Bill Chappell, Don Fuqua, Louis Frey, William Lehman.  
Georgia: Dawson Mathis, John Flynt, Robert Stephens.  
Hawaii: Spark Matsunaga.  
Idaho: Steve Symms.  
Illinois: Robert Hanrahan, Morgan Murphy, Tom Railsback, Robert Michel, Melvin Price.  
Indiana: William Hudnut.  
Iowa: Neal Smith, H. R. Gross.  
Kansas: Larry Winn.  
Kentucky: Romano Mazzoli.  
Louisiana: John Rarick, David Treen, John Breaux, Gillis Long, Mrs. Lindy Boggs, Otto Passman, Joe Waggonner.  
Maine: Peter Kyros.  
Maryland: Lawrence Hogan, Mrs. Marjorie Holt, Robert Bauman, Goodloe Byron.  
Massachusetts: James Burke, Harold Donohue, Robert Drinan, Paul Cronin.  
Michigan: Robert Huber, Donald Riegle.  
Minnesota: Bob Bergland, John Zwach.

Mississippi: David Bowen, G. V. Montgomery.  
Missouri: Gene Taylor, Bill Burlison.  
Montana: John Melcher.  
Nebraska: Charles Thone.  
Nevada: David Towell.  
New Hampshire: James Cleveland.  
New Jersey: Henry Heilstoski, John Hunt.  
New Mexico: Manual Lujan, Harold Runnels.  
New York: Thaddeus Dulski, Hamilton Fish, Frank Horton, Jack Kemp, Otis Pike, Bertram Podell, Charles Rangel, Angelo Ranallo, Lester Wolff.  
North Carolina: David Henderson, Wilmer Mizell, Walter Jones, Charles Rose.  
North Dakota: Mark Andrews.  
Ohio: Wayne Hays, William Minshall, Donald Clancy, Tennyson Guyer, Walter Powell.  
Oklahoma: Happy Camp.  
Oregon: Wendell Wyatt.  
Pennsylvania: Daniel Flood, John Ware, Lawrence Williams.  
Rhode Island: Fernand St Germain.  
South Carolina: Mendel Davis, Edward Young, James Mann.  
South Dakota: Frank Denholm, James Abdnor.  
Tennessee: Ed Jones, John Duncan, Richard Fulton, LaMar Baker, Joe Evins, James Quillen.  
Texas: Omar Burleson, Miss Barbara Jordan, James Collins, Olin Teague, Henry Gonzales, Robert Price.  
Utah: Gunn McKay.  
Virginia: Tom Downing, Kenneth Robinson, David Satterfield.  
Washington: Floyd Hicks, Mike McCormack, Mrs. Julia Butler Hansen, Thomas Foley.  
West Virginia: Ken Hechler.  
Wisconsin: Harold Froehlich.  
Wyoming: Teno Roncalio.  
Guam: Antonio Won Pat.

**H.R. 1858**  
A bill to amend the Internal Revenue Code of 1954 to allow a deduction from gross income for social agency, legal, and related expenses incurred in connection with the adoption of a child by the taxpayer.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) part VII of subchapter B of chapter 1 of the Internal Revenue Code of 1954 (relating to additional itemized deductions for individuals) is amended by redesignating section 219 as section 220 and by inserting after section 218 the following new section:*  
**'Sec. 219. Adoption expenses.**

**"(a) ALLOWANCE OF DEDUCTION.**—There shall be allowed as a deduction the amount of any adoption expenses (as defined in subsection (b)) paid by the taxpayer during the taxable year.

**"(b) DEFINITION.**—As used in this section, the term 'adoption expenses' means expenses which pertain to the legal adoption of a child by the taxpayer, and which are incurred in accordance with applicable State or Federal laws, including social or adoption agency fees, court costs, attorneys' fees, and other necessary costs and fees in connection with the adoption of the child.

**"(c) EXPENSES OTHERWISE ALLOWABLE AS DEDUCTION.**—No amount which is allowable as a deduction under any other provision of this part shall be allowed as a deduction under this section.

**"(b)** The table of sections for part VII of subchapter B of chapter 1 of such Code is amended by striking out "Sec. 219. Cross references."  
and inserting in lieu thereof "Sec. 219. Adoption expenses."  
"Sec. 220. Cross references."

**Sec. 2.** The amendments made by this Act shall apply only with respect to taxable years beginning after December 31, 1972.

May 8, 1974

## REPRESENTATIVE LEHMAN SPEAKS ON FEDERAL DIRECTORS IN EDUCATION

## HON. IKE F. ANDREWS

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1974

Mr. ANDREWS of North Carolina. Mr. Speaker, recently my colleague on the Education and Labor Committee, Mr. LEHMAN, was invited to speak before a joint session of the Florida House and Senate Education Committees on Federal directions in several areas of education.

I am inserting the text of his remarks for the attention and interest of my colleagues:

## SPEECH BY REPRESENTATIVE LEHMAN

It's a great pleasure and honor for me to be here this evening, and I appreciate very much this opportunity to explain some of the directions Congress is taking in the areas of community education, bilingual education, consolidation of educational programs, and the guaranteed student loan program.

I would like to begin with community education, as this is a subject that interests me greatly, and is one in which I have seen some personal success in promoting at the Federal level.

As you may know, both the House and Senate versions of the omnibus education bill include provisions for community education funding by the Federal government. H.R. 69, the House version, contains the "Community Education Development Act," which I authored.

The first year of the program is devoted to planning at both the State and Federal level. \$1 million is authorized for planning grants to the states so that the states will have concrete understanding of how the program can best be administered. At the Federal level, a National Advisory Council on Community Education would be established, with responsibility for establishing guidelines and regulations for the program.

Beginning with Fiscal 1976, \$12.5 million is authorized for grants to the states on the basis of population for allocation to the local educational agencies for the establishment, expansion and improvement of community education programs, on a matching grant basis. \$15 million is authorized for this purpose for FY 77. The state educational agencies would determine how to allocate the funds to the local educational agencies within the state.

Federal assistance is limited, however, to those local educational agencies receiving Title I funds, to determine whether community involvement in education proves beneficial to those students who are educationally disadvantaged.

A program of assistance to the State educational agencies is also established. In both FY 76 and FY 77, \$2.1 million is authorized to strengthen the States' resources in the area of community education. No state could receive more than \$40,000 in each year. Further, and this is important for Florida, if the Commissioner of Education determines that the State's resources are already adequate in this field, these funds may be used for allocation to the local school districts.

\$2 million is authorized for FY 76 and 77 for the purpose of training grants, to be awarded by the Commissioner of Education to institutions of higher education.

\$200,000 is authorized for a national clearinghouse on community education for FY 76, and each succeeding fiscal year, for the collection and dissemination of information

on programs in community education around the nation.

The chief difference between the House and Senate bill is that the Senate bill provides for a system of grants to be made by the Commissioner of Education directly to the local educational agencies, with no provision for matching grants. The bill does provide that the Commissioner shall not approve any application unless the State educational agency has been given an opportunity to review and comment on such application, however.

What is left out of the Senate version is, briefly this: (1) \$1 million in planning grants to the states; and (2) \$4.2 million for strengthening state resources in community education.

I prefer grants going through the State Departments of Education, because I believe this mechanism assures greater coordination among all the various agencies of the State government. This is to be desired in a program such as this, where various kinds of expertise are useful, and perhaps necessary.

Since the passage of H.R. 69 by the House, and the probability that the Senate version will reach the Senate floor for action in the near future, consolidation has become a matter of considerable interest to a variety of groups, including state legislatures.

In return for the President's promise to forward-fund education programs, and in response to complaints of burdensome and duplicative paperwork, the House, in H.R. 69, passed a consolidation plan, which, incidentally, the President finds acceptable. Briefly, the House consolidation plan would merge Title II of ESEA on libraries, Title III of NDEA on equipment, as well as guidance and counselling, into a new category entitled "Library and Instructional Resources," for which \$355 million is authorized.

The secondary category, "Support and Innovation," would consolidate Title III of ESEA, on innovative programs, Title V of ESEA, strengthening state departments of education, Dropout prevention and School Health and Nutrition. The authorization for this category is \$350 million.

As a result of this consolidation, there would be but one allocation to a state instead of 8, 1 state plan instead of 5, 2 grants to local educational agencies instead of 8, and 1 application from a local educational agency instead of 8.

In order for this consolidation to occur, the amounts appropriated for the new categories would have to at least equal the aggregate amounts previously appropriated for the several categorical programs.

In addition, 95% of the funds received by the State under these two categories would have to be passed along to the local educational agencies.

The Senate bill, on the other hand, which the President has not found acceptable, contains three consolidations.

First, it would consolidate and simplify the paperwork necessary for receipt of federal funds. Each state desiring to participate in programs for which federal funds for school districts are made available through the state department of education, would file a single general application. Programs covered by such a general application would include Titles I, II, and III of ESEA, Title III of NDEA on equipment, adult education and vocational education.

Second, the Senate bill would consolidate several programs into a new category entitled "Assistance to the States for Supplemental, Auxiliary and Supportive Educational Services." This would include Titles II, III and V of ESEA, Title III of NDEA, and guidance and counselling.

Third, the Senate bill would consolidate most of the discretionary programs at the elementary and secondary level administered by the Commissioner of Education. This new

## EXTENSIONS OF REMARKS

consolidated program would be called the Special Projects Act, and \$220 million is authorized for it for FY 76, and each of the two succeeding fiscal years.

Bilingual education is another area that has received nationwide attention since the Supreme Court's recent *Lau v Nichols* decision, in which the Court held that the failure of the San Francisco school system to provide special programs designed to rectify the English language deficiency of students of Chinese ancestry who do not understand or speak English, and the failure to provide equal access for these students to the school district's instructional programs, is a violation of Title VI of the 1964 Civil Rights Act.

Questions which were left unanswered by the Court were (1) what is the appropriate remedy and (2) at what point does the duty to provide bilingual instruction arise. The Court remanded the case for the development of an appropriate remedy.

On the Federal level, bilingual education funds are provided for by Title VII of the Elementary and Secondary Education Act. Funds are available, on a project grant basis, for programs in schools having high concentrations of low income children.

For FY 74, the appropriation for this program is \$53 million. In FY 73, the last year for which figures are available, 111,000 children participated in the 217 projects funded by the Act, through the FY 73 appropriation of \$35 million.

80% of these projects served Spanish groups only. Altogether, the 217 projects served a total of 24 language groups.

While the Office of Education estimates that there are 5 million children with English speaking deficiencies, it figures there are only 1.8 to 2.5 million children falling within the mandate of the *Lau* decision.

H.R. 69 makes several changes in the bilingual education program.

First, it expands the eligibility of schools which can be funded under Title VIII to include those which do not have high concentrations of children from low income families. However, these schools would only become eligible after a finding that the needs of the students in schools with such high concentrations have been met. Criteria for determining this would be developed by the Office of Education.

Second, the Commissioner of Education is authorized to make grants to public or non-profit agencies for the purpose of operating research and demonstration projects, and programs designed to provide pre-service and in-service training for bilingual teachers. In this regard, it is significant to note that the National Education Association estimates that at least 84,500 Spanish-speaking teachers are needed. Obviously, there is also a need for teachers with a second language proficiency in other languages as well.

Recently, the General Education Subcommittee held several days of oversight hearings on bilingual education. Mr. Frank Carlucci, Undersecretary of Health, Education and Welfare, appeared before the Subcommittee at that time. In his statement to the Subcommittee, he pointed out that under the *Lau* decision, local education agencies are obligated to develop affirmative action programs for dealing with the bilingual problem, where it exists.

Mr. Carlucci also made plain the Administration's position on what should be the Federal role in bilingual education. According to Mr. Carlucci, it should be one of research, testing, and dissemination of educational approaches, curriculum development and teacher training. He was quite adamant in stating his position that a proper Federal role does NOT include the financial support for the actual provision of educational services. Where a local educational agency is fiscally unable to provide the special educational services, Mr. Carlucci suggests

that the State shoulder the additional burden.

Mr. Carlucci made three recommendations:

First, an increase of \$35 million for Title VII, to allow the Federal government to allocate more funds for training, selected projects and curriculum development, and leaving for later the development of a long term approach to the problem.

Second, he recommended a budget amendment increasing funds available to the National Institute of Education in the amount of \$4.5 million for research in bilingual education.

Third, he recommended an increase of \$5 million above the FY 75 budget request to provide technical assistance to school districts seeking to come into compliance with the *Lau* decision.

What is clear out of all of this is that vastly greater Federal funds are going to be necessary. In FY 73, an average of \$310 in Federal project grant funds was spent on each child participating in a bilingual education program supported by Title VII.

Even taking the Office of Education's low estimate of 1.8 million children in need of such special services, the Federal Government would have to provide \$558 million, more than half a billion dollars, to provide the same kind of program to all of these children, assuming that the average cost per child remains at \$310.

Frankly, I think it's doubtful that you will see such Federal support. In light of the Administration's unwillingness to go beyond the "demonstration project" kind of program with Title VII, State governments are going to have to contribute as well.

Lastly, I will address myself to the guaranteed student loan program. This has been an area of particular concern to the Special Education Subcommittee, of which I am a member, which has jurisdiction over higher education matters, as well as students, parents and lending institutions.

Lenders are faced with problems trying to convince loan applicants that they can't make commitments until other forms are processed; the inability of a lender to make a loan commitment to a student without worrying about learning later that only a portion of it can be subsidized; and the work and costs of collecting interest on non-subsidized loans while the student is in school.

Parents and students have equally trying problems. Often when they seek loans in July and August, they face an application process which often delays receipt of funds until well past the time tuition is due.

Too often, after learning they do not meet the test for eligibility, students and parents discover that the lending institution is unwilling to make them even an unsubsidized loan.

Last year saw a sizable decrease in both the number of students who received guaranteed loans, and the volume of loans. Many have blamed the needs analysis requirement.

Prior to 1972, any student whose adjusted family income was below \$15,000 could qualify for interest subsidies. After the effective date of the 1972 amendments, students whose adjusted family incomes were greater than \$15,000 could also qualify for interest benefits. Regardless of income, however, each student had to submit to a needs analysis conducted by the college. The college then made a recommendation to the lending institution as to the size of the loan needed by the student to meet his or her financial needs. Both the bank and the college were given substantial flexibility in the size of the recommendation.

But the Congress' attempts to broaden the eligibility for student loans has backfired. It seems that once the bank and college have determined through the needs analysis that the student doesn't need a subsidized loan, the student ends up with no loan at all.

## EXTENSIONS OF REMARKS

In the meantime, the default rate in guaranteed student loans has also increased from 4.3% in FY 72 to an estimated 7.2% at the end of this fiscal year. The House appropriations Committee has approved \$30.785 million to pay for increased defaults.

The House and Senate have sent legislation to the President easing the requirements that students would have to meet in order to get a guaranteed student loan. According to the bill, a student whose adjusted family income is less than \$15,000 a year, and who is seeking a loan no greater than \$2,000, would not have to submit to a needs analysis. Need would be presumed.

Looking at the President's budget request for 1975, the President has asked for an additional \$825 million for Basic Opportunity Grants, and an additional \$31 million for subsidies on guaranteed loans and default payments.

On the other hand, the President has recommended a decrease of \$210 million in supplementary opportunity grants and a decrease of \$20 million in college work/study programs.

Under this request, BOG grants would be available to all students. The average grant would be \$800, with the maximum grant \$1400.

The basic thrust of the Administration's budget request is toward increased assistance to students, rather than institutions.

A problem which will probably be receiving more and more attention as an increasing number of states pass legislation whereby the age of majority is 18, is who is actually financially responsible for the student's education, and can we look at the parents' financial situation to determine whether or not the student should receive assistance.

As one witness at our hearings testified, "It is the student and not the parent who has the primary responsibility to repay the loan which has been borrowed for educational purposes. Given this fact, it seems incongruous to have the amount of that loan based on parental resources."

We will be hearing this more and more, as students apply for loans who are, in a real sense, emancipated and therefore not legally dependent on their parents' income.

I'd also like to say a brief word about Title I funds under H.R. 69. Florida's allocation increases to \$56,173,000 under H.R. 69, from \$25,295,000 in actual FY 74 allocations. That's an increase of close to \$31 million, and doubles this year's allocation.

## TRANSCRIPTS OF PRESIDENTIAL CONVERSATIONS

## HON. DONALD W. RIEGLE, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1974

Mr. RIEGLE. Mr. Speaker, I am inserting in today's RECORD two important newspaper editorials. One comes from the Wall Street Journal of May 7, 1974, the other from the Flint Journal of May 5, 1974. Both editorials bear on the edited transcripts of Presidential conversations, and are especially relevant at this time.

[From the Flint Journal, May 5, 1974]

## TAPES RUIN IMAGE NIXON SOUGHT

One month ago, The Flint Journal called for the resignation of President Richard M. Nixon as the "only decent and clean way out" of what we saw as an impossible situation.

It is only right that we do as most people are doing today: Reassess our position in the light of the release by the President of tran-

scripts covering most of the tapes sought by the House Judiciary Committee.

In doing so, it should be borne in mind that our decision to urge him to resign was not based upon any determination by The Journal that the President had either unlawfully engaged in covering up criminal acts or that there was criminal fraud involved in his underpayment of nearly a half-million dollars in his income tax.

The decision was "based upon recognition that the President's reputation is now so seriously stained that his continuation in office presents a burden no longer tolerable to the overwhelming majority of the people."

The Journal concluded that President Nixon no longer could meet the test of the "essential need of the people for faith in their elected leader."

While avoiding making a determination on whether he obstructed justice or had foreknowledge of criminal acts, we believe the release of the transcripts must have a strong bearing on how the people feel about the man in the White House.

First, there is the fact that again, in a familiar pattern, President Nixon waited until the eleventh hour before responding to strong pressures and then fell short of doing what he said he would do.

(This from the man who repeatedly has accused his opponents of "dragging out" the Watergate investigation for political purposes.)

Once again, he did not respond directly to the House committee, but in a too-carefully staged television appeal asked the public to trust him implicitly and to keep him in office because he is essential to our foreign policy.

(This from the man who time and again has accused his opponents of conducting a "trial by press and television" rather than rightfully letting the law take its course without outside pressures.)

How do these transcripts affect the willingness of the people to respond to leadership from the President in these times of stress?

It is probable that some of the "warts and blemishes" on the tapes of which the President spoke will damage him in the eyes of some of his most loyal supporters. The language is often coarse, the descriptions brutal. But those who eavesdrop (and in essence that is what is being done as the result of the President's approval of pervasive bugging of his own offices) should expect and accept that. Insiders will be aware that Nixon is no worse in this than was President Lyndon B. Johnson, who at least was more imaginative and colorful in his use of scatologic words and obscenities.

It is the President's contention, however, that a study of the tapes will reveal that he righteously rejected proposals to cover up the Watergate offenses.

Again without trying to set what criminal guilt might be involved, surely these quotations from the tapes on the "blackmailers" do not bear out the impression he seeks to make:

"Nixon: let me put it frankly. I wonder if that doesn't have to be continued? Let me put it this way: Let us suppose you get the million bucks and you get the proper way to handle it. You could handle that side?"

"Dean: Uh-huh."

"Nixon: It would seem to me that would be worthwhile."

Another time:

"Nixon: First it is going to take a million dollars to take care of the jackasses who are in jail. That can be arranged."

Another time:

"Dean: You have to wash the money. You can get \$100,000 out of the bank and it all comes in serialized bills."

"Nixon: I understand."

What comes through clearly from these and similar conversations is a President willing

to part with large sums of money to buy time against witnesses "blowing the whistle," but unwilling to offer clemency to them because it would not be politically feasible.

There are other revealing portions in the sea of words, but one in particular should hold meaning from the viewpoint of the trust people can put in Nixon. Quoting from the tapes:

"Dean: . . . When I say this is a growing cancer, I say it for reasons like this. Bud Krogh, in his testimony before the grand jury, was forced to perjure himself. He is haunted by it. Bud said, 'I have not had a pleasant day on my job.' He said, 'I told my wife all about this. The curtain may ring down one of these days, and I may have to face the music, which I am perfectly willing to do.'

"Nixon: What did he perjure himself on, John?

"Dean: Did he know the Cubans. He did."

"Nixon: He said he didn't?"

"Dean: That is right. They didn't press him hard."

"Nixon: He might be able to. . . . I am just trying to think. Perjury is an awful hard rap to prove. If he could just say that I . . . well, go ahead."

It is not what is in these conversations as much as what is lacking that will alienate Richard Nixon even more with a vast number of citizens and make his position as the leading citizen of a still moral nation more untenable.

Where is the indignation over the very idea of blackmail? Where is the instant resolution to "cut out the cancer" of which Dean speaks, not because it might grow but just because it exists? Where is the horror of an honest lawyer over the very idea of perjury rather than contemplation of legal niceties which make it a rap that can be beaten? Where is any spark of compassion for a faithful servant haunted by a crime committed to help his leader?

This is a different picture of President Nixon than most of his followers have clung to. This is not the "law and order" man who promised to fight crime of all kinds. This is not the Quaker moralist whose eulogy of his former chief, Dwight D. Eisenhower, dwelt upon leadership which swells from great moral fiber and innate honesty. This is not the campaigner posing as the inspirational leader who could "bring us together."

No, this is a political creature, caught in a web spun of too great ambition, too self-centered motivation and a grandiose self-image of the indispensable man bedeviled by evil conspirators seeking to thwart his great accomplishments.

After the tax revelations, we became convinced that the foundations upon which President Nixon stood had dwindled so greatly he could no longer successfully serve as the nation's leader.

How much more true it is one month later that his one remaining saving act of grace is to voluntarily leave the White House to his successor.

[From The Wall Street Journal, May 7, 1974]

## THE IMAGINARY MEN

In our first comments on the presidential tapes we remarked that it helps to separate two questions: The general propriety of the conversations, and evidence of impeachable offenses. We have tended to emphasize the latter, and will return to it shortly. But today we would like to lay aside impeachment and other legal issues, and simply address what the conversations tell us about Richard Nixon, his administration and American politics.

This is of course what the rest of the press and the nation at large have been discussing all along, and we should perhaps apologize for the quirk of mind that led us to believe the question on the table was whether to

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impeach the President. In any event, having said so many times over the last year that even without a case for impeachment Watergate will have done enormous harm to the American Republic, we can scarcely disagree with the widespread conclusion that the tapes reveal a flawed mentality.

If the case for criminal complicity does fail, for that matter, it will be only on the narrowest of grounds. The President's attorney will be arguing: Yes the President talked about paying blackmail, yes his words say several times he thought paying the money was the only immediate answer, yes someone might construe that as approval, but no that isn't what he meant, and no his words were not directly connected to the actual payoffs. Even if all this is true, what a defense for a President of the United States to offer.

More broadly, the tapes reveal a whole litany of presidential failings: A casual attitude toward lawbreaking by his subordinates. In particular a casual attitude toward perjury, indeed remarks that some lawyers construe as subornation of perjury. A reach for public deception, in particular a willingness to invoke national security and executive privilege for expedient reasons. A disinclination to probe and question his top subordinates on such questions as moving large monies or "deep sixing" documents. And above all, a general disposition to concentrate almost entirely on the question, what can we get away with? at the expense of the question, what would be right?

Some things can of course be said in exoneration. The President apparently didn't know much before March 21, and part of his reaction was perhaps confusion. The President is not a district attorney, and at least up to a point is entitled to assume that prosecutors will do their job without his help on each fact. There are points, as in sending a message to John Mitchell not to refuse testimony to protect the President, at which he shows a concern with getting the story to law enforcement authorities.

Yet even on a sympathetic reading, the record must be that faced with a mounting crisis, Mr. Nixon reacted deplorably. He was willing to consider patently wrong courses of action. He was willing to trip along, and even conceivably over, the line of outright illegality. He coupled any moves to expose crimes with moves to limit and contain the exposures. And finally, he chose and protected all of the aides whose personalities are so brutally revealed in these conversations.

A preoccupation with image rather than reality, it seems to us, is the characteristic that runs through both the conversations and the faults they reveal. In conversation after conversation, it becomes impossible to tell whether the participants are trying to recall events or concoct a story. One gets the feeling they did not distinguish between the two in their own minds, that to them there was no reality, only the image they could paint.

And always there was a concern not with the meaning of events but with their "PR." When in a conversation with Assistant Attorney General Henry Petersen it became apparent that eventually Mr. Haldeman and Mr. Ehrlichman would have to go, the questions on the President's mind were: Can one go without the other? Should it be before the Magruder testimony or after? Should it be before Dean goes or after?

We come back to a point we have made many times. The inhospitality of the Nixon White House to men of vision, intellect or stature. It is quite impossible to imagine these conversations going on as they did if they had included, to pick two men no longer in the White House at the time, Arthur Burns or Daniel P. Moynihan. To understand why such men were so few there, observe that Leonard Garment, who did see the ex-

## EXTENSIONS OF REMARKS

tent of the danger the moment he learned of it, was treated as an object of faint ridicule.

This is ultimately the President's doing and the President's failing. He has accomplished much and promised more, but he filled his inner world with imaginary men. Empty men committed the type of blunder you would expect of them, and the President himself proved too empty to limit the damage. For this he has paid with his reputation and may yet pay with his job, and to the office and nation he sought to protect and restore, his legacy is further grief and further cynicism.

### MELVIN LAIRD—PART II

#### HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1974

Mr. STEIGER of Wisconsin. Mr. Speaker, yesterday I inserted into the RECORD the first part of an article by syndicated columnist Nick Thimmesch about Melvin Laird. The second part of that piece tells about Mel Laird's life, detailing his political career and giving an excellent view of the man he calls the Master Back-Room Dealer in Waiting. The article follows:

#### MELVIN LAIRD

Who would think that under that warhead dome was a mind conditioned by Wisconsin's old-fashioned Bob LaFollette progressivism? Its attribute are a skepticism about meddling in other nation's affairs, and the old business of walking softly and carrying a big stick.

Both sides of Laird's family were rooted in central Wisconsin, and state politics. His father, a Presbyterian minister, had taken a church in Omaha, Nebr., where Melvin R. Laird, Jr., was born, September 1, 1922. But the following year the Lairds were back in Marshfield, Wisc., the ancestral home. Laird's grandfather, W. Duncan Connor, was Republican county chairman and once served as lieutenant governor. Laird's mother was delegate to Republican National conventions, talked all the time about politics, and later served on the Board of Regents of the University of Wisconsin. When Laird's father left the ministry to take over his wife's family lumber business, he also got into politics, and was elected to the State Senate.

Wood County is dairying, cheesemaking, farming and pulpwood country. It's the kind of area where neighbors bring hot coffee and donuts when there's a death in the family. Nobody's too rich and only the nearby Menominee Indians are really poor; the rest may not have too much but they don't consider themselves poor. Laird mixed with them all.

"When I was 18, my father thought of running for legislature, and I encouraged him," Laird recalls. "I went out and made speeches for him." The Marshfield News-Herald noted that young Laird, while having no vote of his own, "has done more than any voter in the 24th Senatorial district, including Wood, Clark, and Taylor Counties, to push the candidacy of his father."

His father was elected; Mel Laird went off to college, and then joined his two older brothers in the Navy. In 1943, Connor Laird, five years older than Mel, was lost at sea in a minesweeper disaster in the Pacific. A year later, Ensign Melvin Laird, 22, put to sea on the U.S.S. Maddox, a destroyer.

On Jan. 21, 1945, after combat duty near the Philippines, Luzon and the China Coast,

the Maddox was crash-dived by a Japanese kamikaze plane. Eight men were killed and two score wounded, including Ensign Laird, hit by bomb fragments in back and shoulder. On Feb. 15th, Laird's mother wrote the Navy urging that Melvin be sent home immediately because she had already lost one son in the war. Laird remained with the Maddox, which took more kamikaze attacks, was in on the liberation of the Philippines, and got back to the States after V-J Day. Laird was awarded the Purple Heart and other decorations. You can't learn any of this from Laird; he won't talk about it.

He was still in the Navy when his father died unexpectedly March 19, 1946. The preceding October, Laird had married Barbara Masters, whom he met at Carleton College, five years before. Shortly after his father's funeral, Laird announced he would come home after his discharge that summer and run for his father's seat. He was 23. The announcement carried weight. The Lairds and the Connors (his mother's maiden name) were prominent in the area, not only in politics, but in Presbyterianism and in business. Laird, a Scottish name, means "Lord," and though they were hardly aristocratic, the Lairds were leaders in central Wisconsin.

His newspaper ads showed a serious, slim, balding young man stating that he was running for his father's unexpired term, that he served with Halsey's Third Fleet in World War II, that he was a promoter of "Good Government—honest, efficient, economical and representative," and that he was trained in economics and political science.

Toward the end of that summer campaign, Sen. Robert M. LaFollette, Jr., was supposed to be the principal speaker at the Eagles picnic at the Stevens Point fairgrounds, but he didn't show up. Laird filled in and told the crowd of 5,000: "We cannot be secure in peace if men of a certain complexion, of certain racial antecedents, and of certain religious beliefs, flatter themselves with the illusion of a superiority that justifies them in oppressing other men. We can be secure only if we take to heart the great principles upon which this country was founded, that all men are created equal."

(The Third Regiment band then played a concert, then the WLS National Barn Dance was held. A county judge named Joseph R. McCarthy was soon to upset LaFollette in the Senate primary.)

"I was running in the primary against a veteran Republican who had already served in the legislature," Laird recalls. "He called me the kid. But my father left me a good name, and I beat him. I was unopposed in the general election.

"When I got down to Madison, the older men in the legislature did everything they could to help me. I was the youngest person ever to serve in the Wisconsin legislature."

In early 1947, when the legislature convened, Laird looked like a man in his thirties as he posed woodenly with the only Progressive Party member in the state senate. Within a few weeks, Laird authored a reform bill (which passed) requiring legislators to file affidavits for travel expenses; the practice had been to collect trip money whether they traveled home or not. Next, Laird announced opposition to a state bonus for World War II Veterans, thus joining a drive by the Wisconsin unit of the quite liberal American Veterans' Committee.

Next, Laird was eulogized in the progressive Madison Capital Times this way:

"In contrast to the crop of young Republicans who have more moss on their backs than their reactionary leaders. State Sen. Melvin R. Laird, Jr., Marshfield, is a left of center youngster who has already established a reputation for integrity, intelligence and fairness."

Laird became a kind of whiz kid in the

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legislature, sponsoring bills for: compulsory health insurance providing benefits for persons who lost time due to illness; expanding mental health programs; outlawing monopoly practices in the building industry; and cutting the expenses again for state legislators. He also published the "Laird Report" on the state tax system which became a textbook for anyone studying Wisconsin's taxes.

He met a young Democratic state Senator, Gaylord Nelson, in 1948, and they immediately became friends. "Mel was the most formidable senator on the Republican side," Nelson says. "But we'd go to dinner at night and then to my apartment to argue politics. He's tougher than hell, but fair. He was generally middle-of-the-road, but on health matters he was ahead of us. He loves it."

By 1952, Laird was for Taft, seeing in him an appealing sort of dynamic conservative. So at age 30, Laird was a Taft delegate and also a candidate for U.S. Congress. Faced with the charge that he opposed unions, Laird quickly associated himself with a Bill of Rights for the Working Men which allowed for the union shop. He wasn't about to go the Right-to-Work route.

Laird won his congressional seat easily, and the following eight elections as well, although the Seventh District gradually became Democratic. He generally voted conservative on fiscal matters, pushed weapons spending, but championed enough health and welfare issues to keep himself centrist.

Always a stout defender of Wisconsin cheese, Laird attacked cheese imports and insisted that more cheese be included in school lunch programs. "Mel Laird is Dairyland's Best Friend in Washington," so the political ad read. Sensitive, too, to his duck-hunting constituents, he demanded that the Department of the Interior up the goose quota from 14,000 to 25,000, and when the feds used explosions and loud noises to frighten geese away, Laird protested mightily. Drew Pearson roasted him once for fighting to get \$800,000 for the Menominee Indians of his district when Laird showed no enthusiasm for spending money on anti-drug programs, then considered far-out.

He polished and polished his political skills. He was forever photographed with Wisconsin folk—examining hungry deer, the handclasps at Kiwanis, the beaming smiles with the ladies from the League of Women Voters, the stout men at the Republican dinners.

In 1966, Laird's opponent was Norman L. Myhra, 41, who had lost both hands in World War II. Myhra hit hard at Laird in the campaign, and his personal criticism became harsh. Laird got 64 percent of the vote. Myhra, who had been a state senator, needed a job and sounded out Senator Gaylord Nelson about the postmastership at Stevens' Point.

"Mel heard about it and called me," Nelson remembers, "and said if I wanted to appoint him, go ahead. He said he always felt for the guy who worked in the political vineyard." Myhra is still postmaster.

Because his noggin looks like a warhead, because his eyes squint and stare like a pol about to make a deal, because he is a back-room operator, Laird's mind, creativity and even his humanity are usually hidden from view.

His name appears on few bills, but the senior bureaucrats at the Department of Health, Education, and Welfare and at the National Institutes of Health, know Laird as a legislative man who had a lot to do with where the big money was going to go. He did it from the House Appropriations Committee which he was named to in 1953 when he was only 30, and that's something in a crusty old Congress. His two sub-committees, Defense and H.E.W., accounted for appropriations amounting to up to two-thirds of the federal budget.

As ranking minority member of the H.E.W. subcommittee, Laird was a steady, ardent backer of health research. He was the man controlling the levers. Honors: recipient of the 15th Annual Albert Lasker Medical Research Award; Presidential Citation of the American Public Health Association: "Man of the Year" by the American Cancer Society, the National Association for Mental Health, the National Research Foundation to Prevent Blindness and the American Association of Medical Colleges and Universities. A list to warm a do-gooder's heart.

Moreover, in 1957, Laird introduced the very first revenue sharing bill in the Congress. It was beaten of course, but he put it in every year, and the sophisticated bill he offered in 1966 formed the model for the first revenue sharing act passed (1972). He won his revenue-sharing argument in part when the Health Planning and Services Act was passed in 1966, consolidating a batch of categorical aid programs, and thus giving local health units more leeway in administration. Laird forever lamented that there were over 500 bureaus in Washington handing out aid, with great overlapping and waste.

His name seldom appeared in the learned journals, but he had a practicing politician's knowledge of what was going on in the departments at universities, and today he numbers many friends on faculties. That's one reason he urged the military brass to speak on campuses, even during the protest period.

While the intelligentsia frolicked in the Kennedy administration, Laird quietly sought out scholars who differed with conventional liberalism. In 1964, he served as editor of "The Conservative Papers," and the principal contributor on foreign policy was Henry Kissinger. Laird's second Doubleday book was "Republican Papers" (1968), a problem-solving approach to domestic affairs. Among the contributors were Pat Moynihan, then Congressman Charles Goodell, Paul McCracken, Milton Friedman, and a number of Republican congressmen described as progressives.

It is downright difficult to find telling criticism of Laird the Congressional leader. Liberal outfits like the National Committee for an Effective Congress and the Democratic Study Group, usually lamented his views, but saluted his ability. At worse, he was reputed to be steely and shrewd . . . (with) . . . enormous energy and organizational skill," a man who "cultivated the image of a 'pragmatic liberal.'" The Conservative Human Events suspects Laird is a pragmatic liberal.

On Capitol Hill and in party circles, Laird was always dependable. He dispensed beer and cheese from his hideaway office on the Hill, wheeling-and-dealing, and lifting spirits of Democratic and Republican colleagues alike. He served on the G.O.P.'s highest policymaking body, the Republican Coordinating Committee, and was Chairman of the House Republican Conference. He has always been a sort of Chairman of the Board, rather than a President.

Though Laird always argued that it's best to keep our nuclear guard up against the Soviets, his reservations about committing U.S. forces to war date back to the Kennedy years. He delights in telling how in the fall of 1961, he sat in a Chicago hotel room with Adam Yarmolinsky (then in the Pentagon) and Sen. Henry Jackson and citizen Charles Percy. The way Laird tells it (and Percy verifies), Yarmolinsky launched into a passionate essay on the case for Green Berets fighting Communists in jungles. Sen. Jackson was all for it, too. Laird maintained that land war in Asia was no good for the U.S., that superiority in nuclear weaponry and sea power were keys to successful national security.

In the years following, Laird came down hard on the Johnson administration's conduct of the war, and said it was far too protective of the Soviets who were supplying Hanoi. When Nixon got into the 1968 campaign, Laird was recruited for his expertise on H.E.W. as much as defense. He privately urged Nixon to de-Americanize the war, but publicly, Laird accused the Johnson administration with planning a unilateral withdrawal of U.S. troops. Shortly before the election, Laird circulated a story to newsmen that LBJ was being urged to dramatically reduce the war on election eve to help Hubert Humphrey. Naturally, Nixon issued a statement that he couldn't believe such a charge. Willy Laird, the political fighter.

With Nixon the winner, Laird wanted to return to the Congressional seat he had won for the ninth consecutive time (by 64 percent of vote). He was asked to help recruit Sen. Jackson as Defense Secretary, and thought Jackson was signed on. But 24 hours before Nixon's scheduled announcement, Jackson demurred, and Nixon pressed the job on Laird. For months, Laird told visitors, "I didn't want this job in the first place."

The Viet Nam war was raging full force when the Nixon administration took office. Laird was more tuned to the feeling the American public now held on the war, than he was to the plans Nixon and Kissinger were making to negotiate our way with Hanoi, Moscow and Peking. His political urge was to get the hell out fast, but he realized that first, the South Vietnamese would have to be armed to the teeth and tested in battle, while American forces were gradually withdrawn.

Laird's job was to beat down the generals on troop withdrawals, and simultaneously fend off anti-war moves in Congress. He accomplished this by listening to all manner of argument and griping—at the Pentagon and on the Hill—once sitting through a three-day marathon with the Joint Chiefs of Staff over the withdrawal of only 7,000 men. How many cigars, scotches and Manhattans, how many bear-hugs and jokes? How many nights on the narrow bed, fresh sheets by U.S. Navy, in the small room adjacent to his Pentagon office? But the troop withdrawals were announced regularly by Nixon, and the money flowed from Congress to President Thieu's military. And Henry Kissinger kept going to Paris.

He and Kissinger developed a respect for each other's skills, particularly in bending men's wills. Laird usually looked to the immediate impact of an action, while Kissinger pondered the grand design.

When North Korea shot down a U.S. Navy plane in early 1969, Laird opposed the Kissinger view that a retaliatory air-strike would give the administration a new option. Kissinger saw the opportunity for new signals to Peking, Hanoi, and Moscow. Laird thought of the bloody mess if North Korea got into the war. Nixon chose restraint.

When Gen. Earle K. Wheeler, Chairman of the Joint Chiefs, and Kissinger insisted on using American troops in the Cambodian invasion of 1970, Nixon went with them. Laird had recommended that only South Vietnamese troops be employed. In losing, Laird says he reminded Kissinger that, "Next year, when you want to do Laos, Henry, we're going to set some limits. Let's have the South do it alone then." And that's the way it happened in 1971, when the Laotian "incursion" was pulled off with mixed success.

Laird was never against bombing if it were to stop the enemy, but when it was for diplomatic "signaling," as the May 8, 1972, decision to bomb Hanoi (and mine Haiphong) was, well, Laird set his jaw and went along. He liked to let it out that South Vietnam could take care of itself, and he told friends,

privately, which therefore meant publicly, that the deal the North Vietnamese offered in October was good enough. Thus, he opposed the Christmas bombing (which Kissinger urged on Nixon) and losing that one, put a big "X" on the calendar marking Jan. 20, 1973—Nixon's second inauguration. "I'm leaving exactly at noon that day," he told me in December, 1972. But he didn't because Viet Nam dragged on some more.

When he said goodbye to Congress, Laird being a man of Congress, was extravagantly praised. "The finest Secretary of Defense ever," exuded Chairman F. Edward Hébert of the House Armed Services Committee. Most Pentagon watchers agreed that Laird was a good one, better than McNamara.

His three, four-year goals—Vietnamization, ending the draft and developing a new weapons system—were fairly well met. He got the controversial ABM, two nuclear carriers, the B-1 bomber and a new submarine program. He cut the military forces by 1.3 million, severed 300,000 civilian employees and canceled contracts involving 2 million workers. Higher pay for the voluntary Army ate up the savings so the Defense Budget wasn't reduced.

He didn't scrap McNamara's Office Systems Analysis, but he gave the brass more say in the procurement program. He urged young officers to speak on campuses instead of audiences of Reserve Officer Associations and other "choirloft" organizations. He made POWs a political issue.

Civil libertarians bum-rapped him for the Army's spying effort on anti-war and civil rights leaders. When Detroit burned in 1967, in the nation's worst urban riot that year, President Johnson sent Cyrus Vance to find out why there was such chaos in Detroit. Vance came back recommending that the Army develop manuals on every riot-prone city so that fire and police-stations, hospitals, utilities and local troublemakers could be identified and located in emergencies. Attorney General Ramsey Clark and Defense Secretary Clark Clifford approved the plan.

Like many government programs, it continued on its own momentum. When its absurdities were revealed (like putting Sen. Adlai Stevenson's name in a file) in late 1970, civil libertarians screamed without bothering to check the program's origins. Laird appointed a civilian dominated board to oversee military intelligence operations, and to report directly to him instead of the Joint Chiefs of Staff. Even Sen. Sam Ervin, ever vigilant, admits that Laird cleaned up most of the objectionable activities by military intelligence agents.

Laird says one of his worst days at the Pentagon was when a swatch of H.R. (Bob) Haldeman's resignation forms for top staffers were delivered to his office. "It was humiliating for some men to be asked to sign one, after months or years of hard work," Laird told me, "so I called in some of the fellows for a cup of coffee. I told them it would be best to fill them out, and I would then put them all away in a drawer and let the White House come get them."

He was shrewd enough to rule that requests from other government departments, including the White House, be routed through his alter-ego, Carl Wallace (who even looks a little like Laird). If, say, a fanciful administrator wanted the services of the Navy Band, he had to contend with Wallace. And when David Young, of the National Security Council staff (on loan to John Ehrlichman for plumbing duty) asked the Pentagon to send all its files on one Daniel Ellsberg, well, he was stopped cold. G. Gordon Liddy got the same treatment.

The big head was restless, and instead of sitting alone in the huge, ornamented Secretary of Defense's office—as McNamara did

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like some computerized monk—Laird wandered the halls, striking up conversations with military and civilian alike. He did his defense work, all right, but he couldn't resist his old calling either. He phoned and consoled widows; helped an amputee get into medical school; went to the wedding of the daughter of his black chauffeur; braved campuses.

If Laird does a little time in purgatory, it will be because of his sins of expediency at Defense. He authorized a "separate reporting system" on secret air-strikes in Cambodia—a deception. To keep Congress off the administration's back, he exerted his collegial skills to the point of misleading old fans. He fussed arguments to get the A.B.M. and the MIRV. He apparently won his fight with the Brass over Vietnamization by getting Congress to give them these weapons, plus the Trident sub and the B-1. Perhaps the Lord will ultimately understand, but Congressman Otis Pike—who respects Laird—didn't, and indicated he would not vote for him if he were nominated for Vice-President.

Through the worst of it, Laird kept his sense of humor. "God, isn't there any good news around here?" he cried out one day, startling his secretary. "Oh, hell," he said, "If there were, the President would talk about it himself. He leaves the bad news for me." Laird wasn't cheering anyone. Mr. Nixon included, when he left office, in early 1973.

To get his paycheck as senior counsellor for national and international affairs for Readers Digest Laird will travel and maintain contacts with the Digest's world network of enterprises. He will also author an occasional piece. He made his debut in February with, "Let's Not Fool Ourselves About U.S.-Soviet Detente," led in by "A sobering warning from a man who has been studying American-Soviet relations for a quarter of a century." Laird's bottom line advice: "Until we get them (reassuring actions and answers from Moscow), let's not delude ourselves about detente."

Laird takes a hand at editing pieces, too, and makes editorial suggestions. "The Digest is big," he says. "We're going into movies with Huck Finn. We have records, and tapes and books, and 14 editions of the magazine. 700,000 circulation just in Australia. I'll be visiting Europe and Australia this summer."

So Laird has been living with the crinkled old elephant for 33 years. He's always hoped for a centrist path for America. The record of his work and writings shows that. But he's still waiting for it to be fully realized by his Republicans.

"The way the 1972 election went, I thought we had it," he told me one morning in late March. "Now it's put aside by Watergate. We were never Camelot, but we would have been something solid. It's a shame."

"This year will be as bad as 1964, and it will be really bad on incumbents. Voters want them out. But 1976 will be a snap-back year for Republicans. Nobody should look at that presidency seriously until 1975 when the dust is settled. Rockefeller can't really move until then, either, though I think the conservatives will buy Nelson now."

"Jerry Ford might be the kind of leader the country would respond to in 1976. He's forthright, and he can't be looked at in any way but honest."

"I'm going to try and enjoy myself now for a while. Read some good books and travel. But it's hard to stay out, for someone like me who's been kicking around and running for office as long as I have. I like to sit around and talk with people. I did it a few weeks back at a church dinner in Wisconsin. I like to take the Metroliner to New York so I can talk with people on the train. I like those barber shops."

We got up because he had a lunch date at Paul Young's with a longtime friend from Wisconsin, Claude Jasper. As we walked, people hurried by and nobody recognized Laird. He could have been a Main Street tourist.

"The President is going to give me the Freedom Medal tomorrow night," he said. "That will be a nice gathering. My son, John (26) won't be there, though. He's teaching school out in the center city part of Los Angeles. Mostly black and Chicano kids. God, that's something. He really has a fascinating experience. It's the greatest thing in the world to have experiences like that."

## POST CARD REGISTRATION BILL

**HON. JAMES G. MARTIN**

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1974

Mr. MARTIN of North Carolina. Mr. Speaker, this afternoon the ill-conceived post card registration bill bit the dust, deservedly. While my preference would have been to defeat the bill itself, rather than just to defeat the rule providing for its consideration by the House; it is probably good that it happened this way so as to make it a little bit easier for Members who knew it to be bad legislation—but who knew the pressures that were around and about to pass it any way—to help with the funeral.

Few areas of the country can boast of being clear of all vote fraud. It has not been very many years since we had our own problems in North Carolina with fairly significant abuses with absentee ballots. We cannot forget the allegations, some of them substantiated, of fraud in elections in diverse areas of the country. I believe the tide has been turned on the most blatant forms of fraud since the time years ago when one noted urban politician said that the best man to find on election day was the one with a full beard because you could vote him fully bearded, mutton-chopped, mustached, and finally clean shaven. But, fraud is always to be guarded against.

The postcard voter registration bill would have opened a whole new area for fraud—and a whole new area of activity for those who could collect large numbers of the forms. If one thinks it would be impossible, it should be asked why credit card companies are reluctant to mail their cards through the postal facilities of the Nation's Capital.

Had the rule to the post card registration bill been adopted, I would have been on the floor to offer an amendment to the bill which would have authorized—but not required—the States to require that the post card forms be signed by the prospective voter before a notary. In that way, someone would have to identify the registrant. The amendment would have prohibited notaries from charging fees for this service, and the notary, as a State official, would be legally required to seal the form only after being sure whose signature he was witnessing. This would have presented no financial impediment to registration and would have

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significantly impeded fraud. But, nothing could make this proposal completely fraud-free.

I hope that if in the future further thought is given to this type of legislation, the Congress will be very careful to build in safeguards against fraud. To do otherwise would be to dilute the votes of those who really exist and really vote.

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**RIGHT TO LIFE AMENDMENT MAKES THE ROUNDS**


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**HON. LAWRENCE J. HOGAN**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1974

Mr. HOGAN. Mr. Speaker, the pro-life movement is sweeping across the country in the wake of the Supreme Court's January 22, 1973, decision which legalized abortion. It has been associated by many as a Catholic movement, however, it is far more encompassing than that.

The national syndicated columnist, Nick Thimmesch, has a recent article which illustrates the far-reaching support that is behind the pro-life movement. I wish to insert the article in the RECORD at this point:

**RIGHT-TO-LIFE AMENDMENT MAKES THE ROUNDS**

(By Nick Thimmesch)

WASHINGTON.—One issue which many political observers thought would go away when the Supreme Court ruled on it 15 months ago is abortion-on-demand. Abortion keeps popping up as an issue, and the pro-life movement is stronger than ever.

Right-to-Life organizations have expanded across the country, stimulated largely by that Jan. 22, 1973, Supreme Court decision which liberalized abortion and made pro-abortionists shout with joy, in seeming victory.

Political analysts who poked over the remains of the special election in Cincinnati awhile back were surprised to find that one factor which helped elect Thomas Luken was a drive by the Right-to-Life organization on his behalf. Luken had simply taken a stronger anti-abortion view than his opponent.

Similarly, the Right-to-Lifers have pursued candidates for state legislatures, particularly in Missouri and Illinois, to get them on the record as pro-life.

The big push, however, is in Washington where an amendment authored by Sen. James Buckley (Cons.-N.Y.) which would guarantee due process (therefore no deprivation of life) to any "human being" (a term biologists might ascribe to the fetus) is having its hearing in the Senate.

The Right-to-Lifers themselves acknowledge that the hearings, conducted by Sen. Birch Bayh (D-Ind.), have been fair and that their viewpoint has been expressed. There is some lament that the media focused on the appearance of four Roman Catholic cardinals who testified on behalf of the amendment and tended to ignore the pro-life testimony of Protestant and Jewish clergy, thus seemingly making anti-abortion a Catholic issue.

Actually, all but two of the co-sponsors of the Buckley amendment are Protestants. Indeed, the co-sponsors can't be labeled. They include a liberal Democratic Protestant, Sen.

Harold Hughes of Iowa, and a conservative Republican Protestant, Sen. Wallace Bennett of Utah. And Sen. Edward Kennedy (D-Mass.) for some reason is not a co-sponsor.

While the Senate version gets a fair hearing under a Protestant, Bayh, the House version has been bottled up by Rep. Peter Rodino (D-N.J.), a Roman Catholic. Actually, Rodino sent the House amendment by Rep. Lawrence Hogan (R-Md.) to subcommittee No. 5 where Rep. Don Edwards (D-Calif.), who is pro-abortion, is chairman. Edwards won't let the Hogan amendment onto the House floor. A discharge petition has netted 80 some signatures, but 218 are needed.

The durability of the Right-to-Life movement, and the persistence of its activists, annoys many pro-abortionists who are coming to realize that the Supreme Court ruling didn't settle this issue at all.

Recently, Harper's Magazine published an article, "Enemies of Abortion," in which the writer, Marion K. Sanders, savaged the pro-life movement, laying all of its inspiration, direction and support on the Roman Catholic hierarchy.

Besides including a number of factual errors, the article so grossly misrepresented the pro-life movement that it had the odd effect of giving encouragement to pro-lifers because to be attacked unfairly shows the opposition must be worried.

Contrary to what Marion Sanders wrote, there is no official link between the National Right to Life Committee, Inc. and the Roman Catholic Church. True, many Right-to-Lifers are Catholics, but the organization includes many Protestants and some Jews. Indeed, the new executive secretary of the national organization, Ray L. White of Salt Lake City, Utah, is a Mormon.

One of the most effective Right-to-Life speakers is a Methodist, Dr. Mildred Jefferson, M.D., a black woman. Yet another is Dr. Paul Ramsey, a leading Protestant thinker on ethics, from Princeton Theological Seminary.

The Right-to-Life movement is primarily concerned with the current abortion binge but also focuses on positive euthanasia, sterilization, medical experimentation, psychosurgery and other activities which threaten the sanctity of life.

Their upcoming national convention, scheduled for June in Washington, will address itself to all these questions, and those who dismiss this organization as a bunch of sign-waving zealots ought to drop around and become educated.

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**TERRIFIC WASTE OF ENERGY VIA THROWAWAY CONTAINERS**


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**HON. MARVIN L. ESCH**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1974

Mr. ESCH. Mr. Speaker, it was estimated recently that packaging of beer and soft drinks in approximately 60 billion throwaway containers in 1972 resulted in the waste of 211.5 trillion British Thermal Units of energy. That amount of energy would be the equivalent of enough electricity to supply the electrical needs of 9.1 million Americans; enough energy to heat 2 million, three-bedroom homes with gas; and enough gasoline—1.69 billion gallons—to operate 1,690,000 automobiles averaging 10 miles per gallon for a driving year of 10,000 miles.

May 8, 1974

When all of us should be making efforts to conserve energy, it seems to me only sensible that we begin a careful review of the throwaway container situation. For that reason, I am today introducing legislation to ban shipment and sale of nonreturnable beverage containers in interstate commerce and to ban all flip top cans. Passage of such legislation would not only assist us in saving energy, it would also be a major step in the battle against litter which imposes a considerable cost burden on States and local communities.

Hearings on this legislation could result in some real eye-opening testimony. For example, according to Environmental Action, throwaway containers made up only 5 percent of the soft drink market in 1965. By 1973 the percentage of throwaway cans and bottles jumped to 65 percent of the domestic soft drink market. The shift from refillable to throwaway containers has resulted in more litter in parks and urban areas; increased the burden on solid waste facilities; increased the amount of energy used for container packaging and increased the costs of throwaway container products.

More than 18 months ago, Oregon enacted mandatory deposit laws and the State's Governor, Tom McCall, says it has been a "rip-roaring success." Vermont too has passed such a law and similar provisions are being considered by a number of other States and local communities. The value of refillable beverage containers is being felt in an increasing number of communities with positive environmental and economic results.

I hope my colleagues will study this legislation carefully and conclude as I have that the energy aspects of this legislation make this a most timely piece of legislation. The bill could also bring relief to consumers by lowering prices and help us clean up America by reducing litter.

The administration now supports the idea of a Federal law banning throwaway bottles and cans, according to John R. Quarles, Jr., deputy administrator of the Environmental Protection Agency. Mr. Quarles, in testimony Tuesday before a Senate subcommittee, expressed the same reservations I have about rushing into nonreturnable containers without an adequate phase-over period. We should recognize that use of nonreturnable containers grew over a period of years and to call a halt to their use in just 6 months on a nationwide basis could be disruptive.

For that reason, I am introducing legislation that would provide for a 3-year phase-in of the ban on throwaway bottles and cans and thus ease the economic impact on the consumer, manufacturers and retailers. It also will set a definite target date for accomplishment of the ban resulting in a much-needed savings on energy use and a cleaner environment. I hope many Members of the House will recognize the need for this

legislation and join in supporting the ban on throwaways.

**"A FINE KETTLE OF ( )"**

**HON. HOWARD W. ROBISON**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1974

Mr. ROBISON of New York. Mr. Speaker, like all of the rest of us here, I spent most of last weekend wading—word by laborious word—through my copy of the "White House Transcripts."

I found this a fascinating, if time-consuming, task—but one also unleavened by humor, since the mood of the participants in the Oval Room conversations was one only very occasionally other than grim.

No conclusions as to my conclusions should be drawn from my so stating, but the point of these remarks is to note that my own increasingly grim mood was, at about that point, brightened considerably by leaving the transcripts long enough to read one of the weekend efforts of John McKelway, familiarly known as "The Rambler," to those of us who subscribe to the "Star-News" here locally. Mr. McKelway's column, entitled "A Fine Kettle of ( )" made me feel a good deal better—for awhile—as I hope it will my colleagues:

**A FINE KETTLE OF ( )**

(By John McKelway)

Following is the transcript of one tape recording of a conversation concerning Overalls as edited and made public by Mrs. Murphy...

Mrs. M.—Hi. Sit down. So now maybe somebody can tell me who the hell threw the overalls in the chowder?

Cook A.—Well, we can certainly say—put it out—that you would be the last person to do that to the chowder. With so much ahead. You wouldn't take the chance.

Cook B.—Uh huh. But there was the meeting back there when you heard we were going—

Mrs. M.—When I decided to have chowder. But I didn't say what was going in the chowder. I stayed away from that one. So we get overalls. Overalls chowder! (expletive deleted).

Cook A.—I got a call from the waiter. He thinks they think he's about to leave. To go over and jump the ship. He's soft. He's started to think maybe he did put the overalls in.

Cook B.—He had plenty of time. Coming from the kitchen into the dining room. He may have had this thing on his mind. He says he slipped the chowder and it tasted like overalls.

Mrs. M.—Did he say right there—out loud—that this stuff tasted like overalls?

Cook A.—Not there. Not there in the dining room. He just came in the kitchen and said he thought there were overalls in the chowder.

Cook A.—I saw Cook B when I came back from dumping the trash. I didn't know anything about this waiter business.

Mrs. M.—Who?

Cook A.—The waiter. B told me—

Cook B.—Uh huh.

Cook A.—He told me that the waiter

**EXTENSIONS OF REMARKS**

thought there were overalls in the chowder but by then he was back in the dining room where it was all breaking loose. Like somebody had a big live fish right there on the table.

Cook B.—That's when we called you.

Mrs. M.—And I had hoped for a generation of peace in this boardinghouse and somebody puts (unintelligible) overalls in the chowder. Now they'll go to the health department and who do we know over there who could tell us what the waiter may have told them?

Cook A.—All we know is that they've got wind of it. He'll say he's innocent at first but we don't know how long before he cracks and brings us into the thing. We can get up an answer for that.

Mrs. M.—It could be over in a week. They could forget it. Do the networks know?

Cook B.—They're doing a special on chowder and could just bring in the overalls as a tickler.

Mrs. M.—Well, so long as we can say we never saw the overalls. Did anybody see the overalls? I'm ready now to admit the chowder tasted like overalls but that doesn't mean—it doesn't follow—the overalls were in there. Will the waiter tell them that?

Cook A.—He'll never get in that position—I mean wearing the overalls and getting in the chowder. They'll never think that through. He's such a, well, an unintelligible anyway.

Mrs. M.—Yeah.

Cook B.—Uh huh.

Mrs. M.—All right. Forget the chowder tonight. Go with the stew. Put it out and see if they'll swallow that.

**PROBLEMS OF VIETNAM VETERANS**

**HON. JOHN W. WYDLER**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1974

Mr. WYDLER. Mr. Speaker, the problems of the Vietnam veterans are serious ones. Although similar to the problems faced by the veterans in the past wars, the Vietnam conflict being divisive in our Nation seems to have aggravated what is always a difficult adjustment period.

Recently there was held on Long Island a Collegiate Veterans Forum and this was held on Vietnam Veterans Day, March 29, 1974. The schools participating in this forum were the State University of New York at Farmingdale, State University of New York at Stony Brook, C. W. Post College, College at Old Westbury, Southampton College, Hofstra University, New York Institute of Technology, Adelphi University, Nassau County Community College, Suffolk County Community College, and Dowling College. The meeting itself was held at the State University of New York Agricultural and Technical College at Farmingdale.

As a Member of Congress, I attended this meeting and was welcomed by the chairman of the committee, Mr. William Brown as follows:

Dear Congressman: On behalf of the 6½ million Vietnam Era Veterans we thank you for coming today.

The Vietnam Era Veteran is faced by many problems ranging from inadequate ed-

ucational benefits to an unemployment rate that is still rising.

We do not plan to solve any problems today; however, we do hope that this is the first step towards correcting our present adverse situation.

Our legislators, the ones who are concerned with our plight that is, are with us today—let our presence here today demonstrate that the Vietnam Era Veteran and their supporters are not complacent and won't be satisfied until the Vietnam Era Veteran receives equitable treatment.

Following are the major problems presented at the meeting:

**PROBLEMS AND POTENTIALS OF VIETNAM ERA VETERANS**

**EDUCATION AND TRAINING: THE GI BILL**

1. The present G.I. Bill discriminates against the veterans who need the most readjustment assistance: minority veterans (50% less G.I. Bill participation than non-minority veterans); veterans in states with high-cost public education (35-60% less G.I. Bill participation than veterans in states with free or low-cost tuition); and veterans with dependents (250% less G.I. Bill participation than single veterans).

2. The World War II G.I. Bill paid the equivalent of \$3,804 (today's buying power) for tuition, books and fees, and provided a monthly subsistence allowance. The Vietnam Era Veteran has \$1,896 per nine-month school year, or \$340 a month less "buying power" than did the World War II veteran. The World War II G.I. Bill enabled program of his choice. Today's G.I. Bill discriminates against all veterans except single veterans in states with readily accessible low-cost public and community colleges.

**VETERANS UNEMPLOYMENT AND UNDEREMPLOYMENT**

1. Vietnam Era Veterans unemployment statistics are now equal to nonveterans. However, many of the employed veterans are in deadend, nonproductive jobs just to exist.

2. 70% of the veterans placed through the Veterans Employment Service were employed in jobs paying less than \$2.05 an hour.

3. There has been much attention devoted to the problems of Vietnam veterans—lack of skills, unemployability, alienation, drug abuse, violence—but there has been no recognition and little utilization of the tangible and intangible skills and assets of the vast majority of Vietnam Veterans: team work, discipline, maturity and training.

**VETERANS' PSYCHOLOGICAL READJUSTMENT**

1. The Veterans Administration has no authority to assist veterans with psychological readjustment problems unless the problems are so severe that they require hospitalization. According to the Veterans Administration the consequences of the VA's inability to provide "preventive mental health care assistance" to Vietnam era veterans includes "major social and economic cost to society stemming from the failure of these veterans to make effective readjustments, as well as personal adverse psychological effects on the veterans and their families who served their country during a long and difficult conflict."

2. A joint VA-Department of Defense study of enlisted Army veterans discharged in September 1971 reported that six months after discharge: one in five was unemployed, one in five had been arrested, and one in six married veterans was divorced or separated from his wife.

**VETERANS DRUG ABUSE**

1. According to a Department of Defense report, 20% of the Army enlisted men in Vietnam during 1971 were addicted to heroin. Of those confirmed drug positive less than

ten percent were using heroin six months after their discharge from the service. Even though most Vietnam veterans were able to refrain from continued heroin use without professional help or rehabilitation, the stigma of drug abuse is still attached to veterans.

2. Veterans still abuse drugs, mainly barbiturates and amphetamines. Drugs that were readily available in Vietnam to cope with pain, fatigue, or stress are being used by veterans in an illicit therapeutic manner to cope with readjustment problems that are the Nation's responsibility to solve.

#### VETERANS' LESS THAN HONORABLE DISCHARGES

1. There are over 180,000 Vietnam Era Veterans with less than honorable discharges. In most cases these discharges preclude benefits and entail severe stigma for the remainder of the veterans life. Many of these discharges were issued with little regard for individual rights for such offenses as drug use, homosexuality, subversion, and "unfitness".

The present appeal system takes over a year to review a discharge and upgrades less than one in fifty.

#### DISABLED VETS

1. Many of America's most severely disabled veterans are destined to spend the remainder of their lives as social outcasts, subsisting on their disability compensation. The Veteran Administration's efforts to help veterans find a meaningful and productive life in society (apart from monetary compensation) are minimal at best. Over one-half of the seriously disabled Vietnam veterans are unemployed.

#### OTHER AREAS AFFECTING VETERANS

1. Veterans and Families.
2. Veterans in Prison.
3. Veterans Organizations and Their Relation to the Vietnam Veteran.
4. Vietnam Era Organizations and Self Help Projects.
5. Veterans and the Watergate Affair.
6. Veterans and Society.
7. Veterans and the Military.

#### FEDERAL PROBLEMS

1. Initially increase Vietnam Era Veteran benefits to a point comparable to the present cost of living standards.
2. Increase Federal Employment opportunities for the Vietnam Era Veteran.
3. Increase Disability payments and benefits to accurately match present living standards.
4. To provide that each disability case be reviewed without predetermined bias and/or policies.
5. The term of eligibility for educational benefits for the Vietnam Era Veteran should begin at the time his education begins.
6. Formation of Vietnam Era Veterans Affairs Council composed of Vietnam Era Veterans who will act as ombudsmen for complaints of Federal V.A. benefits.
7. Formation of Vietnam Era Veterans Affairs Council units in all V.A. hospitals and counseling offices of Vietnam Era Veterans.
8. Appointment of Non-political Administrators for the Veterans Administrators for the Veterans Administration.
9. Adequate pay for qualified V.A. hospital staff and administrators. No Political Appointees.
10. Relegate educational and disability pay disbursements to Regional offices instead of one main agency.
11. Review of "Bad Paper" discharges by Qualified Vietnam Era Veterans.
12. Improved CONTACT Division in dealing with Veteran problems.
13. Vietnam Era Veterans with service connected drug problems should be given funding for a rehabilitation program of their choice.

## EXTENSIONS OF REMARKS

14. Inclusion of these Goals in the Congressional Record as a permanent record of our grievance.

15. Immediate Congressional Investigation of the Veterans Administration.

16. In conclusion I'd like to move that this forum request the resignation of Donald Johnson of the Veterans Administration.

#### LOCAL COUNTY/TOWNSHIPS

1. Increase awarding of County and Town Jobs to Vietnam Era Veterans instead of Politically-favored individuals.

2. Formation of Vietnam Era Veterans Career/Job Placement Centers—composed of Vietnam Era Veterans.

3. Exemption of Disabled Vietnam Era Veterans from Jury Duty, sales tax, and admissions fees to public County and Locally Sponsored Athletic and Cultural Events and Parks.

4. Exemption of 75% Disabled V.N.E.R.A. Veterans from county/local taxes.

5. Exclusion of any "Duplicate Benefit" clauses in benefits for Disabled Veterans having 30% or more disability.

6. Expanded locally-funded work-study programs on and off campus, with relaxed restrictions on total work hours allowed.

7. A county-sponsored outreach program whereby each returning Vietnam Era Veteran shall receive a mailed packet enumerating all benefits available through "local" auspices. This outreach packet must include an offer making county-sponsored counseling available.

8. A county-sponsored program whereby Vietnam Era circuit-advisors will visit campuses and prominent public places on a regularly scheduled basis. The piece-meal program now in effect is lacking.

9. Veteran preference and free or decreased tuitions and fees at locally funded or sponsored institutions of remedial, vocational or higher learning.

10. Free admission for all veterans to the Nassau Veterans' Memorial Coliseum.

## MARY LASKER HONORED

### HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1974

Mr. CONTE. Mr. Speaker, last week I had the great honor to be a guest at the ceremony at which the Government of France recognized the extraordinary contributions in so many fields of human welfare of Mrs. Mary Lasker by naming her an Officer of the National Order of the Legion of Honor.

I would like to share with my colleagues my pride as an American, and as a friend, in the generosity of spirit and untiring and far-reaching work of this gracious and great lady. The depth and range of her concerns are illustrated by the following two pieces, an article on her efforts to beautify this country that appeared in the New York Times of Sunday, April 28, 1974, and the comments of His Excellency, Ambassador Jacques Kosciusko-Morizet, in conferring the Legion of Honor:

[From the New York Times, Apr. 28, 1974]

MARY LASKER: STILL DETERMINED TO BEAUTIFY THE CITY AND NATION

(By Enid Nemy)

Mary Lasker, a soft-spoken philanthropist who thinks in grand terms, over the years has

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contributed hundreds of thousands of daffodils, azaleas, tulips, chrysanthemums, flowering shrubs and trees to the city. She has also watched a good portion of them wither and disappear, through indifference, neglect and inadequate supervision.

She is, she said, a "frustrated" citizen.

Frustrated she may be, but the woman who has been called "Primavera in an asphalt desert" hasn't given up the battle to beautify the city and the nation. It isn't her only concern—her front-line effort is reserved for medical research ("You have to be alive to enjoy flowers")—but Mrs. Lasker's reserves are formidable.

"What I've done has really been an act of despair on my part," she said, sitting in a tree-framed, flower-filled room of her East Side townhouse. "It's not adequate or sufficient."

It never will be adequate or sufficient unless governments—city, state, and Federal—find a dynamic person to act as a catalyst and step in with "big" plans, she added, leafing through one of her many fat leather-bound albums illustrating plantings throughout the country.

Mrs. Lasker, the widow of the Chicago advertising magnate, Albert D. Lasker, and a top-notch button-holer and lobbyist for a dazzling number of causes, has put herself out of the running for that particular job.

"I'm too busy doing something about the matter of surviving," she said. ". . . I'm very good on what we don't know in medicine . . . it's not the will of God, it's the dumbness of man, and the lack of enterprise and money that's the problem."

A small part of the problem is being helped by the Albert and Mary Lasker Foundation, which she and her husband established in 1942. Half of Mr. Lasker's residual estate, estimated in excess of \$11-million, was willed to the foundation after his death of cancer in 1952.

The foundation supports medical research, presents annual awards in basic research and clinical studies, and gives awards for outstanding medical reporting.

Mrs. Lasker's priorities have remained constant since her marriage to her late husband in 1940 (an earlier marriage, to Paul Reinhardt, an art dealer, ended in 1934).

During their courtship, Mr. Lasker asked her what she wanted to do most in life.

"I want to push the idea of health insurance, and promote research in cancer, tuberculosis and other major diseases," she said.

Friends are still apt to relate a story about the early days of the marriage when Mrs. Lasker was asked by her husband what would make her happy.

"Just fill the house with fresh flowers every day," she said. He did.

A veteran of countless boards and committees involved in medical, charitable and beautification work, Mrs. Lasker is on none of the committees for the country's bicentennial.

"I don't want to be," she said emphatically, but as Agatha Christie would put it, her "little gray cells" have been at work. Mrs. Lasker, herself, probably wouldn't admit to gray cells; she disapproves of depressing colors. Her 7½-story house, facing the East River, is a landscape of Impressionist paintings, crystal, silver, inscribed photographs, all of it set in a snowstorm of white, white and more white—walls, carpets, furniture.

The cells, no matter the color, have come up with a practical idea for a national anniversary tribute. Practical, in Mrs. Lasker's vocabulary, means permanent and beautiful.

"I'm not against learned tracts and giving parties . . . banquets, tableaux, charades and parades," she said, looking at once doubtful but amenable to accepting another point of view. "But I think we should do something to permanently improve our country."

The bright blue eyes shadowed a little, but nothing could dim the pink and white complexion, as she continued: "It's hard to get through to politicians."

"Politicians," she elaborated, "don't understand that people are lonely, depressed and deprived for lack of oxygen and pleasure in green leaves and flowers in big cities."

Some of her current suggestions include planting the highway entrances to New York, including the Major Deegan Parkway, the West Side Highway and the Harlem River Drive, planting daffodils, azaleas and flowering cherries and pears in the parks, and planting trees "all over."

"It's a simple thought to celebrate—and people feel so resentful by the coldness, the steeliness of cities."

Mrs. Lasker's simple thoughts are rarely inexpensive but, she suggested, taken in the context of city and industrial budgets, the cost would not be prohibitive.

"It would take about \$12-million to plant all of Manhattan with trees . . . we'd need about \$90,000 to \$100,000," she estimated. "That's nothing for a city with a budget of \$10- to \$12-billion . . . and maybe the corporations would give big gifts to see the city planted. It makes sense financially, it would help real estate values."

She hoped, too, that public-spirited, wealthy individuals would contribute but, she said, with a voice of experience, she would not do the asking.

"My husband always said don't try to raise money from other people—get it from government—and give what you can yourself. If you get private funds, you are constantly in the position of exchanging money with friends—you know, 'I supported your interest, now you support mine.'

However, she added, hastily, there was no reason why individuals couldn't plant ivy around trees, or telephone the Parks Commissioner with indications of interest, or offerers of help, no matter how small.

About six years ago, Mrs. Lasker gave Central Park 300,000 daffodils and planted 10,000 daffodils and 350 cherry trees along the West Side Highway. Some of the flowers were cut too quickly and many of the trees were left unpruned and unattended.

"The Wagner Administration was receptive to the plantings we did," she reflected. "The Lindsay Administration was unwilling to continue . . . they thought I should not only give the flowers but help with the maintenance."

The tribulations—and Mrs. Lasker still looks a little forlorn and peevish about them—didn't permanently damage her spirit. The 73-year-old woman who left Watertown, Wis., more than half a century ago for Radcliffe, Oxford and New York, can still remember the trees, flowers and fresh air of her hometown. Her own childhood, with a mother who loved and founded parks, enables her now to make excuses for less fortunate children.

"They shouldn't do that," she will say as she comes across a photograph of youngsters walking over the daffodils in Central Park. "But it is lovely to walk in flowers."

Mrs. Lasker said that she had already asked Mayor Beame to plant the city streets. "He said he didn't have the money . . . he can't do everything he'd like to do."

But she has contributed 20,000 tulips to Park Avenue this year, in honor of Mrs. Enid Haupt, a well-known amateur horticulturist (who herself planted 150 cherry trees on Park Avenue and around various churches and hospitals). And she joined her stepchildren in giving hundreds of azaleas, 10,000 daffodils and 300 cherry trees to United Nations Park, in memory of her husband.

## EXTENSIONS OF REMARKS

Despite her love of flowers, Mrs. Lasker admits that her own skill at gardening leaves something to be desired.

"I'm a planner," she said.

Was she not also a power—one of the most powerful women in the country?

"Powerful? I don't know." She thought for a moment "No, if I were really powerful, I'd have gotten more done."

### REMARKS OF HIS EXCELLENCY, AMBASSADOR JACQUES KOSCIUSKO-MORIZET, MAY 1, 1974

Dear Mrs. Lasker, distinguished friends, I would not dare introduce you, Mrs. Lasker, not only because all of us here tonight are your friends, but also because everybody in the United States as well as in Paris, knows you.

Your generosity and your extraordinary devotion have no limits, nor do they have borders.

Your contribution, your marvelous contribution, and your prominent role in the fight against cancer (not forgetting all the other fields of medical research) is invaluable. Thousands and thousands of people owe you and your husband, owe the "Albert and Mary Lasker Foundation", not only their gratitude, but, very often, their very lives.

In addition to this gigantic task, you have taken the time to dedicate yourself to the arts. You own one of the most beautiful and tasteful collections of 19th Century French paintings.

But again, inspired by your deep altruistic spirit, you did not limit yourself to being only a very fine art amateur. In this field you have sponsored, encouraged or helped so many activities, so many people, so many times that even you, I am sure could not keep the entire record.

There is no need to say how we appreciate the splendid and so generous action you have undertaken for Versailles and the Versailles Foundation.

Dear Mrs. Lasker, if I wanted to enumerate all the achievements you are responsible for, here or in France, I could not do so, because, if I did we would never have dinner tonight.

So, among all your qualities and all your high merits, let me emphasize only one, the one which sums them all: that is, your concern for people, your concern for a better world, and your concern for a better understanding among people: as Montaigne and, before him, the Latin author Terence said: "Nothing of what is human is alien to you". That is so true and that is so unfrequent. And those of your friends who gave us the pleasure of being here tonight (as well as those—and they are thousands—who are not here) know that.

Mrs. Lasker, the honor which is bestowed upon you today is the recognition by the government of France for your outstanding services not only to my country but also to the citizens of the world.

For this, please accept the gratitude of my government as well as the gratitude of all the people who are so indebted to you.

Mary Lasker, au nom du Président de la République et en vertu des pouvoirs qui nous sont conférés, nous vous faisons Officier de l'Ordre National de la Légion d'Honneur.

## WANTS GOVERNMENT OFF THEIR BACKS

### HON. STEVEN D. SYMMS

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1974

Mr. SYMMS. Mr. Speaker, the American people are really beginning to feel

the crunch of big government. I am receiving more and more mail from my constituents who want the Government off their backs and out of their pockets. For many people, the recent shortages, caused by wage-price controls primarily, and the creation of more regulatory bureaucracies such as the FEO have been the final straw. Recently I received an outstanding letter from John Church, president of the Lewiston, Idaho, Chamber of Commerce. Mr. Church articulates in a very direct manner the feelings of many people toward "big brother." Mr. Church's letter is as follows:

GREATER LEWISTON  
CHAMBER OF COMMERCE,  
Lewiston, Idaho, March 25, 1974.

Hon. STEVEN D. SYMMS,  
House of Representatives,  
Longworth House Office Building,  
Washington, D.C.

DEAR STEVE: The Economic Stabilization Act, empowering the President to impose wage, price, salary, and rent controls, expires April 30, 1974.

The Nixon Administration has asked that its control authority be extended, in amended form, through December 30, 1975, and Senate Bill 3032 has been introduced to retain mandatory controls over enumerated industries.

The Senate Banking Committee has completed hearings and is now drafting its bill. The House Banking Committee is currently holding hearings.

I urge you to vote against any legislation aimed at extending the authority of the President to impose wage, price, salary, and rent controls under the Economic Stabilization Act beyond April 30, 1974.

It is clear that wage and price controls have not in any way "stabilized" the economy as the Act was intended to do. I offer the following comments in support of this statement.

With respect to wages, the guidelines imposed by the Cost of Living Council for wage increases was a maximum increase of 5.5 percent per year. However, from the information I have read in various publications, it is becoming clear that the labor unions are going to press, and receive, average wage increases above the guidelines due to the rapid rise in prices and the increased corporate profits during 1973. In the February 2, 1974, issue of *Business Week*, excerpts of which are enclosed, it was stated that settlements in 1972 averaged 8.5 percent for wages and benefits. It was also stated that Cost of Living Council Chairman John T. Dunlop has been quoted as saying he wouldn't be surprised if bargaining this year resulted in gains above 8.5 percent. And the statement was made that "Predictions of 10 percent to 12 percent this year are becoming common."

*Business Week's* March 9, 1974, issue revealed its estimate that U. S. corporations will have made more than \$70 billion after taxes during 1973, which amounts to 27 percent more than the \$55.4 billion recorded in 1972. This is the biggest percentage increase since 1955 and the largest dollar increase in U. S. business history.

That same issue revealed *Business Week's* survey of 1,200 companies with total sales of \$261.5 billion in the fourth quarter, which is an increase of 22 percent over the fourth quarter of 1972. The profits of these same companies increased 23 percent and totaled \$15.3 billion. In looking at the entire year 1973, these companies had a 19 percent increase in sales and a 25 percent increase in profits.

The shortages in this country are atrocious and uncalled for. With price ceilings im-

## EXTENSIONS OF REMARKS

posed upon the American manufacturer, production has been curtailed. Capital expenditures have been curtailed. Accordingly, the product manufactured is in short supply.

The effect of price ceilings upon the small retailer or small individual manufacturer is frightening. More and more of these types of businesses are ceasing business because of rising costs of material, labor, "stabilized" prices, and little or no profit. Because of the lack of volume enjoyed by major manufacturers and large corporate business, the incentive to continue to "wait and see" what the government is coming up with next is lost.

In fact, I would venture to guess that the mood for incentive in American business today is lost. Prices are higher than ever in the history of the country. Wages are higher than ever in the history of the country. Shortages are in complete abundance and are curtailing business production worse than ever before. And the Nixon Administration continues to call for economy in government at the same time it is seeking the most gigantic federal budget in the history of the republic.

To buy a gallon of gasoline, if it is available, would have purchased three loaves of bread two years ago. The price of meat has skyrocketed to such proportions that the American consumer has been forced to substitute nutrition for economy.

Commencing on February 28, 1973, when the prime rate of interest was 6 1/4%, the Federal Reserve System's favorite economic indicator changed no less than 16 times to a high of 10 percent. This compares with only four changes in 1972, which saw a high of only 6%. Already in 1974, the prime rate has changed five times, as recent as March 22, when the prime went from 8 3/4 percent to 9 percent.

And the price of gold has recently soared from \$90 to \$160 an ounce.

And Wall Street has reacted to all of this with such furor that the small investor is hoarding investment income allowing institutional investors to control the Dow Jones averages, which have dropped considerably.

The American consumer during 1973, and currently in 1974, is faced with one of the most unpredictable, uncertain, and confusing economies that has been seen since Paul Revere told us the British were coming. It was fine to dump the tea into Boston harbor to protest controls, but this country now hasn't even got the tea. It is even surprising to note that the environmentalists let us keep the harbor.

Take John Doe, upright American Vietnam veteran home from the war taking his wife and three children to church every Sunday, saying the pledge of allegiance before retiring for the evening, registered voter, and supporter of free enterprise, free society, and the beloved Constitution of the United States which protects him from all evil. He's a boy in a local grocery store, receiving some Veteran's benefit assistance from Uncle, but loves to fish, hunt, and go camping in foot-hills that are not controlled by the government and reserved only for backpackers who don't smoke.

Question: Under the current economy of shortages, high prices, and high interest rates, where is John Doe going to get his camper trailer, fishing rod, and rifle? How does a boy who fought his heart out for two years in a jungle and can't return as President of General Motors going to pay for said items? And, finally, can John Doe afford to walk the hallowed halls of Chase Manhattan to pay 12 percent on a loan that he may or may not get, and may or may not be able to pay back?

Furthermore, John Doe, who has eaten C rations, for the duration of his government

controlled draft program, may want to dine occasionally on New York steak. Yet he must limit himself to the staples and "low-priced" meat products while telling his family to "keep the faith, baby".

It is high time politicians stopped worrying about politics and protocol. That was fine at the Philadelphia Convention, but the politicians now have stopped wearing white wigs. Congress must devote itself to looking around the country instead of the stone buildings and themselves. The political implications of wage and price controls be damned! The economic stabilization of the country be cheered!

The American people and the American businessman are tired of being raped by government control. It is time to recognize that there is nothing wrong with a little concept that has been around for years—a little thing called supply and demand. You see, the concept of supply and demand has something controlling it that no other economic indicator has—a big thing called the American people.

Yours very truly,  
JOHN A. CHURCH, President.

## TREE HILL

## HON. CHARLES E. BENNETT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1974

Mr. BENNETT. Mr. Speaker, in Jacksonville there is a beautiful wooded hill which has been untouched by the surrounding increasing population. It is wild and unmolested, protected, by wooded streams, from heavy intrusion. Although some funds have been raised from local contributions for the project, they have not been sufficient to achieve protection of this land. There is in existence the Federal aid in fish and wildlife restoration program providing up to 75 percent reimbursement to State agencies, but so far that course of action has not resulted in a solution. To make it work the State must make application and share in the funding. I sincerely hope that this course of procedure or some other course may yet protect this area.

Mr. Speaker, I have been asked to have included in the RECORD the following resolution of the Duval County School Board on this subject:

## RESOLUTION

Whereas, there exists a natural sanctuary of approximately 41 acres located in the Arlington area between Lone Star Road and the Arlington Expressway; and

Whereas, this natural sanctuary provides a highly desirable living laboratory for the training of young people in environmental education; and

Whereas, the number of acres of such natural sanctuaries is rapidly being diminished by the encroachment of construction for housing and industry; and

Whereas, a highly dedicated group of private citizens have formed a foundation to hopefully purchase and develop the 41 acres described above and have been incorporated into an organization founded in 1970 named PATH; and

Whereas, the voluntary corporation called PATH has been able through the donation of generous private citizens and officials of

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industry to raise the necessary amount to hold an option on the area known as Tree Hill, which option expires in January, 1975; and

Whereas, the PATH organization is seeking through all channels the necessary funding to raise \$500,000 for the purchase of Tree Hill; and

Whereas, the Duval County School Board in accordance with mandates of the State Legislature and by choice have incorporated into the curriculum of the Duval County schools environmental education; and

Whereas, Tree Hill provides an ideal location for field trips for the firsthand study of nature as it has existed for hundreds of years; and

Whereas, the Attorney for the Duval County School Board has ruled that public funds available for the operation of Duval County schools cannot be utilized to contribute to the purchase of Tree Hill;

Now, therefore be it resolved, that the Duval County School Board hereby petitions the City Council of the Consolidated City of Jacksonville, the State Legislative Delegation from Duval County, and the Senators and Representatives of the Congress of the United States representing Duval County, to either approve from appropriated funds or to appropriate the necessary funds for the purchase of Tree Hill in the interest of the children of the Duval County schools and the citizens and taxpayers of Duval County.

## WEST FARMS VILLAGE

## HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1974

Mr. BIAGGI. Mr. Speaker, as Americans view New York City, many would find it hard to believe that this great sprawling urban mass was at one time, a cluster of small almost rural villages. Within my home borough of the Bronx, there still exists one of these original villages, called West Farms. While it is far from the village it was 300 years ago, the community spirit and solidarity which marked the early days of this village still exist today.

A dedicated group of civic minded citizens in the late 1950's formed the Civil War Memorial Committee to try and restore a memorial constructed to honor these residents of West Farms who died in the Civil War. From this, they have branched out and now are involved in an extensive restoration of the famous West Farms Soldiers Cemetery, one of the oldest cemeteries of its kind in the United States.

Mr. Speaker, the history of West Farms Village is a fascinating and enlightening one. At this point in the RECORD, I would like to insert an article printed in the Westchester Historian which describes the history of West Farms. The article was written by the president of the Civil War Memorial Committee, Mr. Bert Sack and I invite my colleagues to read over this excellent narrative describing the West Farms Village from its early days to the present.

The article follows:

WEST FARMS VILLAGE  
(By Bert Sack)

"From little acorns mighty oaks grow" and from little villages great cities grow. The vast borough of the Bronx was once a cluster of small villages which, when knit together, became the Bronx. In the beginning, however, it was all part of Westchester County.

Jonas Bronck was a Dane of some means, who, living in Holland heard of the fine farmland in New York City and anxious to escape religious oppression, came over in 1636. He bought a piece of land extending from the Harlem River to the Bronx River and settled about where present Willis Avenue Bridge connects the Bronx with the rest of the city. At that time New York City was confined to Manhattan Island. The land to the north was Westchester.

Bronck built himself a fine house of stone and tile. Since land was very verdant, and wood was plentiful in that heavily wooded area, he built a dam and a sawmill at about 182nd Street and the Bronx River. Many of West Farm's first houses were built of wood sawed by his mill. The Bronx was not as dangerous as the West, but the Indians did burn Bronck's mill, which was rebuilt a few years later.

In our time we have seen great land booms in Florida and California. The same thing occurred in the Bronx in its early years. Wealthy landowners from New York City, learning of the beautiful country by the Bronx River, bought large parcels of land and built fine manors. A roster of these settlers looks like a map of the Bronx for many Bronx streets bear the names of the owners of those estates.

Land was very cheap and some individual tracts were vast. For instance, Thomas Pell was granted right to all lands from Larchmont to the Bronx River and he erected a village on the site of Westchester Village. This later became the County seat of Westchester. In the 1640's the family of Throgmorton settled on the neck of land jutting into the Sound, now Throgg's Neck. Later after trouble with Indians, Throgmorton moved to a new settlement in New Jersey called New Ark, the site of that other great metropolis.

The Dutch raided the Village of Westchester on March 3, 1656, and changed the name to Osdorp. Later, the English returned and changed the name back to Westchester Village.

On March 3, 1663, Edward Jessup, a Quaker from Fairfield, Connecticut, and John Richardson from Stamford, bought a tract of land from the Indians which extended west to the Bronx River, north to a large lake in Bronx Park and west to Pungay Creek. The Indians called this Uinna-hnng. Jessup called it West Farms to distinguish it from the settlement of Westchester Village. The land extended from the west side of the Bronx River to a chestnut tree south of Jonas Bronck's dam, south to the East River and west to Sackwrahung Brook.

In the division of the land, Jessup took the east part (Hunts Point) and Richardson took the land west to Barretto Street. A woman brought about the most important development of this land. Jessup's wife, who after the death of her husband, married Mr. R. Beecham, and deeded all her former husband's property to her son-in-law, Thomas Hunt, Jr. In 1681 Hunt married Martha Richardson. The land was mapped out and divided into twelve parcels, and then changed hands many times as new settlers arrived in the Village.

Among the early roads was an Indian Lane extending along the Bronx River to Hunts Point, and around the site of Lafayette Avenue and West Farms Road. As the village grew, new roads were laid out; one of the

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earliest in 1704 when Kingsbridge Road (now 182nd Street) was opened. West Farms Road ran to Hunts Point, following the old Indian trail and Morris Park Avenue in 1716.

The industry of West Farms was diversified. There were the paint mills, crockery mills, saw mills, and carpet mills. William Richardson set up two mills on the Bronx River in 1680. In 1734, Stephen De Lancey bought the mills east of Boston Post Road, which south of Tremont Avenue did not exist prior to 1825. The paint mill south of Tremont Avenue and Boston Post Road was the largest and most successful enterprise of the village.

In the days of virgin country and crystal clear waters, the waters of the Bronx River were said to have certain properties beneficial to the washing of wool; so carpet mills came to West Farms. In 1836, Alexander Smith brought his paisley looms to West Farms and established his first mill on the Bronx River. During the Civil War, after the mill burned down, he took his mill to Yonkers.

In 1844, the Mitchell Brothers sold their carpet mill to Alexander Smith who had originated a new process of tufting carpets. Their original loom may be seen in the National Museum in Washington, D.C.

About 1845 there was a tremendous flood in the Bronx River which wrecked dams and caused great damage to the mills. It is said that most of the small stones, now seen in the lower part of the river, were washed down stream in this flood. Though flood and fires struck the carpet mills, they were rebuilt each time and the precious looms saved.

James Sloane (W. & J. Sloane of today) had had a carpet mill here, and bags from a flour mill in the village were used to mend clothes during the Civil War.

West Farms was the stopping place for stage coaches from Danbury and Mamaroneck. An inn near 182nd Street, where the passengers rested before continuing to the city, later became Planters Inn and still later, Johnson's Inn. West Farms was divided into two villages, the Mill Village and the Stage Village, but later they merged into one.

In 1790 Lewis Morris built an arched bridge across the Harlem River, and a road sixty-six feet wide through Morrisania, West Farms and Westchester. The road followed present Third Avenue to 163rd Street, up Spring Hill to Union Avenue and 170th Street. To this point Morris had no trouble about right of way, since all this land belonged to him. From here, he had to buy land to 174th Street for his road. From there it ran northeast to Bryant Avenue, to Tremont Avenue, to West Farms Square where it joined West Farms Road. In 1798, a new road was opened to Eastchester. The new section of the Boston Post Road from 174th Street to West Farms Road was opened in 1825.

The early settlers in the village were "God Fearing," folk who formed congregations and churches. One pioneer church was the West Farms Presbyterian Church. Reverend Isaac Lewis, a missionary from New Rochelle, assisted in the establishment of the new church, in a meeting in Wray's Hall. In 1814 the first subscription for funds for the church, led by Stephen Hunt, brought in \$236.

A parcel of land was acquired by the Church about 200 feet west of the Boston Post Road on Samuels Street (now 180th Street). The church was built on the westerly section with a graveyard surrounding it. The easterly part of the land was purchased by John Butler as a private burial ground and it remained in the Butler family until 1955, when it was taken over by the City of New York. Mr. Butler hired Alfred Pettit to parcel out his cemetery into private plots. Many old families, the Bathgates, Hunts, Leg-

getts, Sherwoods and others, are represented by the names on the tombstones.

Across the street from the church, where now stands the Beck Memorial Church, and a gas station, there were wagon and carriage sheds. Here, also was a Potter's field where strangers, Indians, and slaves were buried. When 180th Street was widened, many old graves were exposed. Among them was that of Capt. William Raspberry, killed in the battle of Cedar Creek, whose remains were moved to the Butler cemetery.

The Church had hard sledding for many years and at first only four regular members. In 1815 the church was built, but was not painted until 1821. The minister's salary was \$500 per year, with the diocese of Westchester contributing \$250, the Missionary Society \$125, and the Church contributing the balance of \$125.

During the 1820's the church borrowed \$1,000 from the trustees of the Town of Westchester Diocese. In 1830 the elders of Westchester demanded repayment of the loan plus \$300 interest. The trustees of the West Farms Presbyterian Church immediately resigned in a body. However two teachers of the church's Sunday School went to New York City to visit the church elder and receiving a letter from him, collected the needed sum and saved the church. They were Miss Ann MacGregor and Miss Nancy Leggett. Miss MacGregor's grave is in the West Farms Cemetery.

But the church had other problems. Among the attendants at the services in 1864 was a black man, possibly a slave. Some members of the church objected to his presence so they left the church to found a new congregation and a new church, the First Dutch Reformed Church of West Farms. They purchased land at 179th Street and Boston Post Road. Not wishing to bury their dead in the West Farms Presbyterian Church cemetery, they sought land for their own burial grounds.

The Hedger-Edwards family owned a large piece of land and a farm near 173rd Street and Boston Post Road. Their family cemetery was at 174th Street and Boone Avenue. This cemetery, which held the remains of some Civil War soldiers, has disappeared. The bodies were removed when the streets were laid out.

Another church, which also had its birth in Wray's Hall, was the Catholic parish of St. Thomas Aquinas. This church was founded in 1878 by Father McGill. Until then the nearest Catholic church was St. Augustine's at Franklin Avenue and Jefferson Place. Later, property was purchased at 176th Street and Southern Boulevard.

In 1844, the West Farms Episcopal Church was formed by Margaret Hunt. Rev. Washington Rodman was its first pastor and was instrumental in the founding of the Home for Incurables, now known as St. Barnabas Hospital. The land on which this institution stands was donated by the Lorillard family and was the site of their mansion.

As the village grew, transportation became a problem. There were stage coaches which came through on their way from Danbury to Nassau Street and Printing House Square in New York. Soon there were lines to Fordham. Then a new form of travel became available. In 1875 a horse car line was begun from 161st Street to West Farms. It was jokingly called Huckleberry Line because it was said travel was so slow the passenger could pick berries as they went along. Later there were other lines. The Boston Post Road line was known as the Green Line and the Third Avenue line as the Yellow Line.

Along the old Boston Post Road route can still be seen the 10th milestone at 186th Street and Boston Post Road. The others have disappeared. The 11th stone stood about

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where the car barn bus garages are at 174th Street, and the 12th stone was at the Bronx Zoo.

Among the fraternal organizations in West Farms in 1852 were the Putnam Lodge of the I.O.O.F. and the Marion Lodge of the Masons. The Masons' Lily Lodge, an offshoot of the Marion Lodge, is still an active Lodge in the Bronx.

In 1846, the village of West Farms was formed and included Fordham and Morrisania. In 1874 West Farms was annexed to New York City and separated from the village of Morrisania. In 1897 the Borough of the Bronx was formed, and in 1823 the County of the Bronx was established.

The Civil War brought excitement to the village which had its share of advocates for both sides. When the draft riots in Westchester Square were stopped by the arrival of militia, the draft rioters marched upon the village of West Farms. Their object was to destroy the rolls of names for the draft board. The village was alerted in time and the rolls hidden. The rioters wrecked the draft office and spent their anger on the railroad, tearing up tracks as far as Yonkers.

Opposite Wray's Hall in West Farm Square was a flag pole around which were held many patriotic demonstrations, parades and political speeches during this period. West Farms furnished several companies of men to the 6th New York Heavy Artillery. Among the Civil War Veterans buried in West Farms Cemetery are Samuel Pierce, whose family owned much of the land where Public School No. 6 now stands; Pvt. John P. Dodge, a member of the family now in the manufacture of telephone cable; and Seaman August Welking, who not only served in the Army but served in the Navy on the ship *Merrimac* before it fell into Confederate hands. Some Civil War Veterans originally buried on Hart's Island were removed to West Farms Cemetery in 1916. A small marker, surrounded by an iron fence, still marks the plot where originally interred on Hart's Island.

As the city grew after the Civil War, the gradual deterioration of old villages came bringing new streets and erasing many old estates. The carpet mills had moved to Yonkers and the flour mills of the Lydiggs, Paint City, and the other mills had disappeared. Little is left of that quaint, busy village of yesteryear. But there is one spot which still remains a glorious reminder of the village's past glory, the old West Farms Cemetery. Veterans of four of this nation's wars, 1812, 1865, 1898 and 1917, are interred here.

When the Civil War ended, the Boys in Blue organized their veterans organization, the Grand Army of the Republic. The two posts best remembered in the Bronx and West Farms were the Vanderbilt Post and the Oliver Hilden Post, 96 G.A.R.

For many years the G.A.R. paraded up Washington Avenue in honor of their comrades. And there were wagons loaded with potted plants to decorate the graves of those who had died in the conflict. Each year they held a memorial service at the West Farms Soldiers Cemetery. Gradually the task was handed over to sons and daughters. Finally services were discontinued.

Then in 1958 when a new group of dedicated patriotic citizens formed to resume services and to care for and improve the cemetery, the city took over the old Butler family cemetery property and erected a high wire fence which helped to keep out vandals. Until then the cemetery had been vandalized and became a dumping ground for neighborhood refuse. The statue of the Civil War soldier, erected by a citizens committee in 1909 was so badly mutilated that the city removed it. The new group, calling themselves the Civil War Memorial Committee was headed

by Bert Sack, descendant of two Civil War Veterans, and W.W.I veteran. The committee repaired the statue and, on November 18, 1959, the statue was rededicated. The committee holds annual Memorial services each May and many prominent Bronxites participate. With the cooperation of the city, the Committee has erected a sign, planted bulbs, trees and flowers, some donated by interested citizens and has erected new stones.

We hope that this cemetery with its memories of the old Village of West Farms will never again fall to such depths.

## PROGRESSIVE MOOD OF MODERN-DAY POLAND

## HON. DAN ROSTENKOWSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1974

Mr. ROSTENKOWSKI. Mr. Speaker, in a recent edition of the Boston Herald American there appeared a very well done article about Poland which was written by Phyllis Battelle, a syndicated columnist with King Features.

In my opinion, Phyllis Battelle not only accurately describes the progressive mood of modern-day Poland, but more important, in her brief article she has managed to capture the resolute spirit of the Polish people.

I hope that my colleagues will find this article both enjoyable and interesting:

[From the Boston Herald American]

LEAVING RUSSIA FOR POLAND LIKE BURSTING INTO SPRING

(By Phyllis Battelle)

WARSAW.—Crossing the border from the U.S.S.R. into Poland is like bursting suddenly out of winter into spring!

The Poles have been under Communist control for 30 years. But never has the Kremlin succeeded in suppressing their wit, courage, friendliness or devout religious (90 percent Catholic) faith.

In Warsaw the girls are slim and dressed as smartly as New York secretaries. The men are clean-shaven, quick to laugh. The people will accept such benefits of a Socialist society as free health care and low-rent state owned apartments—but don't try to muzzle their artists, collectivize their farms, restrict their travel, close their western-oriented night clubs or limit their liberal life styles.

"You as tourists, like we as citizens, can freely go anywhere in Poland without any restrictions," says the director of Orbis, the country's tourist organization, proudly. "And don't worry about language. Our people must learn one western language (as well as Russian) in elementary school. Most choose to speak English."

The city of Warsaw, itself, is a beautiful monument to the courage of its people. "Warsaw must be completely razed to the ground," Hitler cabled his generals on Sept. 1, 1939. Methodically, Nazi troops carried out the order, burning and dynamiting to rubble 84 percent of the buildings.

In two months, they destroyed what it had taken more than 700 years to build.

The Gestapo exterminated 6 million Poles, and deported 2 million more to labor camps in Germany.

When the army of liberation entered Warsaw in 1945, they found only scavenging rats on a dead landscape.

But some millions of Poles had survived. And gradually they returned to the lunar landscape which was their martyred city.

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Hidden in milk cans under the rubble of Warsaw University, architectural documents were found which showed the survivors how to reconstruct Warsaw—to literally raise it from the grace and make it look "like old" again. And that is what these people did in the 1950s. With unprecedented energy and care, they made an entire city of beautiful replicas of their ancient churches, palaces and homes.

Today, one of the most charming areas in the world must be "Old Town"—a quaint, cobblestoned, 1200-acre site of homes and shops and churches, in the center of Warsaw but surrounded by walls made of bricks rescued from the devastation. The townhouses along the area's narrow roads are owned exclusively by the original re-builders of Warsaw. They will be handed down from generation to generation. "Old Town" is the reward and the pride of the Varsovians who came back and reconstructed a city.

So unlike the Soviet Union, Poland refuses to dwell on its unhappy past. And its people refuse to be docile, standing by and taking orders. Much more attuned to a democratic way of life, it seems, the citizens respect private ownership; 80 percent of the land still is privately owned, mostly by farmers. Cooperative apartments are a popular investment for citizens who can afford them, as are private villas in the suburbs. The city has an extraordinarily large number of coffee houses, candlelit supper clubs with jazz groups playing for dancing, restaurants featuring Chinese, French and Russian food, as well as Polish.

The American influence is strong. I saw two baby carriages plastered with Donald Duck decals.

Taxis are plentiful, cheap and operated by English-speaking drivers. I asked one what were the problems of city life in Warsaw, and he said, "Crime." What kind of crime? "Oh, like you, we have all kinds," he said cheerfully.

Our hotel is the new Orbis-Forum, a modern, 34-story, glass-walled addition to the chain of Intercontinental Hotels. It has a luxurious bustle about it, and among its western-style accoutrements are soft toilet tissue, thick bath towels, lush carpeting, quick service, shops and a beauty salon—where I had an excellent shampoo and set in 50 minutes, for \$1.20.

Warsaw abounds with shops which sell the country's tourist bargains in lace, cut-glass, wool tapestries, amber and coral jewelry. And there are 17 theatres which offer a wide variety of entertainment—from Poland's beloved Chopin (whose body is buried in Paris, but whose heart is preserved in a museum here), to satiric political reviews. And if a U.S. visitor ever should be homesick, he can drop in on an Edward Albee play or any of the many cinemas which feature American movies.

It is a unique city, in a country that is Communist without seeming to show it. Its people appear more friendly toward Americans than do most of the western European countries. And the sense of humor is delicious . . .

"In Poland," says a guide drolly, "When you go to the salt mines, you will find they are excellent tourist attractions and health resorts!"

## THE CASE FOR A FEDERAL OIL AND GAS CORPORATION—NO. 29

## HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1974

Mr. HARRINGTON. Mr. Speaker, a year ago the concept of a Federal Oil and

Gas Corporation rarely received mention in the national media. Within a relatively short period of time, however, the Corporation has come to be recognized as a serious legislative proposal. The Los Angeles Times, one of the Nation's most respectable newspapers, has cited the Corporation as a major proposal to reform our Nation's system of energy development. Such recognition of the Corporation idea indicates a growing public awareness and acceptance of the concept, and I would like to insert the Times article into the RECORD for the information of my colleagues:

**PROPOSALS TO CHANGE THE SYSTEM**

(By Donald Bremner)

Some critics of the petroleum industry think something must be wrong with the system to have brought such fuel shortages and higher prices as this country has had recently.

Rejecting arguments by oil spokesmen that the industry has done an impressive job of supplying the ravenous U.S. appetite despite obstacles, these critics offer a variety of remedies, ranging from better statistics to a complete breakup of the industry.

With oil and energy certain to be among the most controversial issues facing it this year, Congress will consider critics' proposals for:

Information reporting. Oil companies now voluntarily submit reports on their output and stocks to the Bureau of Mines on a monthly and annual basis. These are not published for months, however, and government officials have relied mainly on weekly surveys by the industry-supported American Petroleum Institute. But government energy officials say they need complete up-to-date figures from every producer and refiner.

A national energy information system would be set up under a bill sponsored by Sens. Henry Jackson (D-Wash.) and Gaylord Nelson (D-Wis.). A census-like Bureau of Energy Information in the Department of Commerce would collect and coordinate information on energy resources, production and supplies from the public domain and private industry.

Competitive secrets and national security would be safeguarded by a system of three libraries—public, confidential, and secret—giving the public access to the bulk of the data while protecting legitimate secrets. Hearings on the bill are set for this week.

Federal chartering. Sen. Jackson, chairman of the Senate Interior Committee and an influential voice in energy matters, contends that the oil industry is "the most important industry in the United States... it has more impact on life, style, jobs, the environment than any other." Like utilities, he says, oil companies should be chartered and regulated. His bill would require at least the large international companies to obtain charters and comply with regulations yet to be specified. Under his proposal, a federal representative would sit on each firm's board of directors to influence decisions on public questions, particularly overseas negotiations and activities.

Public corporation. Most of the nation's oil and gas reserves are on public lands, only a small fraction of which have been leased to private companies. Sen. Adlai Stevenson III (D-Ill.) and eight other senators sponsored a bill to create a federal oil and gas corporation to explore and develop these resources and distribute the fuels in competition with the existing industry. Independents would have first choice, and the public corporation could get into the pipeline business if necessary to supply them.

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Any profits would go to the U.S. Treasury. The corporation, generally comparable to the TVA, would be controlled by a board appointed by the President and confirmed by the Senate.

Breaking up majors. Several bills have been introduced to break up the vertical integration of the big oil companies and have production, refining and distribution conducted as separate businesses, all in the name of promoting more competition and reducing discriminatory practices. One of the mildest bills, by Sen. Floyd Haskell (D-Colo.), would require the oil companies to divest themselves only of their cross-country pipelines. Separate bills by Sen. Frank Moss (D-Utah), Sen. James Abourezk (D-S.D.), and Rep. Ben Blackburn (R-Ga.), would require the big oil companies to sell all but one phase of their operations.

Passage of one of the complete divestiture bills would mean a breakup comparable to the breakup of Standard Oil at the turn of the century.

Other proposals, while not changing the industry's structure, would change its profits. A "windfall profits" tax lost another round last week, and may be dead for now. But there could be more support for a suggestion by President Nixon to change traditional oil industry tax shelters by abolishing the depletion allowance on overseas oil operations, and reducing the amount of foreign income-tax credits the companies can use to offset U.S. earnings.

**REVIVING COMMONSENSE INSTEAD OF OEO**

**HON. WILLIAM J. SCHERLE**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1974

Mr. SCHERLE. Mr. Speaker, in the May 11, 1974, issue of Human Events, Howard Phillips, the former Director of OEO, makes some highly pertinent remarks concerning hapless legislation to prevent the demise of an experiment run amuck—namely OEO. He correctly points to the fallacies inherent in OEO's original conception, faults which would be perpetuated and compounded by H.R. 14449. Since its inception, OEO has funded projects having nothing to do with reducing poverty in America. Rather, many of them have fostered a negative political bent aimed at wrenching our Nation apart. I echo the cogent sentiments of Mr. Phillips that we must learn from our mistakes, particularly those made in the "Great Society." His article follows for the benefit of my colleagues, who, I hope, will joint with me in defeating this nonsensical piece of legislation:

**H.R. 14449 WOULD REBUILD OEO**

(By Howard Phillips)

With only eight of its 37 members recorded in opposition, the liberal House Committee on Education and Labor has reported out legislation to preserve and extend the ill-conceived "War on Poverty." Rejecting even the very limited compromise efforts of Rep. Albert Quie (R-Minn.), the "save OEO" lobby insisted on, and won, committee approval to move the guts of the Office of Economic Opportunity, virtually intact, to the Department of Health, Education and Welfare,

where it might continue and expand, less vulnerable to public oversight and criticism, as part of the vast HEW apparatus, than in the more exposed environment of OEO.

Although many members of the "save OEO" coalition prefer a continuation of the War on Poverty in a separate agency, H.R. 14449, the HEW transfer approach, is now on the front burner.

The legislation, if approved in its present form by the full membership of the House of Representatives, would establish a Community Action Administration within HEW, manned by the very LBJ and SDS liberals who comprise much of the present staff at the Office of Economic Opportunity. Furthermore, it would assure guaranteed annual income to the more than 185,000 poverty professionals who staff nearly 1,000 locally based, federally funded community action politico-bureaucracies now located in virtually every congressional district in America.

The bill does not just shift OEO to HEW; it increases its power. Specific language in the bill would confirm the influence of private, issue-oriented, liberal groups like the National Council of Churches, the League of Women Voters, the AFL-CIO, and the United Auto Workers, to secure "broadening of the resource base." In addition, the full range of other "private nonprofit" agencies and organizations would be eligible for HEW support to push their favorite causes.

With similar authority at OEO, present and past OEO grantees have included such groups as the Center for the Study of Public Policy (Cambridge, Mass.), the Planned Parenthood Federation of America, the Population Council, the National Sharecroppers Fund, the Children's Foundation, National Civil Service League, National Student Association, the Brookings Institution, Rural Housing Alliance, Change, Inc., the National Council of Senior Citizens, the National Congress of American Indians, the Urban Institute, the National Urban Coalition, and the Southern Christian Leadership Foundation, all charter members of the Liberal Establishment, active in behalf of causes against which the President and most members of Congress have campaigned.

The bill provides for 51-member governing boards of CAAs under prevailing rules which permit such political action groups as Welfare Rights and Gray Panthers (elderly activists) to represent the "private sector," while other seats are turned over to local poverty representatives (usually chosen by well-organized handfuls of political movers and shakers) and designees of local officials (often middle-level, special interest-oriented bureaucrats).

Further control by activist organizations is fostered by language which says the "Director [of the HEW-OEO unit] shall require community action agencies to establish procedures under which . . . representative groups of the poor which feel themselves inadequately represented . . . may petition for adequate representation."

"Representative groups of the poor" have, in the past, been interpreted to include Black Panthers, youth gangs, and ad hoc cadres of Marxist power-seekers.

To remove all doubt about where control of jobs and dollars shall repose, the law would read: "The powers of every community action agency governing board shall include the power to appoint persons to senior staff positions, to determine major personnel, fiscal and program policies, to approve over-all program plans and priorities, and . . . approve proposals for financial assistance."

In addition to community action, the bill would transfer the present legal services program to HEW, without reform. It would also establish in HEW a "Community Food and Nutrition Program" which would authorize

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Hearst-like free food distribution by HEW "without regard to the requirements of such laws for local or state administration or financial participation."

(In 1972, Nixon officials Frank Carlucci and Leonard Garment, acting in response to the President's instructions, used OEO funds to buy off American Indian Movement leaders who were directing the occupation of the Bureau of Indian Affairs.)

An "Environmental Action" program is provided, *à la* the New Deal, for such activities as leaf-raking and federally funded garbage disposal. Other authorized activities include "Senior Opportunities and Services," "Rural Housing Development and Rehabilitation," "Neighborhood Centers" (focal points for consumer protection, "child development," legal services, and the like, at street corner locations throughout America), "Design and Planning Assistance Programs" (free services to private organizations "not otherwise able to afford" their own architects), "Consumer Action and Cooperative Programs" ("to develop means of enforcing consumer rights and educating low-income persons with respect to such rights, procedures, grievances, views and concerns"), "Technical Assistance and Training," "Special Assistance" (a grab-bag section which authorizes the director to fund any private organization to aid those "not being effectively served by other programs").

The extent to which almost any quasi-public, private group with friends in bureaucratic high places can have their para-governmental activities paid by the taxpayer is clear in the section which reads:

"Notwithstanding any other provision of this title, the director is authorized to provide financial assistance in rural areas to public or private nonprofit agencies for any project for which assistance to community action agencies is authorized, if he determines that it is not feasible to establish a community action agency within a reasonable period of time."

Unmindful of past abuses involving human sterilization and abortion of life-capable, unborn boys and girls, the new law would require "that family planning services, including the dissemination of family planning information and *medical assistance and supplies* [emphasis added], are made available to all low-income individuals who meet the criteria for eligibility."

The bill also gives the federal poverty director authority to intrude into the affairs of any elementary or secondary school in America with funding for "special, remedial and other noncurricular educational assistance."

Does fighting poverty justify such an unusual grant of power to a single bureaucratic official? And what about the "rural loan" provision which would give the poverty chief power to make \$3,500, 15-year loans to rural families which fail to qualify for other federal loans? Such authority could be a potent patronage weapon in any political campaign.

One of OEO's most left-wing programs has been the SDS-dominated migrant and seasonal farm worker system of grants which too often go to private, leftist-dominated nonprofit groups, which have sought to unionize and politicize farm workers to their own brand of leftist politics, including the Atzlan philosophy of carrying out a new Chicano nation in the Southwest. This program, which has been delegated to the Department of Labor, would be made permanent under the HEW transfer bill.

Furthermore, as elsewhere in the bill, language is included in the migrant section on which expansion of the legal services program, under diverse authorities, would be advanced.

In Title III of the bill, there is even a section authorizing 15-year business loans in amounts as high as \$50,000 to be made by the administrator of the Small Business Administration (SBA). The two alternative criteria for receiving funds are ownership by low-income individuals or location in high poverty areas.

Consideration of other factors like business competence or prospects for success is not required, although the SBA administrator would be authorized "to provide financial assistance to public or private organizations to pay all or part of the costs of projects designed to provide technical and management assistance" to loan recipients.

What incredible opportunities for corruption and waste! Will we never learn from the mistakes of the past?

The Day Care provisions in the new OEO bill authorize federal funding of labor unions and private employers for such purposes as "renovation and alteration of physical facilities" to provide day care.

To guarantee that no President would ever again have the opportunity to hold poverty bureaucrats accountable to his authority, the bill says "all federal personnel, employed on the effective date of this Act under authorization and appropriation of the Economic Opportunity Act of 1964, as amended, shall be transferred to, and to the extent feasible, assigned to related functions and organization units . . . without loss of salary, rank, or other benefits, including the right to representation and to existing collective bargaining agreements."

Still more liberal patronage is provided by authorization of the director to establish an unlimited number of "advisory committees" whose members can be compensated for their services at rates approaching \$140 per day, plus expenses.

Nor are benefits under the act limited to those whom the public normally think of as poor. Any Harvard graduate who can't get a job "commensurate with his health, age, education and ability" qualifies for all the services and grants appropriated to fight "poverty."

The favored bureaucratic strategem for keeping the money flowing to favored organizations is kept alive by the bill's statutory implementation of the philosophy: "Once funded, forever funded," requiring incredible legalistic exertions before the government can terminate or deny refunding to a program that has once received a grant.

Programs advanced under the bill also include "Headstart," "Follow Through," research, demonstration, and evaluation, Indian projects, and health staff projects.

In its "community economic development" section, which assigns powers to the Department of Commerce, the proposed law establishes its own system of racial and ethnic quotas, with special programs not for citizens regardless of race, color, sex, or creed but for "minority groups" and "low-income whites," asserting that minorities "include, but are not limited to, Negroes, Puerto Ricans, Spanish-speaking Americans, American Indians, Eskimos and Aleuts." Such categorizations constitute the worst kind of racism and classism.

There is much more in the 171-page bill which is worthy of denunciation than considerations of space permit us to discuss here, but the reader, I am sure, gets the general idea.

Why does the Liberal Establishment need public financing, when under legislation of this sort, it is free to subsidize itself virtually without limit, and without any need for balance or procedural accountability?

Yet there are moderates and even persons who call themselves conservatives who

are pushing this legislation. In some cases, support has been purchased with cold cash; in other cases it derives from desires to curry political favor with liberal elements; in still other instances it is simply the result of not knowing any better. But, whatever the cause, it would be most unfortunate for the country if this legislation were adopted. Once done, it would be virtually impossible to put a halt to it, since, unlike the Economic Opportunity Act, under which OEO has functioned, HEW has a permanent statutory base.

Moreover, it now seems politically unlikely that conservatives will soon again be in a position to improve OEO or HEW legislatively. However bad our situation now seems, it shall probably get worse before it improves. It is, therefore, now or maybe never to erode the massive political power, authority, and resources which the Establishment Left gains from the OEO politico-bureaucratic network.

To do the job, the Nixon Administration should take the gloves off and end the official cover-up of OEO abuse which now characterizes OEO programs, as they have in the past. One of the left's most effective arguments in wooing naive moderates to the OEO cause is that there are no "new" horror stories about OEO; that all its problems occurred long ago and that community action is now a tamed institution.

While there has certainly been far less press coverage of OEO abuses than in the past and while some power-manipulative techniques are less blatant and overtly outrageous, there has been no change in the political objectives or impact of many activist groups and leaders subsidized through the OEO programs.

Since problems are "local," the national press usually overlooks them; there is virtually no investigative reporting of the sort which media personnel gave to Watergate; and OEO's in-house investigative responsibilities lie with persons who seem ideologically committed to sparing the program embarrassment. Worse, the Administration is apparently unwilling to confront the present director, Alvin Arnett, and hold him to account, for fear of press repercussions.

If the President cared enough, he could restore OEO's inspection capability and release present evidence of wrongful and criminal OEO activity to the public. There is more than enough in the live OEO files to match, page for page, the most titillating excerpts from the Watergate tapes.

The Administration could also serve its cause by cracking down on the violations of the federal anti-lobbying act represented in the use of OEO funds, directly and indirectly, to help the "save OEO" lobby campaign. Those programs which are using federally supported travel funds, personnel and equipment to lobby should be prosecuted. In addition, OEO-funded publications should be gotten out of the lobbying business.

Legislators should think twice before launching this new OEO-Titanic at HEW. Whether it's called ADVO, CAP, Community Action, or whatever, a rose by any other name still smells the same, and so does a cow pasture.

If the goal is to help the poor, why subsidize a powerful political network of "non-profit organizations" and federal bureaucrats whose salaries eat up 80 per cent of the program's money?

The American taxpayer still has enough sense to support men and women who vote against such nonsense, and to turn out of office incumbents who pander to special interest bureaucracies. His voice is not very loud in Washington, but it will be heard at the polls in November.

## IMPEACHMENTS IN THE UNITED STATES

HON. WILLIAM L. HUNGATE

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 8, 1974

Mr. HUNGATE. Mr. Speaker, this continuation of an article by Timothy Walt-  
hall in the New England Law Review contains comments which may prove helpful to our consideration of impeachment:

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One might expect that were there ambiguity in the phrase as written, it would have been easily settled in the first few impeachments. Several problems unique to impeachments have hampered such a resolution. To begin with, there have been too few impeachments: twelve in 186 years. Of these nine were of federal judges and one each were of a President, a Senator and a Cabinet officer. There have been only four convictions, two of which were not defended.

Worse in terms of setting standards of impeachability, the Senate does not vote separately on the issues of impeachability and guilt. On each impeachment, the sole question submitted to the Senate is whether the respondent was "guilty as charged." Hence, an acquittal might be based on two altogether different grounds: (1) the charges preferred by the House are not impeachable offenses or (2) the charges brought, though impeachable, were not proved. Thus, since this separate question has never been determined by a vote of the Senate, each impeachment must hear anew pleas that the respondent may be impeached only where he may be indicted.

The result of all this is that acquittals are of diminished value as precedent of the intermixture of fact and law in the decisions. As Simpson put it: "he has studied impeachments in vain who does not know that an acquittal under such circumstances decides no legal principle." So we are left with the four convictions: Pickering, Humphreys, Archibald and Ritter. But Pickering and Humphreys did not defend themselves. This somewhat dilutes the authority of these removals on the principal that an issue not contested is an issue not decided.

Thus it is *Ritter* and *Archibald* which form the core of impeachment law. Ritter's conviction rested on a seventh article which essentially incorporated by reference six articles of which he was acquitted. That seventh article read in part:

The reasonable and probable consequence of the actions . . . of Haisted Ritter . . . as an individual and as a judge, is to bring his court into scandal and disrepute, to the prejudice of his court and public confidence in the administration of justice therein, and to the prejudice of public respect for and confidence in the federal judiciary, and render him unfit to serve as a judge.

Ritter's conviction would indicate that, although the managers could not prove that Ritter had broken the law, what they had shown at trial was sufficient to disqualify him as a judge.

Several aspects of *Ritter* are significant. First, this is precisely how the constitutional plan of impeachment was meant to work. Judges are removable for abuses of their authority, which may not be reached by the criminal law. Second, it shows that judges will be held to a higher standard of behavior, as well they should given their position in the community. As one commentator has put it, "Ritter should not be feared but welcomed as notice from the Senate to the

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judiciary that they will require compliance with the highest standards of ethical behavior."

Most important for the purposes at hand is that Ritter was convicted for conduct which was definitely not criminal.

However, the generally recognized watershed of the law of impeachment is the *Archibald* case. There, not one of the articles preferred by the House contained an indictable offense. Respondent was accused of trying to commercialize his potentiality as a judge by securing "business favors and concessions." This was conduct, as Brown points out, which would have been blameless if done by a private citizen, but worse than a crime when done by a judge.

Thus, it must be concluded from analysis of these various sources that impeachment will be for serious noncriminal conduct as well as for criminal breaches. In the constitutional scheme it is the House of Representatives who make the initial determination as to what is impeachable. The managers of the House have not once failed to bring at least one nonindictable charge on impeachment. However, the Senate may disregard the House's determination and vote according to their own criteria. Though theoretically a President may be impeached for less than criminal offenses; though this is supported by the weight of English authority, most Constitutional commentators and the American precedents; as a practical matter Congress will not remove a President for less than an indictable offense. This fact could hardly be more clearly demonstrated than it was in the Johnson impeachment.

## THE IMPEACHMENT OF ANDREW JOHNSON

When (then) Solicitor General Robert Bork asserted on October 5, 1973 that "impeachment trials, as that of President Johnson reminds us, may sometimes be influenced by political passions . . . that would . . . be vigorously excluded from a criminal trial," he was playing upon a popular myth of the Johnson impeachment. Until recently Johnson had been regarded as a stubborn patriot, perhaps not as able as Lincoln, whose only crime was to urge a humane policy for reconstructing the South. Against him, so the story goes, were pitted a gang of partisan "Radical Republicans" in Congress, bent only on punishing the South and achieving congressional superiority over the President. In line with this, the seven Republican recusants who saved Johnson are pictured as martyrs who voted with their consciences and against political bias.

Revisionist historians have persuasively argued that Johnson was not so innocent a victim and that Congress was not so anxious to remove him as had been supposed.

At the close of the Civil War, Andrew Johnson and the "rump" Republican Congress held markedly different views as to how to reconstruct the embittered and war-torn South. Johnson favored Lincoln's conciliatory attitude toward the former rebel states. The quicker past troubles could be forgotten, the better for the country, so he thought. The Republicans were preeminently concerned with preserving the rights of Southern loyalists and the new-freed slaves. They saw a dangerous flaw in Johnson's approach: the renewed dominance of the pre-civil war aristocracy and other former Rebels.

Whatever the merits of these opposed points of view, it is clear that Andrew Johnson sabotaged the Republican effort and did not adequately substitute a program of his own for Southern reconstruction. The result was catastrophic, and we still suffer today from the wounds inflicted upon the nation by his short stint in office.

Rather than seeking to accommodate Con-

gress' programs with his own, Johnson arrogated to himself the responsibility of restoring the civil government in the South. He claimed this as a right under his inherent war powers as commander-in-chief. He appointed and removed the military governors at will, without Senate confirmation; he authorized state constitutional conventions and provisional legislatures; set the prerequisites by which Southerners could be fully restored to the Union. All without as much as a nod of assent from Congress. As Les Benedict puts it:

"He had set back the work of reconstruction . . . and ensured that Southerners would resist the process instead of cooperating. To a large degree, the failure of reconstruction could be blamed alone on President Johnson's abuse of his discretionary powers."

Worse, he embarked upon frustrating Congress' Reconstruction program by every means available to him. He ignored the so-called Test Oath Act, whereby appointees in the South were required to take an oath that they had never aided the rebellion. This law was designed to prevent former Rebels from quickly regaining power in the South and trampling over the rights of Southern Blacks and loyalists.

Johnson and his Attorney General James Speed conspired to minimize the enforcement of the Confiscation Act, and the Freedmen's Bureau, designed primarily to enfranchise the freed slaves and charitable organizations who would use the land for schools and orphanages. Instead the land was returned to its former rebel owners, turning Negroes in the South into a dispossessed and homeless class of indigents at the mercy of the full fury of the embittered Southern land-owning class. Furthermore, Johnson steadfastly opposed black suffrage and other efforts by Congress to guarantee equality before the law for Southern Blacks.

The republicans first tried to compromise; then hesitantly resisted; and finally in 1867 shucked Johnson's reconstruction program as a failure. Congress authorized the military commanders in the South to supervise a reconstruction program guided by their legislation. Johnson further obstructed the Republican effort through his control of the military governors. He ordered them to enforce the law in such a way as to frustrate it and removed those commanders who would not do so. Finally Johnson set to work using patronage appointments in an effort to defeat the re-election of the radicals. Johnson's interference on behalf of the South was so blatant that many congressmen feared a *coup d'état* by the President.

The French Correspondent and future statesman, Georges Clemenceau, described this deadly waltz:

"[T]he radicals are limiting themselves . . . to binding Andrew Johnson firmly with good brand new laws. At each session they add a shackle to his bonds . . . and then when he is well bound up, fastened and caught in an inextricable net of laws and decrees . . . they tie him to the stake of the Constitution and take a good look at him, feeling quite sure he cannot move this time."

"But then . . . Sampson summons all his strength and bursts his . . . bonds . . . and the [radicals] flee in disorder to the capitol to set to work making new laws . . . which will break in their turn at the first test."

In 1867 the Republicans passed the Tenure of Office Act, which read in part:

"[E]very person holding any civil office to which he has been appointed [with the advice and consent of the Senate] is, and shall be entitled to hold such office until a successor shall have been in like manner appointed and duly qualified, except as herein otherwise provided: *Provided*, that the Secretaries of

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State, . . . of War . . . shall hold their offices respectively for and during the term of the President by whom they may have been appointed and for one month thereafter, subject to removal by and with the advice and consent of the Senate.

"SEC. 2. . . . That when any officer appointed as aforesaid . . . shall, during a recess of the Senate be shown, by evidence satisfactory to the President, guilty of misconduct in office, or crime, or for any reason shall become incapable or legally disqualified to perform its duties, in such cases, and in no other, the President may suspend such officer [and appoint an *ad interim* replacement and in such case it shall be the duty of the President, within twenty days after the first day of such meeting of the Senate, to report to the Senate such suspension, with the evidence and reason for his action in the case . . . [I]f the Senate shall concur . . . and consent to the removal . . . they shall so certify to the President, who may thereupon remove such officer, and, by and with the advice and consent of the Senate appoint another person . . . But if the Senate shall refuse . . . such officer . . . shall forthwith resume the functions of his office . . ." (emphasis added).

The act was designed as a clear-cut regulation of the President's removal power. Johnson considered it unconstitutional and vetoed it; but Congress overrode his veto and the act became law on March 2, 1867.

Edwin M. Stanton had been appointed Secretary of War by Abraham Lincoln in January 1862. In the building crisis between President and Congress, Stanton was torn between conflicting loyalties. He disagreed with Johnson's policies, but was persuaded to remain in office by Republicans who saw him as a buffer between the President and the Army. When Congress began to restrict Johnson's power over reconstruction politics the President needed a Secretary of War who would execute the law the way Johnson wanted it.

Stanton would not have been Johnson's first choice in any event. On August 5, 1867, during the recess of Congress, he discharged Stanton and appointed Ulysses Grant Secretary of War *ad interim*. When Congress reconvened, Johnson, in seeming compliance with the Tenure Act, sent it a message detailing his reasons for firing Stanton. His reasons were that differences between him and Stanton had become irreconcilable and that a President should not be responsible for the acts of cabinet ministers beyond his control. Significantly, however, Johnson did not agree that Stanton was not covered by the Tenure of Office Act.

On January 13, 1868, the Senate rejected Johnson's reasons and voted to reinstate Stanton. On January 14, Grant handed the keys back to Stanton. Johnson was incensed. Notwithstanding an almost certain knowledge that his act would appear as a clear-cut violation of the law, Johnson on February 21, 1868 removed Stanton and replaced him with a "nondescript Adjutant General of the Army," Lorenzo Thomas. Congress was appalled by the President's disregard for the law. Now the Congressmen were fuming. That same day, the House of Representatives dug up an old impeachment resolution and passed it with the vote of every Republican member of that body.

The articles exhibited against Andrew Johnson accused him of violating the Tenure of Office Act by removing Stanton and appointing Thomas. However, the tenth and eleventh articles went further. Article ten read in part that on August 18, 1866:

"The President, with intent to set aside the rightful authority of Congress and bring it into contempt, delivered certain scan-

dalous harangues, and therein uttered loud threats and bitter menaces against Congress and the laws of the United States enacted by Congress, thereby bringing the Office of the President into disgrace . . ."

In this the managers made the classic accusation of impeachment: that the President had rendered himself unfit for his office by his actions. The eleventh article charged that Johnson had said that:

"The 39th Congress was a Congress of only part of the states and not a Constitutional Congress, intending thereby to deny its Constitutional competency to enact laws or propose [constitutional] Amendments . . ."

This was prefatory to yet another accusation that Johnson had violated the Tenure Act and other laws of Congress. The idea was that Johnson had attempted to discredit the validity of all laws passed by Congress to justify his own unlawfulness. It was also an accusation that Johnson had failed to faithfully execute the laws. If we call this "mal-administration" it becomes another word familiar in the content of impeachment.

As might be expected the battle before the Senate was not waged over Johnson's fitness to hold office but whether he had in fact broken the law. In the last analysis, it was a case of first impression for construction of the Tenure of Office Act. Johnson's attorneys argued (1) that their client could be removed only for a serious crime, directly subversive of the fundamental principles of government or the public interest; (2) that the Tenure Act was unconstitutional because the Constitution gave the President an inherent and absolute power of removal; (3) that Johnson had not in fact removed Stanton, but had only attempted it; (4) that Stanton was no covered by the Tenure Act, his tenure having expired with Lincoln's death; and finally (5) that Johnson was only "testing" the constitutionality of the Tenure Act in the only way that it could be tested and in doing so he had at most made a mistake.

The managers countered that (1) the Senate was not bound by rules of *Nisi Prius* and that it could remove government officers without averring any legal grounds at all; (2) that the President had no right to further exercise his judgement as to the constitutionality of a law after his veto had been overridden; (3) that the Senate was not convened to quibble over the technical sufficiency of the charges made; (4) that Johnson had waived his right to insist that Stanton was not covered by the Tenure Act by failing to assert such in his message to the Senate after the removal; (5) that to allow such "tests" and "mistakes" would substitute the will of the President for the action of the law-making power which was tantamount to government by one man.

On Saturday May 16, the Senate voted on articles "eleven, one and two"—nineteen for acquittal, thirty-five for conviction. Seven Republicans had voted with twelve Democrats for acquittal. It was not enough to meet the stiff two-thirds requirement for conviction. Thereafter the Senate adjourned *sine die*, and the drama was ended.

If ever a President deserved impeachment, it was Andrew Johnson. As has been seen, in pursuing his own reconstruction policy, he ignored some congressional enactments, violated the spirit of others, and in the end flagrantly violated the letter of still another. His lame excuse that he was merely testing the constitutionality of the Tenure of Office Act, having already exercised his veto power, seems to have come to Johnson (or his attorneys) only as an afterthought. As President he was not content with faithful execution of the law, or expression of his disapproval by veto provided for him under the Constitution. Johnson had shirked those responsibilities paramount to the exercise of

the power vested in him by his electors: obedience to the law and the Constitution.

Even by the strict criterion of indictability, it is difficult to see why Johnson should have escaped conviction. From the opinions submitted by certain of the Senators, it is evident that all save Charles Sumner decided the matter on its narrow legal issues. The six Republican recusants who filed opinions all asserted impeachment would lie only for transgressions of positive law. Each showed that he had been persuaded by one argument or another of the President's counsel.

The result was that the Johnson impeachment was clouded with every sort of legal pettifogger imaginable at a *Nisi Prius* trial. In the heat of battle the Senators had lost sight of the legitimate objective of the impeachment trial: ascertaining Andrew Johnson's fitness to remain President.

The evidence is strong that Johnson was no more acquitted for lack of proof that he broke the law than he had been impeached for mere violation of the Tenure of Office Act. Rather it would seem that the Senators were using legal justifications for decisions based on other considerations.

Most obvious of those other reasons was the character of Johnson's would-be successor, Benjamin Wade. Johnson of course had no Vice President and, as President pro tempore of the Senate Wade was next in line. But Wade harboured "agrarian sympathies" and favored high tariffs and "soft money" which aroused powerful interests against him. Republicans feared that a Wade administration would hopelessly divide their party on these issues. These fears were exacerbated by an anti-Republican reaction gaining strength among the voters in 1867. Added to this were Johnson's extra-legal assurances to wavering Republicans of good behavior for the rest of his term and actual cessation of interference while impeachment progressed.

Unspoken behind the above considerations is yet a more general factor militating against the removal of any President: the power of the Presidency itself. Impeachment does not claim the niceties of the political "game" it is often made out to be. It is, in the end, a crude exercise of raw power. Andrew Johnson was particularly vulnerable to impeachment. As Senator from Tennessee he had been the only Southern Senator to oppose secession.

When the South did secede and after Lincoln was killed, Johnson stood alone as a President without a political constituency. As a Democrat from the South, he did not share many of the fundamental goals of a Congress dominated by northern Republicans. Worse, though he followed as nearly as he could Lincoln's plan for reconstruction of the South, he was "temporally flawed" for such an onerous task. He had not Lincoln's roots in the north and the Republican party; nor his ability to compromise and leadership; nor Lincoln's sensitivity to powerful political stimuli. It is a tribute to the immense power of the Presidency that Andrew Johnson was not removed from that office in 1867.

The picture that emerges from all of this is quite contrary to the commonly held view. It was not the recusants, but their Republican colleagues who risked their political lives to vote with their consciences. It was not the radicals, but the recusants who appear to have strained the law to acquit Johnson for whatever motives they may have had.

That the Senators' real motives were not wholly judicial is of little significance. That they were obscured by a legal veneer is unfortunate. It served only to deprecate any value the proceedings might have had as precedent. As it is, Johnson's acquittal leaves us with two rather dubious principles:

1. The President could refuse to execute any law he believed unconstitutional; and  
2. He could replace Senate approved appointees with his own choices without confirmation in the Senate. I would suggest that these positions would be untenable if advanced today.

## OBJECTIONS

Johnson's impeachment brings to mind the numerous objections to the process that have been voiced over the years. These objections may be divided into four categories:

1. objections to its logistical problems: it is too slow and expensive; too narrow and unavailable;

2. criticisms of the qualifications of Congress: the House can't investigate them properly and the Senate can't try them judicially;

3. that it conflicts with other provisions of the Constitution; and

4. that it has been circumscribed by developments since its adoption and is now obsolete.

1. That impeachments are laborious and time consuming is obvious. Some authors have further contended that impeachment is too narrow as it only entertains "serious matter" and is unavailable for lesser offenses and disability.

I should first point out that these remarks have been made in the context of judicial impeachments and are better addressed to that genre of removals. When the President is on trial these drawbacks become mere inconveniences dwarfed by the magnitude of the proceedings.

But the cumbersome and unavailable nature of impeachments serves a purpose: it shields the President from malicious or ill-founded prosecutions. In the design of the Constitution impeachment reflects a delicate balance between two fundamental and competing interests: the need to somehow limit the use of executive power and at the same time to insure the independence of the executive. If it were any more accessible it might too easily lend itself to abuse and destroy the independence of the executive. As to disability, the twenty-fifth amendment has removed the necessity of impeachments.

Lastly, the impeachment process is not beyond legislative repairs designed to streamline and modernize it.

2. It has been said that impeachment places too much power in the Senate; that the independence of the other branches are too threatened by the power of impeachment. To this I give you Justice Story's question: To whom else should we entrust such an awesome power? Certainly not to the Supreme Court as it is appointed by the President and is too small and corruptible. In this the size of the Senate is a decided advantage. Recall by the electorate is destabilizing and unreliable.

In this connection it should also be noted that no man may be tried by the Senate and removed until he has been accused in the House of Representatives. So the power of executive removal is shared with the House. Furthermore, if impeachment fulfills a legislative rather than a judicial function, Congress is the most logical choice anyway.

The power of impeachment must, as a matter of course, lessen the independence of the executive; that is its primary purpose. This fear was expressed at the adopting convention but was subordinated to the interest in limiting presidential power. Furthermore, if the President is operating within the proper bounds of the Constitution he will not be hampered by the prospect of impeachment. Impeachment therefore is a recognized exception to the separation of powers, and will not yield to the objection that it is a violation thereof.

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Some contend that the partisan nature of impeachment makes it a dangerous and unusable weapon. As Theodore Dwight opined, "it is the weakness of a political tribunal that . . . it labors under the imputation of faction." But this criticism goes to the nature of our governmental system, not to impeachment as a part of it. If we have incompetent or malevolent men running our government none of its processes will work. Abuse of the impeachment power is only incidental.

Of concern also is the fact that the major investigatory bodies of the government—the F.B.I. and the I.R.S.—are under the control of the President who is the target of the investigation. The House is not equipped with the staff or the resources to compete with the executive branch. This is a serious problem not so much with impeachment as with the distribution of functions between the branches of government. I would only point out in passing that the resources necessary are not out of reach of Congress under the Constitution. Congress could undoubtedly appropriate itself the money necessary for a thorough investigation under the necessary and proper clause (Art. I, sec. 8, cl. 18).

3. It has been argued that impeachment, particularly in its broad definition, conflicts with other provisions of the Constitution. Specifically, the prohibition of *Attainder* and *ex post facto* laws. (Art. I, sec. 9, cl. 3); the due process requirements of the fifth and fourteenth amendments; and specific guarantees in the Bill of Rights, such as the self-incrimination provision of the Fifth amendment.

To begin with impeachment, no matter how broadly defined, is not *Attainder*. The practices grew up along side of one another and have different histories, procedures, and uses. The most obvious difference, observed in American impeachments, is the necessity of a trial. Requiring a trial as a prerequisite for removal goes about as far as possible in this area to insure fairness in determining a man's fitness to hold office. The two-thirds majority requirement may also serve to distinguish impeachment. The same is generally true regarding *ex post facto* law, the main difference here again being the requirement of a trial. The due process and the Bill of Rights arguments proceed from the assumption that impeachment is in essence judicial. The specific guarantees of the Bill of Rights and Due process would assume their due importance if the impeached officer stood to lose his life, liberty or property. Here again it should be realized that he only may lose a political office bestowed upon him by the grace of a sovereign people.

4. Finally, it is true that the efficiency of impeachment has been diminished by passage of the 22nd and 24th amendments. But it should not be concluded that these provisions have made impeachment obsolete. The twenty-second amendment will limit the length of time an unfit President may serve, thus reducing the incentive to remove him by impeachment; the 24th amendment partially delegates the power to remove an incapable President to the Vice-President and either (1) a majority of the cabinet or (2) a majority of some body designated by Congress for the purpose. However, it should be remembered that the power of impeachment still exists in such cases. Furthermore, these amendments do not abrogate impeachment in its most critical use. That is where a President, by abuse of his authority, begins to impinge upon the liberties of the people.

## ALTERNATIVES AND RECOMMENDATIONS

Impeachment never looks so good as when it is compared to what might replace it. The framers kicked around and ultimately rejected a number of variations from impeach-

ment in its present form. Hamilton suggested the President be impeached by a tribunal composed of the chief judge of the Superior Court of each state. John Dickinson of Delaware proposed that the chief executive should be removed by Congress upon the request of a majority of the state legislatures. A resolution by Governor Randolph of Virginia gave jurisdiction of impeachments to the national Judiciary. Under this plan presumably impeachments might have begun at the district court level. The Report of the Committee of Detail given on August 6, 1787 provided for a trial of impeachments of the House of Representatives in the Supreme Court. Madison too favored some tribunal including the Supreme Court to try impeachments.

In this area too, much emphasis has been on the judiciary. The only serious alternative to presidential impeachment is presented by the English Parliamentary system. By a majority vote of "no confidence" in both Houses a prime minister may be required to resign. Though simple, this method is not attuned to the American concept of an independent executive.

Although no one has proposed an alternative method of removing the President, alternatives to judicial impeachment may indirectly affect executive removal by relieving some of the burden upon Congress. In addition, procedures adopted to streamline judicial impeachments should undoubtedly be referred to in executive impeachment. Discussion of impeaching judges usually begin from the premise that it is unrealistic to expect Congress to supervise federal district court judges by impeachment. The question then becomes whether impeachment is the exclusive means of removal under the Constitution.

Potts has offered a fairly representative proposal whereby only the President and his Cabinet would be amenable to impeachment. Lesser administrative officers would be removable through administrative hearings. Potts would create a special tribunal to try impeachments of the members of the judiciary. Under his plan, panels of judges from the circuit courts of Appeal would try the District judges and the Supreme Court would try the Appeal court judges. Potts then suggests that a special panel of district judges try the Supreme Court Justices.

Potts feels this would not require a constitutional amendment. He argues the framers did not intend impeachment as the only means of removal of federal judges. He suggests that this method could be enacted under the Necessary and Proper clause (art. I, sec. 8, cl. 18) pursuant to the judicial tenure clause (art. III, sec. 1, cl. 1) which prescribes that the tenure of federal judges shall be during good behavior.

Legislative proposals on the subject are scarce and have not fared well in Congress. In 1936, Senator McAdoo of California introduced a bill providing for a court composed of ten court of Appeals judges, one from each circuit, and the chief justice of the District of Columbia district court of Appeals as the presiding judge. The Court would have the power to remove district court judges for misbehavior under the judicial tenure clause (art. II, sec. 1) by *quo warranto* proceedings instituted by the Attorney General. In this same vein, a bill introduced in 1969 provided for a panel of five judges from the courts of Appeals to recommend removal of federal judges.

Preble Stoltz and Philip Kurland have cited the opinions of Justices Black and Douglas in the case of *Chandler v. Judicial council of the Tenth Circuit* in support of the exclusivity of the impeachment remedy. Stoltz proposes avoiding the exclusivity problem by

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modernizing the impeachment mechanism. He enumerates four attributes of an ideal system of impeachment: (1) one free from partisanship; (2) confidential; (3) permanently staffed; and (4) procedurally fair. Stoltz feels these objectives could be achieved without the necessity of a constitutional amendment by a few changes in the Rules of the House and Senate.

Stoltz recommends the creation of a standing bipartisan committee on Judicial Fitness in the House of Representatives. This committee would be permanently staffed to avoid the characterization of *ad hoc* that has attached to other committee staffs investigating impeachment. The staff would investigate complaints and draw up articles in appropriate cases. The Judicial committee would vote on the articles and the accused would be afforded an opportunity to appear and answer the charges in an executive session of the committee.

If the articles were brought before the Senate, that body would select a master to hear the evidence and present findings of fact and conclusions of law in a report to the full Senate. The Senate could then vote on this report.

Something akin to Stoltz's proposals are almost a necessity if the federal judiciary is to be supervised. As regards the President, a House Committee on Judicial Fitness could, with a minimum of effort, extend itself to cover the rare instances of executive impeachment. Such a committee would also meet two major objections to impeachment: that the House is not equipped for the investigations of impeachments, and the charge of bias. However, Stoltz's recommendation that the Senate vote on a master's report rather than hear the evidence themselves would deprive the President of a full hearing before the Senate provided for him in the Constitution.

As to impeachment of the President, I would not recommend a constitutional amendment deleting or replacing the age-old mechanism. Nor would I recommend any comprehensive law of impeachment. A cunning executive would find just that excess not prohibited under the hypothetical statute. The language must remain as broad as the

mischief it seeks to prevent. However, I do recommend promulgation of some enactment outlining impeachable offenses for our "civil officers" with a view toward putting them on notice that they may be impeached for less than criminal misconduct. This would go far toward satisfying any complaints as to the due process or *ex post facto* clause requirements.

I would also advocate the adoption of set rules of procedure and evidence. This would save the time of debating and adopting such rules during difficult periods. If Congress is to continue to effectively supervise the behavior of the judiciary, establishment of some alternative removal procedure for minor federal judges and lesser officers is inevitable. I would follow Stoltz's lead and set up a permanently staffed committee on Judicial Fitness empowered to investigate the conduct of the President. However, I would not endorse his proposal to allow the Senate to vote on the report of a master.

I feel that serious constitutional rights are affected, and such a change should come by constitutional amendment. Plans such as that proposed by Potts could also be explored, ever mindful of the constitutional problems they raise.

Any certainty and availability lent to the law of impeachment by such enactments might also make impeachment more approachable by a timid Congress. This would be the greatest service that any such legislation might render. For no matter how well designed the device may be in theory, it would be better not to have been created at all than to be so designed and never used.

## CONCLUSION

Though an impeachment is often compared to an indictment, like all analogies it is incomplete. We find impeachment to be not a criminal prosecution, but a general inquiry into the fitness of a man to hold office. Theoretically a man need not commit a crime to be impeached; but in practice the legislators have most often preferred to wait for a manifest violation of law. The only instance of presidential impeachment was submerged in a quagmire of legal technicalities, focused upon the sole question of whether

the President had committed a crime. It has been one aim of this note to urge that when things have reached the point of impeachment such inquiries should become subservient to the more important interests of the state and its citizens.

The legislators are compelled by no law to impeach a man; even one they deem unworthy. The danger always exists that myopic legislators, failing to grasp the constitutional importance of a President's actions, may allow our liberties to be eroded by a failure to impeach. Fortunately, in the past the Congress has felt a moral compulsion to impeach which has demonstrated that impeachment is still an effective removal mechanism.

We have also seen that hardly a viable alternative exists given the peculiar history and circumstances of this country. However, certain supportive measures may be taken to strengthen the bond of impeachment and make it more accessible as a check on the Executive.

It was pointed out in passing that two aspects of impeachment are central to its understanding. First that impeachment is a legislative, not a judicial, determination. As such it should be evaluated under a somewhat different set of rules. Second, that impeachment will lie for non-indictable offenses.

In view of recent events in Chile, Greece and many other places throughout the world, few words need be wasted in pointing out that confidence in the rule of civil democratic governments has been considerably eroded in the past decade. In the United States, impeachment has long serviced a necessary political reality: the need for an effective check upon the action of the executive. It has often been the failure to come to grips with this reality that has been the ruin of these democracies.

In this sense, impeachment should be as dear to liberty in this country as the Bill of Rights and the Fourteenth Amendment. It is fundamental to the right of a people to govern themselves. For in this connection it should not be forgotten that the supreme act of a sovereign people is the removal of an unfit ruler.