LAN) will be recognized to call up an amendment on which there is a limitation of 3 hours, 2 hours of which are to be under the control of Mr. MCCLELLAN.

Amendments to Mr. MCCLELLAN'S amendment would be in order. Yea and nay votes may occur thereon, but again with the caveat that no rollcall votes will occur before 4 p.m. tomorrow.

Upon the disposition of Mr. MCCLELLAN'S amendment, the Buckley amendment No. 1289 will be called up, and upon its disposition, Mr. BUCKLEY will call up a companion amendment to amendment No. 1289. Yea and nay votes may occur on those amendments or other amendments.

Several yea-and-nay votes are likely tomorrow, I would say, or are certainly a possibility; but in any event, no rollcall votes will occur before 4 p.m. tomorrow.

ADJOURNMENT TO 10 A.M.

Mr. ROBERT C. BYRD. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until the hour of 10 a.m. tomorrow.

The motion was agreed to; and, at 5:51 p.m., the Senate adjourned until tomorrow, Tuesday, May 14, 1974, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate on May 13, 1974:

DEPARTMENT OF STATE

Robert P. Paganelli, of New York, a Foreign Service Officer of Class four, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the State of Qatar.

DEPARTMENT OF THE TREASURY

Edward C. Schmults, of Maryland, to be Under Secretary of the Treasury, vice Jack Franklin Bennett.

Jack Franklin Bennett, of Connecticut, to be Under Secretary of the Treasury for Monetary Affairs, vice Paul A. Volcker, resigned.

Frederick L. Webber, of Virginia, to be a Deputy Under Secretary of the Treasury, vice William L. Gifford, resigned.

U.S. PATENT OFFICE

The following-named persons to be Examiners-in-Chief, U.S. Patent Office:

Gordon Krupsaw Milstone, of Maryland, vice John Stevens Lieb, resigned.

Evelyn K. Merker, of Virginia, vice Arthur H. Behrens, resigned.

MISSISSIPPI RIVER COMMISSION

Brig. Gen. Wayne S. Nichols, U.S. Army, to be a Member of the Mississippi River Commission, under the provisions of section 2 of an Act of Congress, approved 28 June 1879 (21 Stat. 37) (33 U.S.C. 642), vice Maj. Gen. Williard Roper, retired.

IN THE AIR FORCE

The following officer to be placed on the retired list in the grade indicated under the provisions of section 8962, title 10 of the United States Code:

To be lieutenant general

Lt. Gen. Albert P. Clark, [redacted] FR (Major General, Regular Air Force), U.S. Air Force.

IN THE ARMY

The following-named officer to the position of Permanent Professor at the U.S. Military Academy under the provisions of title 10, United States Code, section 4333:

Col. Dana G. Meade, [redacted] U.S. Army.

EXTENSIONS OF REMARKS

REV. BONIFACE WITTENBRINK IS RECIPIENT OF KIWANIS NATIONAL RADIO AWARD

HON. MELVIN PRICE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1974

Mr. PRICE of Illinois. Mr. Speaker, tomorrow the Kiwanis International will award its National Radio Award to Rev. Boniface L. Wittenbrink. Reverend Wittenbrink is currently associated with the Shrine of Our Lady of the Snows in Belleville, Ill.

Father Wittenbrink is being honored by Kiwanis for his efforts in establishing and maintaining the "Radio Talking Book," a full-time broadcast via closed circuit radio to the blind and physically handicapped. Through his initiative, Father Wittenbrink's program has grown from approximately 10 receivers in March 1973 to over 700 receivers in March of this year, serving over 6,000 persons in the Greater St. Louis Metropolitan region.

The planning and operational and program activity for the "Talking Book" is performed solely by Father Wittenbrink and a small group of volunteers. In addition to his work at Our Lady of the Snows, Father Wittenbrink is currently working with interested groups in Canada and Washington, D.C., as well as with the Library of Congress, the Department of Health, Education, and Welfare, and various congressional committees in an effort to highlight the urgent need for this type of service to the blind and physically handicapped.

Father Wittenbrink's efforts in initiating this program and making it a success deserve the thanks of not only the residents of my district, but of all those who will eventually benefit by similar programs. The Kiwanis award is a well-deserved recognition of Father Wittenbrink's tireless efforts to aid the handicapped throughout the country.

At this point in the RECORD, I would like to include the Kiwanis' news release on Father Wittenbrink's award:

Reverend Boniface L. Wittenbrink, O.M.I. executive director, "The Radio Talking Book for the Blind and Physically Handicaped, WMRY Broadcast Station, Belleville, Illinois" received today the Kiwanis International radio award. The 1974 national award is given in recognition of a "first year daily program of significant benefit to the nation, a state or locality; and to a community of listeners not previously served in a station's broadcast area."

The WMRY Radio Talking Book is the only such privately funded program in the nation, and went on the air March 1, 1973.

Fr. Wittenbrink was called from Washington, D.C., in February, 1972 with assignment to the Shrine of Our Lady of The Snows, Belleville, Illinois to organize, develop, program and manage the Radio Talking Book. It was an idea whose time had come for full time radio broadcasting via closed circuit radio to the blind and physically handicapped of the Greater Saint Louis Metropolitan Region, and for approximately 6,000 Blind in the WMRY listening area.

"His efforts under the most difficult and trying conditions have been eminently successful. Without prior background—managerial or technical—he was able within ten months to obtain Federal Communications Commission approval and a broadcast channel, an endorsement from the Federal Office of Telecommunications, and thereafter begin his mission to secure private funding to support this nonprofit and non-sectarian venture for public listening—the blind audience.

Fr. Wittenbrink's work was literally the creation of a radio broadcast station from the zero mark to a successful operation. On March 1, 1973 with boundless faith, about 10 radio receivers, a few volunteers, himself and little reserves, The Talking Book went on the air servicing the St. Louis metropolitan broadcast area.

By March, 1974 more than 700 receivers were on the network, all provided on a loan basis, and only to the blind and severely physically handicapped. By the end of this year more than 1000 receivers will likely be in the hands of anxious applicants.

The broadcast area served by the Radio Talking Book includes about 20,000 blind or handicapped people in Southern Illinois and Eastern Missouri.

Practically all of the planning, operational and program activity has been, and is, performed by Fr. Wittenbrink, and a hardy band of volunteers.

Joseph L. Tillson, president of Kiwanis presented Fr. Wittenbrink with a special radio receiver, and the coveted national radio award—the Kiwanis medallion. Tillson noted that the honoree was also aiding a group in Canada and in Washington, D.C. who are interested in a radio talking book for those areas which have large populations of people with impaired vision.

Fr. Wittenbrink is also working with the Library of Congress, the Department of Health, Education and Welfare and Committees of Congress as a means of highlighting an urgent need and service to the blind and physically handicapped.

The WMRY Talking Book makes hearing a book or listening to any printed material as simple as turning on the radio. It offers a full range of programming from 7:00 A.M. to 10:00 P.M.

Fr. Wittenbrink, a member of the Oblates of Mary Immaculate, is a graduate of the Catholic University in America, Ottawa University in Canada and the Gregorian University in Rome. While resident in Washington, D.C. from 1963 to 1972 he served as General Secretary of the Conference of Majors Superiors of Men, and Executive Director of the Foundation for Community Creativity. He is a member of, and consultant to, many self-help educational and social development organizations serving at the national level.

SENATOR WILLIAM L. SCOTT'S NEWSLETTER

HON. WILLIAM L. SCOTT

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES

Monday, May 13, 1974

Mr. WILLIAM L. SCOTT. Mr. President, each month, I attempt to send a

newsletter to constituents. I ask unanimous consent that the May newsletter be printed in the Extensions of Remarks.

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

YOUR SENATOR BILL SCOTT REPORTS

FACTFINDING TRIP

Last month I made a rather extensive trip to Europe on behalf of the Senate Armed Services Committee and supplemented it by going to Romania and other communist nations as a member of the Interparliamentary Union. A portion of the time was during the Easter recess, but I did miss some votes during the three-week trip. It enabled me to meet privately and have conferences lasting from one to two hours with the Supreme Allied Commander in Europe, the American Ambassador to the NATO nations, our ambassadors to France and Italy, and the principal American commanders throughout Europe. The trip also permitted me to have discussions with various enlisted men, foreign nationals, and to see conditions in Western Europe and the communist East.

The American commanders appeared to be dedicated to the performance of the tasks assigned to them. They were willing to share their thoughts in an informal and candid manner with me as a representative of the Senate committee; and they indicated they had an adequate supply of up-to-date military equipment to meet any challenge that might arise.

Senior officials, both military and civilian, expressed the opinion that our NATO alliance had helped preserve peace in Europe. There did appear to be a general concern about detente, whether Russia had changed its ideas regarding world communism and whether we might be strengthening potential enemies in the communist world by sharing our resources with them, or helping them develop their own. Visiting both East and West Berlin and seeing this divided city as an island within communist East Germany, separated entirely from West Germany, should cause us to be cautious in making future political decisions in the international field.

Yet, talks between potential enemies and efforts within the family of nations to live in peace appear to be reasonable and highly desirable. I would hope that we will maintain our own defense system, strong enough to protect this country against aggressors, be prepared to meet military emergencies should they arise, but continue to work with other nations to retain peace.

As you know, we have approximately 300,000 American troops stationed in Europe, most of them in West Germany; and there is a difference of opinion among the American people and within the Congress as to whether we need to continue to maintain this large force in the European theater after more than a quarter of a century. General Eisenhower is credited with saying that American presence, not the number of troops, was the deterrent to aggression in Europe. The present military commanders, however, seem to believe that it would be against our national interest to remove any sizable number of troops.

While in Turkey and Greece and in conversations with the Commanding General of the NATO Land Forces in that area, I learned that we have only a few thousand troops in these countries, but his command consists mostly of Turkish and Greek nationals. Inasmuch as both Turkey and Greece adjoin communist countries, it is understandable that they welcome American presence and readily agree to bearing the primary burden of providing troops. I would hope that our government could persuade the nations of Western Europe to provide a higher percentage of NATO troops and to permit us to continue to maintain only a limited number in much the same manner as exists in Greece and Turkey.

While maintaining a free Europe is in the interest of our own country, it would appear to be more directly in the interest of the European nations themselves. Maintenance of more than 300,000 troops within the European theater for more than twenty-five years has been a tremendous strain on our resources, and it appears that a reduction of our troops is the most feasible way to reduce this economic drain. While it would be more desirable for the Administration to accomplish a reduction through negotiations with our NATA allies, the movement within Congress to mandate a reduction is growing; and I am beginning to believe that the only manner a reduction will be accomplished within our lifetime is for Congress to compel it by law. These views have been expressed to the Chairman and the ranking minority member of the Senate Armed Services Committee. A report will also be made to the full committee within a few days.

FEDERAL JUDGESHIP

The President has nominated D. Dortch Warriner of Emporia to the vacancy on the United States District Court for the Eastern District of Virginia. Following hearings before a special subcommittee of the Senate Judiciary Committee, his name will be placed before the Senate for confirmation. Because I believe Mr. Warriner is an able lawyer who has the proper judicial temperament, will exercise judicial restraint and will strictly construe the Constitution, I suggested his name to the President for appointment.

OSHA REFORM

Businessmen have expressed concern regarding the problems they have had with implementation of the Occupational Safety and Health Act of 1970.

Many believe the act fails to provide assistance and advice to the small business community on the many complex and often restrictive regulations issued by the agency. It would be preferable, in my opinion, to exempt small businessmen from the provisions of the Act.

During recent floor debate, I joined other Senators in supporting an amendment which would give some relief to the small businessmen. This amendment would require OSHA to provide the necessary advice and technical assistance to businessmen having 100 or fewer employees. In addition, no penalty would be imposed for non-serious violations discovered on the initial inspection, and OSHA would be required to issue an economic impact statement on the effect of proposed OSHA regulations.

It seems reasonable to encourage the free enterprise system to work in an efficient manner; continued harassment of the business community through the implementation of these regulations is detrimental to the continued success of the American economic system. Let me know if you would like a copy of my remarks on the Senate floor.

NO-FAULT INSURANCE

The Senate has approved a no-fault insurance plan by a vote of 53 to 42. This controversial measure, adopted after considerable debate, provides that states must meet minimum Federal standards and that unless states adopt legislation meeting these standards, the national law will become effective. It should be pointed out, however, that it, too, would be administered by the state. Regardless of the merits of the no-fault insurance program, the Constitution provides that police powers reside in the state and not in the Federal government.

Many Senators expressed the opinion that the Federal government would invade a field reserved for the states and cited Constitutional authorities in support of their contention. As you will recall, the question of no-fault insurance was considered by the Virginia General Assembly on two occasions and rejected. It didn't seem proper for your Senator to support a proposal previously rejected by the State Legislature or to support a measure of doubtful Constitutional validity. Should you desire a copy of my statement on the floor, please let me know.

BUSINESS DAY

Recently, the Senate passed my bill to designate May 13 as "American Business Day" in recognition of the many achievements that have been made by our free enterprise system. It seems reasonable that one day each year be set aside to honor the contributions made by private business to the economic well-being of our country.

The date has special significance to Virginians because it was on May 13, in 1607, that the first permanent English settlement was founded at Jamestown under the sponsorship of a commercial venture.

RICHMOND VISIT

I will be in the Richmond office on Friday, May 31, to meet with constituents who would like to stop by to discuss legislation or any matter of personal concern. You may want to call our Richmond office at 649–0049 to arrange for an appointment, but this is not essential. The office is located in Room 8000 of the Federal Building, 400 North 8th Street.

WATER RESOURCES

Congress has passed and the President has approved the Omnibus Water Resources Development Act of 1974. The Act includes a number of flood control and other projects in Virginia. Our Public Works Subcommittee on Water Resources spent a considerable amount of time reviewing proposals for projects throughout the country and after adoption by the Senate, worked out what is considered to be a fair and reasonable bill in a conference with the House.

Among the Virginia authorizations are the Four-Mile Run flood control project in Arlandria, preconstruction design and engineering work on flood control projects in Buena Vista and Verona, and a beach protection project for the City of Virginia Beach. Since the enactment of this legislation, our office has contacted the Appropriations Committees of both the House and Senate and requested prompt funding of the projects so that there will be no undue delays.

OCEAN POLICY STUDY

Legislation has recently been approved to establish a National Ocean Policy, and I have been appointed as a representative of the Armed Services Committee to serve on the special committee to develop such a policy. It is expected that the study will include such ocean-related issues as mineral resources of the seabed and subsoil, marine fisheries and other living resources, coastal zone management, ocean transportation, law of the sea, research and technology and pollution.

All of these matters should be important to Virginia as a coastal state, and participation on this committee should complement my assignment to an ad hoc Deepwater Ports Committee, which is examining at this time the feasibility of the construction of deepwater ports for supertankers off the coasts of the United States to be utilized in the importation of foreign oil.

SOMETHING TO PONDER

We have no right to ask when sorrow comes, "Why did this happen to me?" unless we ask the same question for every joy that comes our way.—Philip S. Bernstein.

DEATH PENALTY

The Senate recently passed a measure that calls for the imposition of the death penalty for persons convicted of certain Federal crimes. The death penalty, even for the most serious crimes, is a matter upon which reasonable people may disagree; but, in my opin-

ion, the possibility of facing capital punishment is a major deterrent to serious crime.

As you probably know, for the past two years, courts have been unable to impose the death penalty because of a U.S. Supreme Court decision on the issue. However, the Senate-passed measure I cosponsored, which is now pending in the House Judiciary Committee, appears to be a reasonable one that establishes criteria for imposition of the death penalty and narrows capital offenses to a substantial extent.

As you know, the bill will only apply to Federal crimes, but it is hoped it will serve as an example to the States to enact suitable legislation to overcome the Constitutional defects. Twenty-two states have already done so.

VETERANS BILLS

On May 2, the Senate passed a bill increasing the rates of disability compensation for disabled veterans by 15% and the rates of dependency and indemnity compensation for their survivors by 16%. On May 7, the House passed the bill but amended it in a minor way. Therefore, the differences must be resolved, but early passage is expected. Committee analysis of this measure is available upon request. Another bill, passed by the House and being considered by the Senate, increases educational benefits and extends for 2 years the time a veteran has in which to use these benefits.

AMNESTY

HON. DAWSON MATHIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1974

Mr. MATHIS of Georgia. Mr. Speaker, Mr. Byron C. "Red" Anglin, a friend and constituent from Richland, Ga., has brought to my attention a resolution recently adopted by American Legion Post No. 128 in Richland. I would like to share with my colleagues the particularly salient remarks contained in this resolution.

The resolution follows:

A RESOLUTION

A resolution expressing the sense of the Morton-Richardson Post No. 128, The American Legion, Georgia Department, Richland, Georgia 31825, regarding the question of amnesty for those who departed the United States to avoid military service via the draft or otherwise, and also with reference to the United States government and the Veterans Administration providing GI benefits for conscientious objectors.

Whereas, this Post, with an average membership of 100, has on numerous previous occasions gone on record as commending the young men and women of America who have patriotically, willingly, and unselfishly supported their country and served this nation in time of national emergency and international armed conflict as well as those who have joined the Armed Services for military careers, and

Whereas the President of the United States, the National Commander, the National Department of the American Legion, a vast majority of Congressmen and civic leaders, and this Post, have expressed opinions against amnesty as a national policy, and

Whereas, in recent weeks there has been a renewed effort to bring pressure on national leaders to endorse and effect a policy of amnesty for those evading military service by former Secretary of the Army Froehkle, and other ultra-liberals of the country, as well as members of the draft-evaders families, and

Whereas, members of these groups are also pressuring the President, the Congress, and the Veterans Administration to extend the GI Bill of Rights to conscientious objectors, some of whom served in noncombatant and non-military positions, rather than the armed forces, and

Whereas, this Post believes that GI benefits should be extended only to those who, without reservation, answered the call of their country and served with the Armed Forces in any and all capacities and duties assigned them by their military commanders.

Therefore, be it resolved, that this Post be recorded as definitely opposing amnesty in any form, and further that we unalterably oppose the proposition of extending the rights and privileges of the GI Bills of Rights to conscientious objectors of this country.

Be it further ordered that a copy of this Resolution be furnished the President of the United States, Senator Herman Talmadge, Senator Sam Nunn, Congressman Dawson Mathis, Governor Jimmy Carter of Georgia, the National Commander and the Commander of the Georgia Department of the American Legion.

Adopted, this 12th day of March, 1974, in regular meeting assembled at Richland, Georgia.

FLOYD COLE,
Commander, Morton-Richardson Post 128, The American Legion, Richland, Ga.

REFORM NOW

HON. HOWARD W. ROBISON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1974

Mr. ROBISON of New York. Mr. Speaker, on Thursday, the House Democratic Caucus by a secret vote turned aside a monumental and decisively important reform proposal.

By refusal to allow Democrat members of the Rules Committee to bring this bipartisan—and thoroughly researched—committee reorganization plan to the House floor, they have subverted the legislative process of this great body.

When I announced my retirement from Congress earlier this year, I cited frustration with the congressional inability to respond to issues as one of the reasons. It had been my hope that during this last year of my service, I could help bring meaningful change to that situation so that my successor would not be plagued by the same kind of frustration I have experienced.

Unless reversed, the action of House Democrats will deny me that opportunity. I am more than disappointed—I am angry.

For all of the pious platitudes I have been hearing from my colleagues across the aisle, I would have thought that they would have avoided the kind of situation that developed last week.

It was a closed caucus—shrouded with secrecy and a secret ballot that now blocks reform. Apparently, a sufficient number lacked the courage to vote publicly.

What disturbs me is that the Democratic caucus presumes to act on behalf of the entire House. Given the wide support of Republicans for the reform proposal and the 95 Democrats who voted for it, there clearly is a majority in the House for reform. Reform, by the way, which the chairman of the Select Committee on Committees, RICHARD BOLLING, a Democrat, has labeled as necessary to make the House "work."

What is even more disturbing is that not even one-half of the House Democrats voted to "pigeon-hole" the reform proposal.

There has been a good deal of public criticism of the lack of moral sensitivity in the White House. I have joined in that criticism for what the transcripts reveal offends me as well.

But I cannot help but wonder—let me put it this way—I do not think I would want to be an incumbent Democrat—with the people's confidence in Congress so low—having to go home this year to campaign to answer the question: "Why did you kill the reform proposal to make Congress 'work' and, behind closed doors and with a secret ballot?"

THE READING BUSINESS AND PROFESSIONAL WOMEN'S CLUB: CIVIC ACTION, COMMUNITY CONTRIBUTIONS

HON. GUS YATRON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1974

Mr. YATRON. Mr. Speaker, the Reading Business and Professional Women's Club is an outstanding example of achievements that can be realized through the efforts of a civic organization.

Organized in 1923 and chartered in 1924, the club recently celebrated its 50th anniversary at a dinner in Reading. Its members can point with pride to the many meaningful contributions made to the community and the area for half a century.

The fine tradition of concern and involvement has been handed down and continued by the women of the Reading Chapter. Its involvement has extended into such important areas as the passage of vital educational and child-related legislation, the founding of scholarship programs, contributing significantly to hospital building projects, aiding State and local homes for the ill, widowed, and underprivileged, and the promotion of understanding in far-reaching national and international affairs.

The Reading BPW Club has sponsored many cultural events, concerts, and theater activities, in an effort to foster cultural programs in the community.

Our servicemen have also benefited from the organization's interest in their well-being, through USO activities, and a nursery school was founded as a result of its civic determination and concern.

In this country, we have always taken pride in our recognition of the importance of local community action. The Reading Business and Professional Women's Club has always reflected this ideal. Its sense of involvement, patriotism, and responsible action has contributed immeasurably, for the past 50 years, to the enrichment of our lives.

My congratulations to the entire membership, including Mrs. Susan Buck,

50th anniversary president; Mrs. Ruth Detterline, 50th anniversary program chairman; Mrs. Grace Bechtel, vice president; and to the two charter members, Ms. Esther Wilson and Ms. Eva Roos.

I am honored to commend to the attention of my congressional colleagues the outstanding work of the Reading Business and Professional Women's Club, Reading, Pa.

VETERANS' ELIGIBILITY EXTENSION MUST BE PASSED NOW

HON. THOMAS A. LUKEN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1974

Mr. LUKEN. Mr. Speaker, 2 weeks ago the distinguished chairman of the Veterans' Affairs Committee took the well of the House to advise us that unless the Congress acts quickly eligibility for educational benefits will run out on needy vets at the end of this month. Moreover, the Veterans' Admininstration has stated repeatedly that it needs a decision on this issue by tomorrow to be able to continue benefits without interruptions. Congressional inaction and internal squabbles could now terminate the educational programs of 285,000 veterans, 3,200 of which are studying at the University of Cincinnati alone.

On May 1, the other body took the provision extending eligibility of benefits from 8 to 10 years out of H.R. 12628, as passed by the House, and introduced that one provision as S. 3398. The Senate has had the full bill for nearly 3 months and could have passed it by now and discussed the differences with House conferees. But instead, the bill has been held hostage over there in an attempt to force the House to adopt other, more far-reaching provisions that are in the Senate version.

I support most of those Senate features *myself, Mr.* Speaker, because I do not believe that today's veterans are getting a fair shake. In fact, I am a cosponsor of H.R. 14314, the comprehensive veterans' bill which includes so many of those Senate provisions.

And yet I agree with our distinguished chairman that H.R. 12628 was the best that could be done at the time without risking a veto and the other body should have recognized that and acted accordingly. Their position now is simply not in the best interests of veterans, though it is meant to be, I am sure.

Now we have come to an impasse. And the question is no longer who shall prevail but, rather, how can we get this extension for the veterans given the set of circumstances that obtain? The obvious answer is that the other body should pass S. 3398 without further delay. And the House should quickly pass it, too. When the emergency on this one issue is resolved, the other issues of veterans' benefits can be considered without undue urgency, without a rush to judgment, but most importantly, without holding people hostage waiting for their legislators to act.

DANGEROUS JOURNALISM

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1974

Mr. MICHEL. Mr. Speaker, from time to time I have inserted editorials into the RECORD written by Mr. C. L. Dancey, editor of the Peoria Journal Star and in some of those editorials, Mr. Dancey has been cautioning his colleagues in the media about the manner in which they were reporting on the Watergate investigations and all related activities.

In the May 4, 1974, edition of his newspaper, Mr. Dancey returns to his theme in an editorial entitled, "Dangerous Journalism" and I include it in the RECORD at this point:

DANGEROUS JOURNALISM

The American Society of Newspaper Editors was cheered to hear the former attorney general, Elliot Richardson, give praise to "the press" for its "extraordinary" practices in the coverage of Watergate matters.

But what we of the press had best take note of before we get too happy about it is that Richardson pointed out that it was the exceptional circumstances that made some of those practices justified in this instance.

In short, once again, we are confronted with a very responsible admission that the way we have been operating is normally very undesirable and even irresponsible—and those who approve, even do so only because of "special circumstances."

Meanwhile, we have been forming what are admittedly bad habits if continued under any but these special circumstances, and yet we show dangerous signs of making those bad habits truly habitual.

Lurking behind those congratulations, Richardson joins the ranks of those who are saying, in effect, "If you keep this up, you will be doing badly."

And we are keeping it up.

Worse than that, we have provided a "new image" of how the news search is carried out and by what kind of people and that image is now fixed in the minds of the general public. It is also powerfully impressed on a host of budding young newsmen and women from Maine to California.

The danger thus becomes awesome of reporters in local communities across this land engaging in the classic business of trying to imitate the methods and manner of a Dan Rather, for example.

Yet, the evidence piles up that such conduct is only excusable (if then) under the very unique and special circumstances of the Watergate affair . . . and, perhaps, only then by supposedly seasoned and "responsible" journalists of great stature.

Imitated across the land on the local scene, such conduct together with the "image" Mr. Rather and others have already impressed on the public mind can become a disaster for the profession of journalism.

The reaction can be most damaging to our good name and our credibility.

The greatest dangers come, of course, in the TV newscasts where, even at the national level, the worst abuses and worst examples have already been set before us—and where such are most apt to be imitated.

Also, in TV, there is the greatest pressure to put someone on a news task to suit a "video" criteria, a race-or-sex balance, a desirable "show biz" interplay of personalities, or whatever instead of professional journalistic abilities.

Unhappily, one may confidently—and sadly—predict that some attractive young half-trained news people in grass roots jobs around their country are going to have their careers destroyed—having been misled in their jobs by the network hotshots during this affair.

We might well see a couple of famous names on the national scene burned as well if they don't make the conversion back to pre-Watergate standards of responsibility.

And unhappily, also, there is the great risk that all of us in this business will get "burned" to some extent by public resentment before we recover our professionalism and manage to shed some of the bad habits we have been forming in 1973 and 1974.

Meanwhile, the interesting reality faces us, that even the defense of our conduct now admits that it has been abnormal and prejudicial and highly irregular "in any other circumstances."

Thus, those praising us are also, in the very act, half-convicting us at the same time—and the game is far from over!

THAI GOVERNMENT CRACKDOWN ON DRUG TRAFFICKING

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1974

Mr. WOLFF. Mr. Speaker, following the passage by the House and Senate of an amendment I introduced to the Foreign Assistance Act, the Thai Government initiated a crackdown on drug trafficking. The amendment made foreign aid contingent upon cooperation of Thai officials in efforts to stop the flow of dangerous drugs from the Golden Triangle area to the United States. The Thai Government has recognized that narcotics is a Thai problem as well as an American one.

Thai officials are to be congratulated for their narcotics suppression efforts. For the information of my colleagues, I would like to insert the following articles from the Bangkok Post about the work of the Thai police:

[From the Bangkok Post, Apr. 13, 1974]

FIFTY-FOUR "GUIDES" ARRESTED

CHON BURI.—Police yesterday arrested 54 "tourist guides" in Newlands and Pattaya on charges of enticing sailors from the U.S. naval vessel Oklahoma City to drug smoking dens and of possessing marijuana and heroin worth more than 100,000 baht.

Coming from Subic Bay in the Philippines, the Oklahoma City has been in Thailand on a short visit since Monday. Its crew of over 1,300 were given shore leave in Newlands and Pattaya.

Chon Buri police in co-operation with a security unit of the U.S. military have been following the activities of certain people who have offered themselves as guides to show sailors around these places.

They found that 54 people including two women had been taking the sailors to drug smoking dens.

The 54 were arrested, some found in possession of drugs, and taken into police custody both in Chon Buri and in Rayong.

[From the Bangkok Post, Mar. 20, 1974]

WELL DONE, POLICE

Our police must be praised for the way the narcotics suppression program is succeeding. They must be specially commended for their smashing of a Thai-Hong Kong drug ring. Five Hong Kong Chinese were arrested in connection with the production and smuggling of heroin and morphine. The ar-

rest should be the international nature of the narcotics raid. Because of this, international co-operation between the police of various countries is necessary to successfully suppress the trade. The co-operation between the Thai and Hong Kong police in cracking this case is a sterling example of how such international co-operation can be carried out to break the smuggling syndicates.

It is necessary to follow up the police work with swift and appropriate justice for all those arrested. We call for maximum sentences for the guilty; the death penalty could be a deterrent to those who seek to follow in the footsteps of those traffickers. The principal Bangkok figure accused in Poomsiri Chanyasak. He and any other local persons may well have protectors who will try to get him out of jail. However, all should be equally punished, be they Hong Kong Chinese or local citizens, if they are found guilty. There should be no favoritism if the narcotics traffic is going to be suppressed.

And why should the narcotics traffic be suppressed? At one time we thought that the narcotics traffic is the problem of the Americans, not ours, since the opium from the Golden Triangle processed into morphine-base of heroin, is smuggled through Hong Kong to the United States market. Now, we realise that it is very much our problem and Hong Kong's. Much of the heroin stays here and also in Hong Kong and this supply causes expansion of the number of addicts. Thai authorities have estimated drug addicts here at 400,000.

Drug addiction is destructive not only of the individual concerned but also of the resources of the nation. Thailand cannot afford to have any large number of its people addicted to narcotics. It will seriously weaken the country, it will increase unemployment, the crime rate will rise as addicts try by hook or crook to get enough money for doses. This is the problem which governments of all Southeast Asian countries through which the drugs pass face. They can certainly tackle it better with regional co-operation which such machinery as ASEAN or ECAFE affords and for which the Thai-Hong Kong co-operation in the above-mentioned case has set the standard.

THE PUBLIC IMAGE OF CONGRESS AND REFORM

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1974

Mr. HAMILTON. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following:

[Congressman Lee Hamilton's Washington Report]

THE PUBLIC IMAGE OF CONGRESS AND REFORM

What do the people have against the Congress? Only 30% of the people polled last week say they approve of the way Congress was handling its job, 47% disapproved of its work, and 27% were undecided. The American people have always been skeptical about the Congress (remember Mark Twain, who said that fleas could be taught anything a Congressman can), but the criticism seems to be getting worse.

People complain that Congress is not dealing effectively with the national problems, plays too much politics, and forces the President to make the tough decisions while complaining that he is usurping Congressional power. To the people, Congress appears ponderous, slow, and tedious compared to the decisive actions of the President. Then, there are the Members who are lazy or engage in misconduct of all kinds. While they may be a small percentage of Members, they receive much publicity. To most people the Congress is impersonal and easy to blame for the woes of the nation.

Perhaps not surprisingly, Congressmen are among the severest critics of the Congress, most of them agreeing with their constituents that the Congress deserves censure. Members are good at defending themselves but poor at defending the institution of the Congress.

A recognition of the urgent need to improve the poor image of the Congress is behind the increased interest in reforming the Congress, an effort that has the support of an overwhelming majority of the House. Most Members speak strongly and sincerely in support of reform—at least in general—and recognize that the structure, procedures, and habits of the Congress are outmoded.

The present committee system was created 28 years ago, at a time when the legislative topics which preoccupy the Congress today—environment, energy, health insurance, to name a few—were only dimly perceived. Today, judisdictional lines are tangled, workloads unbalanced, and overlap and confusion all too frequent (no less than 12 House committees have responsibility for energy legislation). Some committees have too much to do, and others not enough. Members frequently face daily schedules requiring them to be in several different meetings at the same time, and everyone agrees that Congress needs to intensify its review of governmental programs once they have been enacted.

Early in 1973 Speaker Carl Albert appointed a bipartisan Select Committee, headed by Congressman Richard Bolling, with a mandate to recommend changes in the structure and procedures of the House. The House of Representatives is approaching a struggle this week as it begins to consider the recommended actions of the Bolling committee. The highlights of the proposals include:

Creation and equalization of 15 major standing committees;

Placing control over major policy areas—health, transportation, energy, environment, foreign economic affairs—in separate committees;

Allowing each Representative to serve on only one of the 15 major committees in order to spread choice assignments and to reduce meeting conflicts; and

Abolishing proxy voting in committees, strengthening committee staffs (guaranteeing at least a third of staff positions for the minority party), improving committee oversight, increasing the quality of information available to Congressmen, and providing a continuing study of committee jurisdiction.

The basic idea behind this proposal is to simplify and focus the legislative process by concentrating jurisdiction in major areas, limiting each House Member to one major committee and equalizing the workload among the committees. The effort is to inject coherence and vitality into the legislative process.

This proposal has precipitated a bitter power struggle within the House because it fundamentally redistributes power by abolishing some committees (like the Post Office and Civil Service Committee) and reshuffles jurisdictional authority. An unusual alliance of business and labor interests is working with a powerful group of committee and subcommittee chairmen and staff to defeat the plan. Washington lobbyists fear that their carefully cultivated contacts with key Congressmen will come loose, and several Congressmen, who are losing vast empires of influence, are mightily displeased. Staff members are fearful they may lose their jobs.

The Republicans appear to be solidly in favor of the reforms, in part because they do not have much to lose since they do not control the House, but the Democrats are much more split. The proposals present them, as the majority party, with a real test of leadership.

Although no single step can restore the effectiveness and public esteem of the Congress, the proposal will, in my view, make the operation of the House more rational and insure that many complex subjects receive better scrutiny. While the proposal does not touch several areas that need examination, like appropriations, it is generally sound, rearranges committee jurisdictions in a coherent way, and makes several valuable reforms. No reform comes painlessly or solves all the problems, but the opportunity for genuine improvement of the structure of the Congress comes only seldom, and it should be seized.

MALCOLM-KING HARLEM COLLEGE EXTENSION

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1974

Mr. RANGEL. Mr. Speaker, one of the most exciting movements in higher education today is the development of community-based colleges catering to the special needs and interests of local residents. In my own district, Malcolm-King Harlem College Extension is just such an institution—young, dynamic, and reaching out into the community.

Malcolm-King targets its courses primarily at older residents who have been away from classrooms and studying for a few years. The college's philosophy is to offer a college education and a degree to those who were never given a real chance to go beyond high school, whether for reasons of discrimination, lack of finances, or family responsibilities.

I am pleased to include an article on Malcolm-King Harlem College Extension at this point in the CONGRESSIONAL RECORD:

SHE WANTS MALCOLM-KING ON HARLEM'S MIND

(By Stephen Gayle)

Twelve floors below Dr. Mattie Cook's office on Park Av. and 125th St. Penn Central tracks cut a wide swath through the middle of Harlem, then snake out to the suburbs, where they begin to divide things into two convenient categories—the right and the wrong side.

Dr. Cook, a Harlem resident for almost 20 years, is familiar with life on both sides of the tracks, and since 1968, she has been working to minimize the differences, by heading Harlem's only institution of higher education with the power to confer degrees—Malcolm-King: Harlem College Extension.

Malcolm-King goes unnoticed by most of the city, but Dr. Cook is planning to change all that with the school's next fund-raising drive May 16–18. The purpose of the drive is to secure financial independence for the school's development, she says, but equally as important: "to provide permanence and visibility in Harlem for Malcolm-King."

Malcolm-King is unique among the 70 colleges located in the city. Founded in 1968 after a group of Harlem civic leaders decided it was time for the community to have a college of its own, it has 753 students currently enrolled, and the average age is 32.

Most of the students hold full-time jobs and the school discourages recent high school

graduates from applying. "We are interested in older people," says Dr. Cook, "the ones who missed the boat because they got out of high school too long ago, before the open admissions and the other opportunities that minority youngsters coming out of high school today enjoy."

Mrs. Emma Wright is an example of what Dr. Cook is talking about. A 33-year-old mother of four and the director of the Addie May Collins Community Service Headstart Program at Fifth Av. and 127th St., she came to Malcolm-King after Dr. Cook's prodding. Dr. Cook herself has been a former director of the Collins headstart program.

DISPERSED CAMPUS

"She encouraged me to finish my education," Mrs. Wright said. She is finishing a course in early childhood education and expects to graduate a year from now. "And my children (aged six to 15) have been the pushing force behind me attending Malcolm-King. Every time I'm going to quit they say 'Mommy, no.' "

More than half of the 100 teachers, who are all volunteers have PhD's, and informality is the byword on the concrete campus. "We are what is called a dispersed campus," Dr. Cook explained, "with classrooms at IS 201, (at 127th St. and Madison Av.), Resurrection HS (at 151st St. and Eighth Av.) and the Urban Center in the old Hotel Theresa."

From the very beginning, the school's course were recognized by the State Board of Regents a carrying full academic credit, although the college is unchartered because it does not have the necessary $500,000 to guarantee solvency. Hence, the "Harlem College Extension" nametag, which means that students from Malcolm-King are considered part of a network of three four-year colleges: Marymount Manhattan, Mount. St. Vincent's in Riverdale, and Fordham.

Dr. Cook readily admits that "voluntarism is our strongest base of operation" and says that community involvement with the school is of key importance "because people have more pride in something they feel belongs to them.

"There is a need for this college," she said, "and we're not duplicating what goes on at other colleges. We're providing a special service to a special group that has been disenfranchised. The individual is the most important component at Malcolm-King and everything has been set up to resolve around our population."

During the May 16–18 fundraising drive, students and faculty member will be seen on *125th, 135th* and 145th Sts. The goal is $35,000, which is intended to be part of a ten-year goal of $500,000.

"This is in keeping with the teaching of the two black statemen for whom the college is named," Dr. Cook said. "Malcolm X carried his message of unity and self-respect to the people on the streetcorners of Harlem. Dr. Martin Luther King, Jr. dramatized the plight of the black man through his civil rights marches in the streets of northern and southern cities.

THE VOTER REGISTRATION ACT

HON. BILL FRENZEL

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1974

Mr. FRENZEL. Mr. Speaker, I am pleased by this body's decision last week to shelve H.R. 8053, the Voter Registration Act.

While I supported the rule, I did so only because the rule made my substitute (H.R. 11713) in order. Since others felt the same as I did, the vote of 204 to 197 did not fully reflect the depth of opposition to the bill. If there had been a final vote on the bill, I believe the margin against it would have been a good deal larger.

Nevertheless, proponents of this well-intentioned, but impossible, legislation have indicated that they may try to attach it to a campaign finance reform bill now being marked up in the House Administration Committee. Apparently, they feel that Members will be much less inclined to vote against post card registration if it is part of a politically popular set of campaign finance reforms.

Given the depth of opposition to this bill, as was demonstrated by the vote, this course of action would be most unwise. Attempts to include post card registration in a campaign finance reform bill could only be received as an effort to overload election reform. If post cards were attached, the passage of the entire election reform bill would be severely jeopardized.

I hope supporters will allow the post card registration bill to fall on its own demerits, and not take the devious and unwise step of attempting to sneak it through the House on another bill which might also fall because of it.

THE ROLE OF SAVING

HON. STEVEN D. SYMMS

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1974

Mr. SYMMS. Mr. Speaker, the Foundation for Economic Education—FEE—publishes a monthly series of essays on liberty entitled the "Freeman." If politicians paid more attention to the principles outlined in the essays America would be experiencing true prosperity without inflation. I think my colleagues in Congress will find the following article entitled "The Role of Savings" to be of interest:

The article follows:

THE ROLE OF SAVINGS

(By Brian Summers)

One of the least appreciated aspects of the private enterprise system is the role of savings in increasing the wealth of all the people. That the savings of some can increase the wealth of all may seem, at first glance, paradoxical, so let us consider for a moment just what happens when an individual—call him Joe—forgoes a little spending to put a sum in the bank.

Some people say: "The money that Joe has saved is money that won't be spent. The decrease in Joe's consumption can only mean a commensurate decrease in production and a resulting rise in unemployment. Saving should really be discouraged."

Saving is a form of spending! Joe's money doesn't just sit in the bank; the bank must lend it to someone in order to earn money to pay Joe interest. This lending is not only a form of spending, it is, in fact, the only kind of spending that actually increases wealth: *investment.*

What happens when money is invested? Say a corporation goes to Joe's bank and borrows money to build a factory. The corporation then spends Joe's money on building materials, machines, tools, and labor. The money that Joe has saved winds up being spent just the same as if he had spent it himself. There is no decrease in production and no rise in unemployment. In fact, as we shall see, there is an *increase* in production and a *decline* in unemployment!

Soon the factory is complete. The corporation then proceeds to hire workers. Joe's savings have increased employment!

How does the corporation hire workers? By offering better conditions of employment than their competitors. Perhaps the most important condition—as far as workers are concerned—is the level of wages. In all probability, the workers in the new factory have been lured by higher salaries. Joe's savings, whether he realizes it or not, have increased the wealth of workers in a factory he probably has never seen.

"You said that savings increase the wealth of all the people. What about the 210 million Americans who don't work in Joe's factory?"

COMPETITIVE BIDDING

Consider first the workers in competing factories. If these factories don't want to lose their workers to new factories, they had better raise their wages. Joe's savings have increased salaries through an entire industry!

As for workers in other fields, we should remember that most of them are potential factory workers. If you want to keep your best farm hand from going off to work in Joe's industry or taking a job that has been vacated by someone else who went off to work in Joe's industry, you had better give him a raise. Competition among employers means that Joe's savings, and the savings of millions of other Americans, raise the wages of *all* workers.

"That is still not everybody! How about people who don't work?"

Every man, woman, and child—worker and nonworker—is a consumer. The end of economic activity—saving, factory building, working, and all the rest—is *consumption.* We should always keep this *end* in mind. The higher wages we have talked about would prove meaningless if they didn't result in increased consumption.

Joe's savings benefit *everyone* because the factory, machines, and tools they helped build are designed to produce goods that consumers will prefer to those already being offered on the market. The corporation that borrowed money from Joe's bank took a financial risk because they think that they can satisfy consumers better than their competitors. In other words, they hope to give the consumer more for his money. If they fail, then the loss is theirs. If they succeed, then consumers consume more of what *they* want and thus enjoy a higher standard of living. The consumer—each and every one of us—is the final judge and ultimate winner.

"Savings seem to be pretty good after all. What should be done to encourage more savings?"

Instead of doing things to encourage saving, we should undo things that discourage it. In particular, the law itself is probably the greatest hindrance potential savers face. Let us make a brief survey of some of the ways in which the law discourages saving.

To begin with, people can't save money they no longer have. Every dollar that goes in taxes is a dollar that won't be saved. Add up all the taxes that Joe pays, and he may find himself withdrawing from, rather than adding to, his bank account.

TAX DISINCENTIVES

In addition to the general level of taxation, several specific taxes are especially discouraging to savers. Corporate profits taxes, capital gains taxes, and taxes on dividends and bank account interest hit the saver particularly hard and must be taken into account by every potential saver.

High as taxes are, government spending is even higher. The difference, of course, is "made up" by running fiat money off the government printing presses—inflation. And inflation, combined with other ramifications of over-extended government, is enough to give even the most devoted saver cause to rethink his frugal habits.

The saver sees inflation galloping along faster than legal limits on interest rates. Even though he actually has lost money, in terms of purchasing power, he finds himself forced to pay taxes on his "earnings."

The saver sees inflation increasing the paper value of his capital holdings. When he sells his holdings he must pay capital gains taxes—even though his "capital gains," in terms of real wealth, actually may have been capital losses.

The saver sees inflation increasing the replacement costs of capital equipment—machines, spare parts, tools—while depreciation allowances are determined by original costs. He finds that depreciation allowances have become inadequate to pay for new equipment to replace the old.

The saver sees inflation increasing the paper profits of his corporation. In particular, inventory "profits"—the difference between the cost of producing an item and the cost of later replacing it in inventory after it has been sold—are a direct result of inflation. Were all these inventory "profits" available for investment in new inventory, the corporation could at least hold its own. However, almost half these "profits," on the average, wind up as corporate profits taxes. Thus, the saver may find his corporation losing money and paying profits taxes at the same time.

Inflation itself, even without being combined with various governmental controls and taxes, is discouraging to potential savers. With prices rising, people are encouraged to make purchases before prices go any higher, rather than to save for future purchases.

This brief survey of ways in which the law discourages saving is, of course, by no means complete. However, I would like to conclude with one factor that can never be measured, but which is nonetheless very real. This is the factor of uncertainty. In recent years, the United States government has grown so interventionistic that every few months the president is announcing "strong new" economic measures. Who knows what is next? Already we hear congressmen calling for a virtual nationalization of oil companies. Who is going to invest under such circumstances? To complete the destruction of the American economy, the government does not have to expropriate the means of production. It merely has to make conditions so onerous and so frightful that no one will dare invest in private enterprise.

A free market, and the belief that the market will continue to be free, is all the encouragement savers ever need.

BAR ON FOREIGN-BORN PRESIDENT COSTLY

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1974

Mr. BINGHAM. Mr. Speaker, throughout its 198-year history the United States has been well served by millions of immigrant citizens. As Bob Wiedrich, columnist for the Chicago Tribune eloquently explains, without that infusion of new blood we would not be the "shining experiment in democracy" that has persevered whatever the adversity.

I commend Bob Wiedrich's April 14 column to all my colleagues and other readers of the RECORD who may have doubts about House Joint Resolution 880 making naturalized citizens eligible to hold the Office of President.

The article follows:

BAR ON FOREIGN-BORN PRESIDENT COSTLY

(By Bob Wiedrich)

Give me your tired, your poor,
Your huddled masses, yearning to breathe free.
The wretched refuse of your teeming shore.
Send these, the homeless, the tempest-tost to me,
I lift my lamp beside the golden door!

These closing words of "The New Colossus," the poem by Emma Lazarus inscribed on the Statue of Liberty in 1903, remain especially meaningful to us as the son of a foreign-born naturalized American who found his measure of hope in the New World.

For the unique strength of these United States has forever been that blending of the immigrant blood and talent of a hundred lands which has helped to build, nourish, and sustain the character of a nation which endures as the major bastion of freedom and individual liberty.

Without that constant infusion of new intellect and stock over 198 years, the United States probably would not be what it is today, a shining experiment in democracy that has survived and prospered and will continue to do so whatever the adversity.

Yet when the framers of the Constitution fashioned that document as the foundation of the Republic, they specifically excluded from holding Presidential office the very kind of people who would in the centuries ahead furnish the vitality that would bring the Constitution to life.

"No person except a natural born citizen or a citizen of the United States at the time of the adoption of this Constitution shall be eligible to the office of the President; neither shall any person be eligible to that office who shall not have attained the age of 35 years and been 14 years a resident within the United States."

Today, it is strange and puzzling that a country that has drawn its greatest strength from accepting the poor and unwanted of other lands should have excluded them from its democratic leadership at the moment of birth.

But at the time, in the minds of the Founding Fathers, there must have been good reason, for they were assembling a nation born from the ashes of oppression and tyranny. Probably all things foreign were repugnant. And there was probably strong fear of a clandestine representative of the hated King George III seeking the highest office in the land.

"Permit me to hint whether it would be wise and seasonal to provide a strong check to the admission of foreigners into the administration of our national government and to declare expressly that the command in chief of the American army shall not be given to nor devolve on any but a natural born citizen."

So wrote John Jay, noted statesman of the day and later first chief justice of the United States, in a letter to George Washington in July, 1778. It is clear Mr. Justice Jay shared the suspicion that the foreign born were disloyal or more prone to disloyalty than natural born citizens. Well, 198 years of American history have repeatedly given the lie to that fear. Nor is there cause for concern that a descendant of King George will today take over the government.

However, the probably then well-founded anxieties of the Founding Fathers ruled out from consideration for the Presidency over the years such great Americans as these: Alexander Graham Bell, born in Scotland; Dr. Albert Einstein, born in Germany; Thomas Mann, born in Germany, and Andrew Carnegie, born in Scotland.

And, without suggesting a Presidential boom for him, Secretary of State Henry Kissinger also is barred from any more than a visiting role at the White House. He, too, is a naturalized citizen, born to the terror of Nazi Germany.

In an effort to get Americans thinking about this glaring inequity, Rep. Jonathan Bingham, liberal Democrat from New York, as well as Senators Hiram Fong [R., Hawaii] and Birch Bayh [D., Ind.] have introduced measures calling for a Constitutional amendment making naturalized Americans eligible for the Presidency. Few, however, think such a measure will win approval in much less than a decade.

It always has been a source of wonderment to us that a nation of 200 million could field so few Presidential contenders; that too often we were confronted by the same tired faces. Perhaps such an amendment might furnish a wider choice.

Most important, we might discover that someone who has suffered oppression in a foreign land has a greater appreciation of our institutions and might safeguard them more religiously than those blessed by an accident of birth with a lifetime of knowing nothing less than complete freedom.

VERMONT TAKES THE LEAD

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1974

Mr. HARRINGTON. Mr. Speaker, as many of my colleagues know, Vermont has led the way with many of the most progressive reforms in the Nation, including, for example, environmental control and land use laws. The efforts of the State government in Vermont deserve our commendation.

An interview with Governor Salmon of Vermont recently appeared in the New Englander magazine, outlining not only where Vermont has been, but where he sees it going from here. I found Frederick Pratson's interview, "Vermont Takes the Road Less Traveled," not only interesting, but enlightening, and insert it in the RECORD for the attention of my colleagues.

The text follows:

VERMONT TAKES THE ROAD LESS TRAVELLED

(By Frederick J. Pratson)

Gov. Thomas P. Salmon stresses need to check "unrestricted growth" and adopt statewide land-use plan.

The second largest state in New England and the only one with a seacoast, Vermont has traditionally been known for its agriculture, stone quarries, and popularity as a winter skiing and summer resort area. The state leads the U.S. in marble and maple syrup production, and has more dairy cows than any farming area of its size in the country.

Manufacturing — machine tools, stone products (granite, marble, limestone, asbestos), lumber, paper, furniture — generates over $562-million in revenues annually in the Green Mountain State; over $250-million comes from tourism and recreation; and more than $180-million from farming and dairy products.

With its rural and recreational appeal, Vermont is an ideal target for the developer and

sub-divider. And this appeared to be the way the state was going, until its less than 500,000 citizens decided that they liked their land the way it was. For almost a decade, the No. 1 issue in Vermont has been growth—not, as for most states, promoting it, but in a characteristically independent stance, limiting it.

VERMONT DISCOVERS ULCERS

"Gone are kerosene lamps and outhouses, one-room schools and one-horse shays, crank telephones . . . Vermont has entered the world of jets, computers, ulcers, tranquilizers, nuclear power, four-lane highways, shopping center complexes, color television, and mobile homes," reads a report issued by the Vermont Planning Council.

Titled, "Vision and Choice: Vermont's Future," the 1968 report was a first step in the passage of Act 250, the state's principal environmental law, which took effect in the summer of 1970. The law called for additional future measures to be enacted in the area of environment and conservation. Although a land-use plan was shelved by the 1974 Legislature, it remains on the docket, and is a primary concern for the state's citizens.

One of Vermont's leading proponents on the need to regulate unbridled growth has been Thomas P. Salmon.

A Democrat in a traditionally Republican state, he is also an out-of-stater in an area that has always placed native sons and daughters first.

ADOPTING A NON-NATIVE SON

Nonetheless, the people of Vermont elected Salmon governor on Nov. 7, 1972, for a two-year term, and he has announced that he will run for a second term this November. Most observers agree that Gov. Salmon stands an excellent chance of winning in his reelection bid, and that perhaps the only Republican who could defeat him is former Gov. Deane Davis.

Gov. Salmon was born in Cleveland, in 1932, and was raised in Massachusetts. He graduated from Boston College and Boston College Law School, and holds a Master of Law and Taxation degree from New York University Law School.

He settled in Vermont as a permanent resident in 1958, and now lives in Rockingham with his wife, Madge, one son, and three daughters. A lawyer with a practice in Bellows Falls, he was appointed town counsel of Rockingham in 1959, at age 27.

Three years later, he was appointed judge of the Bellows Falls municipal court and, in 1965, elected to the Vermont House, where he served as minority leader in 1969–70.

In this interview, Gov. Salmon focuses on Vermont's growth and why the state differs from the way the rest of the country thinks, except for Oregon's Gov. Thomas McCall, a native New Englander whose conservation program, many observers think, has set the tone for developments in Vermont.

Is it true that you are doing in Vermont what Gov. McCall is doing in Oregon, namely limiting growth?

Salmon: Yes, that is reasonably correct, though I am not as strident as Gov. McCall. We have a very fragile economy in Vermont. It is an agricultural, industrial, and tourist economy. As one of the most rural states in the U.S., Vermont does not lend itself to unrestricted growth for the sake of growth. We are trying to find better ways to define the limits of growth, what we want now, and what we want for the future.

Is this what the citizens of Vermont want?

I think so. First of all, you have to take a look at what growth means. I am not a "no-growth" freak. It will happen, and must happen.

However, there are certain regions in Vermont which are not natural growth areas. The Burlington region, where many of our major companies are located, is. On the other hand, Essex County, a northern rural section on the Canadian border, is not, and does not lend itself to any substantial growth over the next decade. It would take wild horses to interest industry in such rural areas, even if the effort were important to our overall economy.

It's growth for growth's sake that Vermonters are trying to get away from. The attitude stems from the "gold rush" which took place in the state in the 1960's, a recreational boom that was without precedent in the region. An acre of land in southern Vermont that sold for $100 in 1960, topped $1,000 by 1970.

The gold rush, and the onset of large subdivisions created problems, particularly in local communities' ability to handle such frenetic growth. Ultimately, this gave rise to a concern over harmful development, and Act 250, our major regulatory tool, was passed to give us a handle on the situation.

What are the important provisions that should be included in a land-use plan for Vermont?

I would like to see a basic blueprint for growth that is keyed to local decision-making, which is where such decisions should be made. However, society in general, as represented by state government, has an overriding interest in certain aspects of land use. An important part of any plan would be the creation of conservation districts in which the state has a continuing interest.

Land is a non-renewable resource. Once exploited for purposes which make no sense, it is gone forever. Any rational plan must have built into it the notion that high resource areas, such as prime agricultural land, forest land, and land for mineral extraction, should carry sufficient tax incentives so they will not be converted to more intensive use.

Do you mean developments such as housing?

Housing is only one type of development. I am talking about any development, any kind of growth—housing, manufacturing, mobile home parks—which involve changing the shape of the land. We must look at our resources and then ask if there is a better place, within a certain region, in which to locate this type of activity.

Does Vermont have preferential property tax incentives which are designed to preserve farm and forest acreage?

This is one of the most pressing issues Vermont faces. The question is, how do we provide economic incentives to keep land in open space, when we already have a relatively low tax yield base because of our rural, agrarian nature.

This year I proposed a bill which would provide preferential tax treatment by local authorities on an individual's first 100 acres, if that individual's income is $20,000 or less.

The plan is designed to give citizens the economic capability to avoid the "conversion syndrome," where prime land is sold to the highest bidder. It is the only bill in recent years which offers specific recommendations for keeping land in open space over a long period of time.

We are faced with a situation where society may be required to pay a fairly substantial price to keep land in open space. Once you treat the land of one man on a preferential basis, you place an added burden on other citizens within the same community to pay for that special treatment.

We must ask the question, what price should we pay for comprehensive land-use reform? And are these shifts in the tax burden warranted? It is a complex subject, and one which the courts have not even begun to adequately address themselves to. It also raises this question: to what extent can or should the government impost itself on the way an individual uses his own land?

There are some very vocal opponents to land-use plans. What is your view of their arguments?

There is a conservative element in the northern part of the state which views government at all levels as evil, and which is opposed to any kind of state-wide planning.

At a hearing in Montpelier, members of this group denounced the proposed land plan and blamed it on out-of-staters, the governor, the former governor, the devil, state bureaucrats, and a bevy of architects and planners.

This element has to be dealt with. Press reports also stated that those who spoke, by and large, appeared to have little specific knowledge of the provisions of the proposed plan, except they knew they were against it.

Is state-wide land planning a socialist plot? Or is it a prerogative of the government in the exercise of its legitimate power to serve the best interests of the people? I feel it is the latter.

State initiatives have enabled Vermont to institute the rational management of a potentially harmful situation. The view toward a society's and an individual's absolute interest in the land is changing. I think there is a body of law emerging which will say that there is a protectable legal interest for prime agricultural land remaining in open space.

How will land-use plans affect economic development in the state?

They are compatible. We do want our share of economic development in Vermont. We have already identified areas well-suited to industrial expansion. We know, within our cities and towns, where land can be sensibly converted to economic development, and where localities are receptive to such expansion.

What are you doing to attract industry?

We are working on an important piece of legislation, designed to stimulate the industrial sector, which would put all state economic development agencies under one roof. The proposed Vermont Industrial Development Agency would work closely with local officials and companies to acquire land most suited to industrial use, make site improvements on that land, and, under appropriate circumstances, launch construction projects. The state will also provide economic incentives, such as low interest loans, to encourage industry to come to Vermont.

We have a special obligation to industry that is already here, and also an obligation to attract the kind of industry that will fit into our unique rural and aesthetic setting.

Sound environmental practices are entirely compatible with sound economic growth. National firms which have expressed an interest in Vermont say that they have had it with affluent suburban and urban environments. So they are now looking at rural areas, such as Vermont.

The amenities we offer, such as clean environment, good transportation, less pressure and hassle, and great recreational facilities, are very attractive to urban America. We, in turn, can incorporate these attitudes into our need for economic growth.

You're implying that Vermont has become much more selective in the type of industry it wants to attract.

We are being selective in the sense that we are concerned about planning site development, the proper location of industry with a view toward basic environmental issues.

Vermont cannot meet the needs of the so-called heavy polluting industries. They don't fit here and they don't make sense for us. I want to make the important point that Vermonters have made a long-term commitment to enviromental sanity.

Increasingly, one hears the phrase, "Vermont for Vermonters" used by leaders in the state. It conveys the impression that out-of-staters are not as welcome as they used to be. Is this true?

I have lived in Vermont for less than 16 years, and am not a native myself. When I speak to the issue of Vermont for Vermonters, I mean that the prime emphasis and concern of government should be to serve the best interests of the people who live here. State programs, whether in the area of taxation, education, employment, or growth, must be based on their needs. Vermonters, incidentally, pay just about the highest per capita tax load in the country.

Our view is not one of discriminating against the out-of-stater. Tourism is an integral and vital part of our economy.

What are you doing to help the tourist industry in Vermont, especially in light of the energy crisis?

The tourist industry is the No. 1 candidate for substantial harm as a result of the energy crisis. The current projection is that people will not be able to travel here by car, as they once did. We in New England must adapt ourselves to that fact of life.

The New England Governors' Conference and the New England Regional Commission are considering pouring more money into the regional tourist industry. The goal is to promote New England from within, rather than to finance a Madison Avenue-type promotion aimed at bringing people here from throughout the East.

In other words, the program is one which encourages New Englanders to stay home?

Yes, to get them to travel within their own region, and to discover the many good areas we have.

Actually, the new trend may be a blessing in disguise. We have found, for example, that reservations in camping areas for this summer are up over last year, despite the energy crisis. And the length of stay is longer than last year. This indicates that New Englanders are thinking more in terms of regional vacations. We've got to take advantage of this.

What was the effect of the energy crisis on the ski industry, one of the major components of your tourist industry?

This past winter, the lack of snow was more serious than the lack of gas. People were able to get to Vermont. However, we suffered the worst snow season since 1956. This was more disastrous in its effect than the gas shortage was for the area's ski operators.

Has Vermont's anti-billboard bill backfired?

No. The anti-billboard legislation is in line with the image we are trying to create. It's an image that says we think we are different from the rest of the country, that we are not captive to any lobby group, and that passing legislation such as this, to promote the quality of life, can happen in a small state.

Despite some complaints, the law has been a success.

How would you define the "mystique" that Vermont holds for so many people?

Vermont is a small, beautiful, fiercely independent state that is proud of its heritage and its independence.

And Vermont is known as a State that cares.

WILLIAM A. SHEA

HON. JOHN J. ROONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1974

Mr. ROONEY of New York. Mr. Speaker, I would call to your attention that one of New York City's most public spirited individuals—and a resident of the district I am proud to represent—has been afforded a singular honor.

Mr. William A. Shea received the Charter Award from the Council of Regents of St. Francis College—a noble institution in my district—at a dinner held May 3. More than 1,100 persons were present to see the president of the college, Brother Donald Sullivan, OSF, present the award to Mr. Shea in recognition of his lifelong concern and help to the welfare of the people of the great city of New York. Mr. Shea is the first individual to be so honored in the 13-year history of this coveted award.

In the words of Mr. Sylvan Lawrence, chairman of the award dinner:

A veritable library could be written about this dynamic attorney, a truly great New Yorker, who has given so unselfishly of his time and resources to this city and its people.

Perhaps best known for his efforts that resulted in National League baseball returning to New York, Mr. Shea is also active in many charitable and philanthropic organizations—many of which are concerned with the youth of the area.

This was a fitting tribute to a truly fine human being and I am proud that St. Francis College should honor this man in its 90th anniversary celebration.

Under permission heretofore granted me by unanimous consent, I am including with these remarks a history of the college and the charter award, together with the citation accorded the Honorable William A. Shea by the St. Francis College Council of Regents:

THE COLLEGE

The ideals of St. Francis College are based in a 700 year Franciscan tradition—love of man and love of knowledge. These same Franciscans continued their dedicated work of education 116 years ago in Brooklyn. Ninety years ago, in May, 1884, St. Francis College was awarded its charter by the Legislature of the State of New York.

Today, St. Francis College is a leading private coeducational liberal arts college, offering a baccalaureate degree in arts, science and business with courses in 24 major fields of study. Associate degrees in arts and sciences, as well as special studies and criminal justice programs, are offered by the Division of Continuing Education.

More than a decade ago, St. Francis College launched the development program that included the relocation of the institution to the more convenient Brooklyn Civic Center area. The program involved the construction of three new buildings and the major renovation of two others and enabled the college to meet its share of the national responsibility of higher education. This development program has enabled the institution to increase its enrollment from 1,200 to more than 2,500 students.

Changes were also made in the curriculum to keep it contemporary and relevant. New fields of study were introduced such as Health Science, Urban Affairs, and Physical Education. Library holdings were more than doubled and are growing.

Traditionally a small college, the growth in enrollment and physical plant at St. Francis has been kept to manageable size to maintain small classes with a close relationship emphasized between students and the teaching faculty.

St. Francis is dedicated to the ideal of a liberal arts education and reaffirms its commitment to the youth of the greater metropolitan area.

THE CHARTER AWARD

The Council of Regents of St. Francis College was founded in 1960 to create closer ties between the college and the community it serves. The Regents also advise on the many problems facing the American higher education today. The members of the Council, composed of prominent business and professional leaders of all backgrounds and faiths, are dedicated to providing greater opportunities to the young people of our city through private higher education.

In 1962, it was decided to commemorate the granting of the charter to the college by giving an award, each year, to an individual or corporation in recognition of significant contributions and service to the community. And so, each year in the month of May, the Council of Regents presents its Charter Award at a formal dinner-dance.

PREVIOUS CHARTER AWARD RECIPIENTS

1962—Sea-Land Service, Inc.; United States Lines Company.
1963—New York Central System.
1964—Grace Line Inc.
1965—Pan American Airways.
1966—Pfizer, Inc.
1967—The Port Authority of New York and New Jersey.
1968—New York Stock Exchange.
1969—Town of Hempstead.
1970—The District Attorneys of Greater New York.
1971—Abraham & Straus.
1972—The Construction Industry.
1973—The Savings Banks Association of New York.

ST. FRANCIS COLLEGE, THE COUNCIL OF REGENTS CITES WILLIAM A. SHEA

In recognition of his great dedication and outstanding achievements on behalf of the cultural, civic, social and philanthropic institutions of the City of New York.

Bill Shea, born and raised in New York City, educated in its public school system, admitted to the New York State Bar in 1932, is the man most widely acclaimed for restoring National League Baseball to our City. His rare talents and untiring efforts resulted in the miraculous "Marvelous Mets" and Shea Stadium, which stands today as a monument to his perseverance and ability. A veritable library could be written about this dynamic man who has devoted his time and energy to so many philanthropic and civic organizations such as the Manfred Sakel Foundation; the Touchdown Club of New York; the Catholic Inter-racial Council; Little League Foundation; Pop Warner Little Scholar, Inc.; Grand Street Boys; Chairman, Lambert Trophy Award Committee; Brotherhood-In-Action; Mayor's Commission on Youth and Physical Fitness; and the Catholic Medical Center. In going through this partial list of Bill's "credits," one is immediately impressed with his keen interest and his efforts to aid, encourage and inspire the youth of this City and Nation.

Although he heads one of the largest and most prominent law firms in the City—Shea, Gould, Climenko & Kramer—Bill has still found time to serve as a Director of the 1964–65 World's Fair Corporation, a Director of the New York City Convention and Visitor's Bureau, and by Presidential appointment, a member of the Board of Visitors to the United States Naval Academy.

With a name like Shea, you can understand why he is an active member of the Friendly Sons of St. Patrick, the Knights of Columbus, the Cathedral Club, and the Emerald Association of Long Island.

A grateful community has bestowed on him the Gold Medal of New York, the Distinguished Service Medal of Nassau County (only the second time this award was made in the history of the County), the Human Relations award of the National Council of Christians and Jews (Brooklyn Region). In 1969, Bill was the first individual to receive the Catholic Charities Man of the Year Award, and in 1972, the first recipient of the Gil Hodges Memorial Award by the Catholic Medical Center of Brooklyn and Queens. He

holds honorary Doctorate of Law degrees from his alma mater, Georgetown University, and St. John's University.

William A. Shea is living proof of the adage, "If you want something done, call on the busiest man you can find." Yet, to the average man on the street he is known and admired as Bill Shea, a straight talker, a square shooter, and a man of the people. That's why we are proud to honor and present Bill Shea with our Charter Award.

LOOKING BEYOND WATERGATE: THE ROLE OF PUBLIC INTEREST LAW

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1974

Mr. BROWN of California. Mr. Speaker, by coincidence I came across an article from Science magazine concerning public interest law at the same time that the House-Senate Conference Committee completed work on the Legal Services Corporation bill. The legal services legislation that will be considered shortly is of great importance to many Americans in guaranteeing that adequate legal assistance will be available. The area in which the legal services legislation does not enter is the area of general public interest law. There are elements of public interest law in the legal services legislation, but much of the authority to serve this vital national need is specifically excluded from the bill. In fact, the House recently limited the jurisdiction of public interest law firms in the area of environmental protection when it passed the Energy Supply and Environmental Coordination Act.

I commend the article from Science and insert it into the RECORD.

The proposals in the article may be unacceptable to Congress at this time, but I believe the benefits of expanded public interest law will become obvious in a very short time period, and the encouragement of public interest law will gain increasing public favor. At a time when governmental institutions are without public confidence, an expansion of public interest law would be a shot of Adrenalin. The proposals in the article should be given careful consideration.

The article follows:

LOOKING BEYOND WATERGATE: THE ROLE OF PUBLIC INTEREST LAW

Watergate is to many the symbol of a sickness characterized by big money's corrupting influence on government, the ethical infirmities of persons entrusted with enforcing the law, and the susceptibility of a large, complex bureaucracy to manipulation by special interests and unprincipled officials. To cure this sickness obviously with call for manifold reforms that will be neither simple to prescribe *nor* easy to carry out. One reform that surely will be needed, however, is to discourage favoritism and under-the-table dealing by encouraging better, more forceful representation of what, for want of a less elusive term, may be called the public interest.

It happens that, over the past 4 or 5 years, a highly significant new kind of legal practice has emerged—the practice of public interest law. Public interest lawyers, when pressing for proper interpretation and observance of existing law, have been formally acknowledged by the courts to be "private attorneys general." Despite its still quite modest scale, this development can be perceived as clearly helpful and salutory, especially now when one former U.S. attorney general is standing trial for an alleged obstruction of justice, another faces possible prosecution for perjury, and a third has been fired for refusing to carry out an improper presidential order.

Public interest law, which has antecedents in the more specialized fields of civil rights law and poverty law, is no more readily defined than is the concept of the public interest itself. By any definition, however, it is concerned with issues whose outcome will not, in a given case, affect the interests of the plaintiffs who brought it any more than the interests of a wide public. Examples can be found in suits or administrative actions brought on behalf of citizens seeking to stop air pollution, prevent the marketing of potentially harmful drugs or pesticides, ensure more balanced television programing, avoid unjustifiable utility rate increases, or remove unwarranted restrictions on voting rights.

Some strictly private litigation can be both highly rewarding to the plaintiff's attorneys and beneficial to the public, as in the successful antitrust action brought by one wealthy corporation against another for treble damages. But a salient characteristic of public interest law is that its practitioners represent parties whose financial ability is generally either limited or nil and who do not seek damages but merely injunctive relief or a regulatory decision favorable to their cause.

A HOTHOUSE PRODUCT

It is, in fact, the lack of a secure financial footing that has kept public interest law from emerging yet as a self-sustaining part of the legal profession. A pioneer in this field, Charles Halpern, staff attorney at the Center for Law and Social Policy in Washington, summed up the problem this way in an article last fall for the American Bar Association's *ProBono Report*:

"The public interest bar is still a hothouse product. There are probably no more than 100 (full time) public interest lawyers in the country and they are concentrated in a few cities (New York, Washington, San Francisco, Los Angeles, and Chicago). Most are subsidized by foundation grants, by the willingness of able lawyers and their families to make very great financial sacrifices, or by ad hoc financing mechanisms such as contributions by college students. . . . A career in public interest law has yet to be fashioned, and the mechanisms which will permit broad expansion of public interest bar have not yet been devised."

The opportunities and the need for broadly expanding activity in this field are evident. Some important laws of the past 5 years probably would not have been enforced at all if it had not been for public interest lawyers' going to court. A striking case in point is the National Environmental Policy Act (NEPA) and its requirement for thorough analysis of the environmental impact of proposed federal actions. Without doubt, the Council on Environmental Quality would not have been politically strong enough to have demanded compliance with this statute, and the Office of Management and Budget would not have cared enough.

A little-noticed aspect of the practice of public interest law has been the efforts made by attorneys in this field to bring about strict and timely enforcement of other laws without going to court. For instance, attorneys of the Natural Resources Defense Council have—through informal contacts with officials of the Environmental Protection Agency and through formal administrative proceedings—provided at least a partial counterweight to industry influences in matters such as scheduling compliance with the Clean Air and Water Quality acts and establishing precise standards. Similarly, attorneys for the Center for Law and Social Policy, which does not confine its interests to the environmental field, have been active in such administrative proceedings as those conducted by the Food and Drug Administration on the marketing or experimental use of possibly unsafe birth control drugs.

The need for an expanding public interest practice is enormous just in Washington alone. Indeed, in this city with an estimated 10,000 nongovernment lawyers, nearly all are representing private interests, with a number of specialized fields of law (such as the "communications bar" or the "patent bar") having hundreds of practitioners. The fact is, however, that a need for much more public interest practice exists throughout the nation. Every state capital has a burgeoning bureaucracy in which the public interest is likely to be given short shrift unless represented better in the future than it has been in the past. The same is certainly true of the bureaucracies that run the larger cities and urban counties.

The growth of public interest law will not be retarded by any lack of young attorneys looking for gainful and interesting work. In recent years law schools have had a surfeit of applicants, and these institutions are now graduating more than 25,000 students a year—an enormous output in light of the fact that the total number of lawyers in the nation is not more than about 350,000.

Competition for grades and for places in prestigious law firms is more fierce than ever. Those firms remain highly attractive to the young lawyer despite the drudgery of the work to which he is likely to be assigned—he is willing to look some years ahead to the time when, as a partner, he will be managing cases and earning a large income.

Public interest law would no doubt exert a strong appeal for many new law graduates if the opportunities in this field were more numerous and if the ultimate promise of financial reward were greater. Indeed, the young public interest lawyer may have the heady experience of handling big cases almost before he has had time to learn where the rest room is at the courthouse. Appealing as this promise of early professional challenges may be, the law graduate who weighs the possibility of entering public interest practice may nevertheless be deterred. For unless circumstances change, even at middle age the public interest lawyer may not earn an income exceeding that of, say, a journeyman carpenter or plumber.

GROPING FOR A SOLUTION

Thus, if public interest law is to expand and flourish now at a time of clear need, the problem of putting this kind of practice on a strong self-sustaining basis must be squarely addressed. Currently, there is much groping for a solution to this problem. Last fall, for instance, Senator John V. Tunney (D–Calif.), chairman of a new subcommittee on representation of citizen interests, conducted 6 days of hearings in which the problem was approached inversely—that is, from the standpoint of citizens who go without counsel because they can't pay the legal fees.

The staff of the Tunney committee is currently preparing draft legislation, but what form it will take is not yet clear. For its part, the American Bar Association (ABA) has established a special committee on public interest practice. This committee wants the courts and the organized bar to adopt a "clear statement of the duty of each lawyer to provide public interest advice and representation." It will propose specific programs to that end.

The Ford Foundation, a mainstay of public

interest practice, recently held a 2-day conference at San Diego with its grantees, representatives of the ABA, and others interested in this field's development. Ford's initial 5-year commitment to support public interest law will have run its course by mid-1975. Although the foundation does not intend to withdraw all support after that time, it does hope to see these groups soon weaned. Accordingly, a major concern of the San Diego meeting was to consider where public interest law might find alternative sources of support.

From the exploratory initiatives on the part of Ford, the ABA, the Tunney committee, and the public interest law groups themselves, it now seems clear that, if public interest practice is to achieve financial security, support will have to come from a mix of sources. These would include the membership fees and donations received by groups that maintain a staff of public interest lawyers; court-awarded attorneys fees and witness fees; contributions of both time and money by members of the bar; and direct public subsidy. Consider each of these further.

SUPPORT BY GROUPS WITH LARGE MEMBERSHIP OR LISTS OF CONTRIBUTORS

For some time there has been a tendency for groups such as the Sierra Club, the National Wildlife Federation, the League of Women Voters, Common Cause, Consumers Union, and Ralph Nader's Public Citizen, Inc., to maintain litigation units, either as integral parts of their organizations or as offshoots. Some groups have impressive fundraising abilities. For example, Public Citizen, Inc., raises about $1 million a year from its 115,000 supporters. Common Cause, with 325,000 supporters, will operate this year on a budget of $6.3 million.

Even if no more than a small percentage of such budgets is devoted to public interest law, a significant amount of activity can be supported. Furthermore, innovative techniques for supporting public interest advocacy can sometimes be developed. Note, for instance, the Public Interest Research Groups formed on university campuses with Nader's encouragement. These groups, which have brought lawsuits on environmental, consumer, and other issues in a number of states, are supported by a checkoff of student activity fees.

Some groups organized expressly for the practice of public interest law have covered a substantial part of their costs from membership fees or public solicitation. For instance, the Environmental Defense Fund, which now has a list of 47,000 contributors, met about 54 percent of its 1973 budget of $1.1 million from contributions raised by direct mail solicitation.

COURT-AWARDED FEES

Potentially, this is an important source of support for public interest law. It involves shifting the attorneys fees to the defendant where the court can be pursuaded that, by bringing the suit, the plaintiff has functioned as a private attorney general. In *La Raza Unida v. Volpe* a federal court found that, by suing the U.S. Department of Transportation and the California highway department, a group of citizens of the San Francisco Bay area had helped enforce laws aimed at avoiding unnecessary displacement of people and encroachments on parks. Public Advocates, Inc., of San Francisco will benefit from the fees awarded in this case.

Public interest law groups will not, however, be able prudently to receive even court-awarded fees until the Internal Revenue Service has issued regulations governing their acceptance of fees as tax-exempt groups. Such regulations have been awaited now since the fall of 1970. Still more troublesome is the fact that, under existing law, attorneys fees ordinarily cannot be shifted to a federal agency, although this is not true of cases arising under a few statutes such as the Clean Air Act of 1970. Any new legislation aimed at promoting public interest practice will have to look to the modification or repeal of this policy.

SUPPORT BY MEMBERS OF THE BAR

Chesterfield Smith, president of the ABA, has been exhorting the organized bar to ensure all causes adequate representation. In his view, the goal is not to support public interest advocacy as such but rather to make the adversary system work better. Smith is simply invoking the lawyer's credo that justice usually is served by competent argument of opposing briefs before an impartial judge.

Attorneys could support public interest practice through bar dues and special contributions, or by devoting part of their own practice to public interest work. Hundreds of lawyers already do some "pro bono" work on either a no-fee or (more commonly) a minimum fee basis.

DIRECT PUBLIC SUBSIDY

It can be argued that support of public interest law by the taxpayer would be no less justified than public financing of political campaigns, a matter of much current interest. There would, however, be the problem of giving such a subsidy program enough insulation from the vagaries of politics to prevent capricious funding cutbacks and avoid improper restrictions on the kind of work supported. Difficulties experienced in the field of poverty law show that such dangers are very real. Safeguards would probably have to include the creation of a board prestigious and independent enough to protect the program's integrity.

In the final analysis, public interest law is not likely to flourish unless the public accepts the concept that its interests are in the main well served by vigorous representation of all reasonable viewpoints on public issues. Such an attitude requires no little tolerance and sophistication.

Consider, for instance, an opinion rendered recently in the Alaska pipeline case by the U.S. Circuit Court of Appeals for the District of Columbia. The court held, by a 4 to 3 majority, that the environmental groups that brought the suit should recover attorneys' fees from the Alyeska Pipeline Service Company and the state of Alaska. The majority found that this suit had benefited the public by furthering compliance with NEPA and calling attention to the requirements and deficiencies of the Mineral Leasing Act. The minority, much to the contrary, believed that—with motorists waiting in line at the gasoline pump—the public had been ill-served and that to shift the burden of attorneys' fees would be to invite reckless and ill-advised litigation on a grand scale. Yet the outcome of public interest litigation is not determined by the litigants but by the language of the law and its interpretation by the courts. And no judge need entertain frivolous suits.

In sum, now to overlook the social value of private attorneys general would seem perverse in light of the evidence that many of the officials charged with enforcing the law actually have been flouting it. The great white whale of official corruption won't be harpooned this year or next, but more public interest practice could reduce the chances of its sinking the ship.

LUTHER J. CARTER.

INTEGRITY

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1974

Mr. RANGEL. Mr. Speaker, when Willy Brandt resigned as Chancellor of West Germany one of his friends said, "He felt that to ask for the resignation of one or two ministers to blame them for the spy affair would have been cowardly and dishonest and he wanted at least to save the honor of his party and show that there was still one leader of integrity in the Western World."

TRIBUTE TO TORRANCE EAGLE SCOUTS

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1974

Mr. ANDERSON of California. Mr. Speaker, to attain the rank of Eagle Scout is, indeed, an outstanding accomplishment, awarded to the scout only after he has proven capable of identifying and solving a particular problem in the community.

When we realize that each year only 2 percent of the over 2 million Boy Scouts reach this coveted goal, it is easy to see that the rank of Eagle Scout is a signal honor achieved by the few who have earned 21 merit badges, mastering skills demanding intelligence, leadership, community spirit, initiative, and patriotism.

This year, troop 761, led by Scoutmaster Richard Font, produced five Eagle Scouts. This feat is a tribute to both the young men who gained this high rating, and to the leader who inspired them to such heights.

To attain this rank, Gregory Church, son of Robert and Ardis Church of Torrance, conducted a book drive for Evelyn Carr Elementary School, and collected 315 children's books for the PTA Library and 15 new Spanish language books for the Torrance Main Library. Gregory attends North Torrance High School.

Jeffrey Cox, the son of William and Berneice Cox, was awarded the rank of Eagle Scout for collecting cans, papers, and bottles to be recycled. He then donated the money he earned—$122.48—to the City of Hope. Jeffrey is a student at Evelyn Carr Elementary School.

Another member of the troop who gained this achievement is Ronald Rossetti, the son of Frank and Donna Rossetti. He served as a volunteer for the Torrance Park and Recreation Department, cleaning children's playgrounds by sifting the sandboxes for broken glass and other debris. He attends North Torrance High School.

David Font, also a student at North Torrance High School, was awarded this honor for his work in collecting books for the Veterans' Hospital in Long Beach. He is still involved after collecting nearly 400 books. David is the son of Richard and Verna Font.

The project to become an Eagle Scout selected by Kallen Ogren, the son of Ernest and Lavaughn Ogren, involved the preparation of 500 fliers, posters, and leaflets which he distributed around Torrance to inform the residents of methods to save energy at home, at work, and at

school. He is a student at North Torrance High School.

This outstanding troop is sponsored by the Loyal Order of the Moose, Gardena Lodge No. 2062.

Mr. Speaker, this kind of community spirit and initiative is routine for those who achieve the rank of Eagle Scout, and I salute them. These five young men are a credit to their families, to their schools, and to their communities, and all of us from the area take great pride in their activities.

PITTSBURGH HIGH SCHOOL STUDENTS SUPPORT WILDERNESS BILL

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1974

Mr. MOORHEAD of Pennsylvania. Mr. Speaker, two Pittsburgh area women, Lisa Voss and Susan Frasure, both students at North Allegheny High School, have prepared thoughtful cogent statements in support of the eastern wilderness legislation that was considered by the Interior Committee's Subcommittee on Public Lands, chaired by our very able colleague from Montana, JOHN MELCHER.

Although they were not able to present their testimony in person to the subcommittee, the remarks of Misses Voss and Frasure will be made part of the subcommittee's official record.

As the subcommittee chairman said in a note to me, the statements are "a fine example of rational intelligent youth involvement in public affairs." I could not agree with him more.

I would like to include these statements in the RECORD at this time:

STATEMENT BY LISA VOSS

My name is Lisa Voss. I am eighteen years old and a senior at North Allegheny High School in Pittsburgh. I am speaking for the student committee of the North Area Environmental Council. The N.A.E.C. is a group of adults in our community whose main concern is the preservation of the environment. The student committee of the N.A.E.C. work along with the adults in various community projects. We are involved in a recycling operation in the community and various other environmental projects. Presently, we are planning future backpacking weekends for the months of May, June, and July.

My group has sent me here for the purpose of testifying on their behalf concerning the Eastern Wildnerness Act. We are totally in favor of the passing of this act and especially concerned with Dolly Sods and Otter Creek of West Virginia being defined as an instant wilderness. Along these lines, we would also like to see Hickory Creek, Tracey Ridge, and Allegheny Front classified as wilderness study areas. Speaking for myself and the other members of my committee, I urge you to vote in favor of this bill.

I have backpacked in the Dolly Sods area twice, and in Otter Creek and Hickory Creek, once. I have never felt more freedom or tranquility as I have when hiking and camping in these areas. It pains me to think of the consequences that these areas could suffer without the help of these bills. The simple joy of drinking clean, clear water from a mountain stream excels all others for me. To be able to breathe that wonderful, fresh country air is an experience that I hope others will be able to enjoy as a result of the passing of the Eastern Wilderness Act. The quiet sounds and the beauty of nature itself stay with me as I reflect back on my past experiences with the wilderness. I intend to expand my love and knowledge of the wilderness in future years, and hope that this will be made possible through the passing of this and other similar acts. My greatest hope is that when I'm older and have a family of my own, the love I hold for the beautiful creations of God can be passed on to my children. Man can try to create beauty, but to me, the only real beauty stems from that which is natural and pure. A virgin wilderness is the most natural and pure of anything I know on this earth. I sincerely hope there will still be virgin wilderness for future generations to enjoy.

In our organization, one of the points we stress the most before embarking on a backpacking trip, is that we are merely guests to the wilderness. By this we mean that it should be left as we found it so that the next people that come through can enjoy it to the fullest extent, without a trace of any previous presence of many. For example, visualize the joy and delight I felt upon a return visit to the Dolly Sods area when I observed a particular spot I remembered, and it looked as if it had never been touched by man. I believe that respect for the wilderness is the most important requirement for a person to be considered a good camper.

In closing, I would like to thank you so very much for letting me have the opportunity to testify here today. I'm sure it will be an experience I shall never forget. I ask you once more to consider what I've said, and realize how much the preservation of the Wilderness means to me, and so many others like me who share my deep love for nature.

STATEMENT BY SUSAN FRASURE

My name is Susan Frasure. I am an 18 year old senior at North Allegheny High School in Pittsburgh, Pa., and am on the executive board of the school's Environmental Action Club.

Our club has been very active towards our environment by participating in recycling activities, setting up a hiking trail for the community, and going on backpacking studies.

I am representing my club today because of our acute interest in the wilderness. Every member of our group is very much for the passing of the Eastern Wilderness Act. We have a special interest in the Dolly Sods and Otter Creek Wildernesses in West Virginia as we have backpacked there before and plan to return again this summer.

Particularly, we are quite anxious to see Hickory Creek, Tracy Ridge, and the Allegheny Front of Pennsylvania included as Wilderness Study Areas. This fall our club packed at Hickory Creek and immediately fell in love with it. We hold great hopes that it will become a study area and eventually be classified as a true wilderness. We hope to visit either Tracy Ridge or the Allegheny Front this spring. It will be a great let down to our club if any of these natural wildernesses are allowed to fall apart because they are not classified as study areas.

North Allegheny urges you to vote for the passing of the Eastern Wilderness Act and including the Allegheny areas as Wilderness Study Areas. There are so many benefits that could come from the passing of these bills.

As an experienced backpacker, I know the reasons for valuing the wilderness. First of all, there is no better way to obtain adventurous exploring and exciting travel as in a wilderness. The thrills of self discovery and challenge are precious feelings I have found only through hiking. For those of us who are of a religious nature, there can be no better way to enjoy communion with God's beauty and feel his presence as in the solitude of the wilderness. The areas in the Eastern Wilderness Act are perfect places to find refuge in forgetting one's problems by returning to nature. Wilderness areas have potential use for scientific research, including ecological and geological features. Also, the wilderness is a wonderful place for outdoor education. I have experienced all the wonders of the wilderness. I'm asking you to make sure that future generations can share my discoveries by passing these bills.

Hickory Creek, Tracy Ridge and the Allegheny Front have all the qualifications for a wilderness study area. All through these areas the affects of nature are apparent. There are no signs of human habitation nor man's impact on nature such as roads or buildings. These are places where nature's balance of life can continue as it was intended without the help of man.

I wish there was a way that I could convey to you my love of the wilderness so that you could then see the necessity for preserving it. There is no other place that could possibly hold as much natural beauty and tranquility. Backpacking has brought to me wonderful opportunities to express myself and become closer to my friends. In the wilderness it becomes easy to understand one's purpose and to see how little man truly is. It would be sinful for man to destroy these areas and to therefore lose the essence of his natural habitat.

Once again I must ask you for my peers and especially for myself that you support all wilderness bills. Thank you so much for this opportunity of talking to such a distinguished group. Hopefully, what I have said today has made some impact. I also wish that someday all of you can discover for yourself the solitude and tranquility that exists in the wilderness.

DEMOCRATIC CAUCUS DEEP-FREEZES COMMITTEE REFORM PROPOSAL

HON. JOHN B. ANDERSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1974

Mr. ANDERSON of Illinois. Mr. Speaker, I was distressed and disheartened to learn that the House Democratic Caucus last week voted to move the Bolling-Martin committee reform proposal from the back burner to the deep freeze. If the Democrats had any real interest in seeing this important reform through in this Congress they would have moved the resolution to the front burner of the House Rules Committee now so that it could be reported to the full House in time for action yet this year. Instead, they have specifically ordered the Democratic members of the Rules Committee to take no action on the resolution while it is reposing in the reform graveyard of a caucus task force, reportedly stacked with opponents to the reform.

Mr. Speaker, the Democratic Caucus cannot deceive the American people with this fancy bit of footwork, because no matter how you look at it, they are doing the "antireform shuffle"; that is, two foot-dragging sidesteps, followed by four steps backward. I think it is interesting to note that the July reporting deadline for the task force conveniently runs up against the August recess, followed by the fall election campaign, followed by a

lameduck Congress. It is apparent that the Democrats have established a timetable designed to insure that we will not be able to vote on a comprehensive reform resolution in this Congress.

Mr. Speaker, I just cannot understand, at a time when the public image of the Congress is at an alltime low, why any Member of Congress would intentionally block a well-conceived effort to put our House back in order. Apparently the Democratic Caucus' idea of running a railroad is to derail any plan to improve its operation by studying it to death. And this despite the fact that this railroad has not been reorganized since 1946.

In conclusion, Mr. Speaker, the Democratic Caucus action can only be attributed to locomotives, and I would hope the Rules Committee could take early action to put this vital House reform back on the track.

POULTRY INDEMNIFICATION BILL

HON. PETER A. PEYSER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1974

Mr. PEYSER. Mr. Speaker, I wish to express my opposition to the Poultry Indemnification Bill (S. 3231) which is due for consideration on the floor this Wednesday. This bill proposes to compensate poultry and egg producers, growers and processors and their employees for losses suffered when the Government prohibited the sale of poultry fed poisoned feed. The chickens were found to be contaminated with unsafe amounts of dieldrin, a cancer-causing chemical. An investigation currently being conducted by the FDA is as yet incomplete and totally inconclusive as to the cause of this poisoning, but one thing is for sure; the Government is certainly not culpable for what happened. Its only role in this matter has been that of protecting the consumer from the harmful effects of negligence somewhere in the private sector. I do not believe that Government has the responsibility to insure industry against such regulation by Government agencies.

As proposed, this legislation will cost the taxpayer $10 million, but the precedent created by such action could cost much more in the future. The Federal Government would find itself in the position of bailing out auto manufacturers whose cars have been recalled due to safety defects and food manufacturers whose product is removed from the market by the FDA. The costs are potentially overwhelming, costs unjustifiably burdening the budget, and ultimately the taxpayer.

Of the $6.5 million claimed losses, $5.5 million belong to five large producers. Small family farmers are barely touched by the proposed payments; big corporations would be the true beneficiaries. The reduced supply of chickens raises the price the consumer pays. Should this bill become law the consumer will be paying twice, through higher prices and the indemnification.

I am certainly not opposed to assisting disaster victims, but the assistance should come in the form of loans rather than outright grants. Victims of natural disasters are not fully indemnified; why then do so for these five multimillion dollar corporations?

Fear of financial loss has always provided a strong incentive for producers to prevent health hazards. If indemnification exists as an ever-present potential relief measure, this incentive is lost and product safety is jeopardized.

This bill invites private irresponsibility and corporate welfare all at the expense of the taxpayer and consumer. I urge the defeat of S. 3231 and include in the RECORD, for the information of my colleagues, the following comments of Environmental Lobby, Inc., Environmental Action, Consumer Federation of America, the Sierra Club, and the health research group, all supporting my position on this bill:

ENVIRONMENTAL LOBBY INC.,
Washington, D.C., May 9, 1974.

DEAR CONGRESSMAN: We at Environmental Lobby who are primarily interested, in behalf of ourselves and our members, in the environmental and health aspects of consumer products, believe that the recent action of Congress in proposing the Poultry Indemnification Bill, S. 3231, is setting a serious and destructive precedent. It it not, in our view, the function of government to insure private industry against the regulations set forth by government agencies.

The FDA is responsible for confiscating food contaminated by unsafe levels of pesticide residues. The fact that the chickens were found to contain unsafe amounts of Dieldrin was not the government's fault—perhaps the Dieldrin manufacturers or the feed processors, but not the government and the tax payer.

Dieldrin has long been considered a hazardous substance and this misfortune may serve to dramatize the need for a much more cautious and discretionary use of such a potentially disastrous substance.

Surely with the publicity this has generated in the press the American people will be watching congressional action on this bill. Another example of favoritism cannot help but add to the erosion of confidence in the process of government.

Sincerely,

BEVERLY CARTER.
JOAN SHOREY.

ENVIRONMENTAL ACTION,
Washington, D.C., May 9, 1974.

DEAR CONGRESSMAN: Environmental Action opposes the "Poultry Indemnification Bill," S. 3231, because the bill penalizes the federal government for something for which it is not responsible.

The government was not at fault in prohibiting the marketing of dieldrin-contaminated chickens and should not be held responsible for the losses incurred by its regulatory action. In normal legal procedure, the claimants would file suit against the negligent parties or against the makers of dieldrin; this case should not be an exception.

Indemnification sets a dangerous precedent by rewarding businessmen who ignore safety precautions. The U.S. Department of Agriculture has stated before the House Agriculture Subcommittee (April 10, 1974): "We want maximum encouragement for industry to assume responsibility for its products." This bill *discourages* industry from taking such responsibility.

The indemnity payments profit five large corporations—not small farmers. The current estimate of damage is $6.5 million—about $1 per chicken—and only $900,000 would be divided among the small farmers and workers who suffered losses. The corporations are benefiting at the consumers expense. The taxpayer will pay twice—first for indemnification and resultant price increases. The reduced supply of chickens and higher prices benefit the producer, not the consumer.

This bill sets a precedent that will ultimately cost the U.S. government far more than $10 million. From now on, any business loss suffered due to federal regulatory actions (even those taken in the interest of health and safety) will be the subject of similar demands for indemnification. Private industry should hear the burden of proof and economics where the public health and safety are concerned. The federal government should not be forced to insure private industry against unsafe products. If the government is forced into this role, we can expect weakened federal safety and health regulations and an increase in the number of Americans suffering from the ill-effects of unsafe chemicals and consumer products.

Sincerely,

PETER HARNIK,
Coordinator.

CONSUMER FEDERATION OF AMERICA,
Washington, D.C., May 9, 1974.

DEAR CONGRESSMAN: We oppose the "Poultry Indemnification Bill", S. 3231, for the following reasons:

The liability would fall on the Federal Government whereas it should fall on the negligent parties. The government was not at fault in prohibiting the marketing of dieldrin-contaminated chickens and therefore should not be held responsible to pay for the losses incurred by this regulatory action. The claimants should resort to the established legal remedies and file suit either against the negligent parties or against the makers of dieldrin.

This bill undermines health and safety legislation. Regulatory agencies cannot protect the public health when the government must bear the economic loss of removing environmental hazards. Widespread hazards would continue while minor hazards would be eliminated since the government could afford to pay for them.

The indemnity payments would profit five large corporations rather than the small farmers. The current estimate of damage is $6.5 million. Of this, the five corporate producers would receive: $713,000, $945,000, $932,000, $1.4 million, and $1.5 million. Furthermore, the five major producers have already secured loans so that the indemnification would serve to pay back the loans.

The corporations are benefitting at the expense of the consumer. The taxpayer is being asked to pay twice: first for indemnification, and then for higher-priced chicken.

Indemnification would destroy the incentive for honesty and reward businessmen who ignore risks. The U.S. Department of Agriculture has stated before the House Agriculture Subcommittee (April 10, 1974): "We want maximum encouragement for industry to assume responsibility for its products." This bill would vitiate such a concept by removing the fear of loss caused by a banned product.

Other remedies exist which would be more appropriate than indemnification. Small farmers are covered by a law which gives the Agriculture Department the authority to assist (7 USC s 612 C(3)). When losses are suffered because of an act of God (e.g. tornado, hurricane) the government makes loans available to the victims with the first $5,000 forgiven. It seems inconsistent to authorize outright payments to people suffering losses due to negligence of man while only loans are awarded to the innocent victims of acts of God. Furthermore, under ordinary circumstances the losses would be recovered through private litigation without the intervention of government.

An indemnification bill will ultimately cost the Treasury more than the purported $10 million. A Pandora's box will be opened and all manufacturers, distributors, and producers will clamor for indemnification whenever they suffer losses due to regulatory action taken by the Federal Government. It is not the function of government to insure private industry against unsafe products. If it were, the end result would be no federal safety regulation and an environment of increasingly greater chemical hazards to health.

Regards,

CAROL TUCKER FOREMAN,
Executive Director.

SIERRA CLUB,
Washington, D.C., May 13, 1974.

DEAR CONGRESSMAN: The Sierra Club strongly opposes the Poultry Indemnification Bill, S. 3231, which has been tentatively scheduled for a floor vote on Wednesday, May 15.

Indemnifying poultry producers for losses sustained from the destruction of chickens *contaminated* by Dieldrin will destroy incentives to handle pesticides and other environmental pollutants in a responsible manner. Enormous quantities of hazardous pesticides and other chemicals already have been released into the environment and are slated for future use. The quality of our environment and human health and welfare are very largely dependent upon the safe use of pesticides. We can not afford to reduce incentives for the greatest care in their handling and use.

In passing this legislation Congress will have acted precipitously and without full information on a matter which must have serious investigation. Questions as to the cause of the contamination remain unanswered. To adopt a solution without knowing whether it will ensure against further occurrences—and in this case will encourage carelessness—is to further jeopardize environmental quality and human health.

We are sympathetic to the economic and social problems for innocent persons caused by the destruction of the contaminated chickens. However, these losses can and should be handled in the same manner as other disaster relief—by low interest loans and unemployment compensation. If negligence is found on the part of some persons, they should be made to shoulder the financial burden also. Local sentiment in Mississippi is divided on the issue of compensation by indemnities, and many people there are opposed to the special treatment being given the poultry producers, in particular the larger corporations which will benefit from the major portion of the indemnities funds.

Congress should reject this unwise legislation, and should instead seek a solution which would ensure against any further hazards to human health and environmental quality. We urge you to join with Congressmen Peyser, Vigorito, Goodling, Findley, Mayne, Symms, Yates, and others in opposing S. 3231.

Sincerely,

LINDA M. BILLINGS,
Washington Representative.

HEALTH RESEARCH GROUP: POULTRY INDEMNITY PAYMENTS, S. 3231

The Bill would pay out $10 million to chicken producers as "compensation" for money losses when their chickens were seized because of contamination with harmful chemicals. The Bill is designed to pay five big Mississippi chicken producers because the U.S. government declared their chickens unfit due to contamination by Dieldrin, a cancer-causing chemical. The Dieldrin apparently came from chicken feed.

We oppose this bill because:

1. It pays millions of dollars to private business when the government was not at fault.

The government exercised its lawful function of inspecting food and preventing contaminated food from reaching the public. The government has never given permission for Dieldrin residues in meat or in chicken feed.

2. It pays large corporations.

At least 80% of the money paid out goes to big business, not to small family farmers. This Bill does not require financial hardship to be shown.

3. It destroys the incentive of businessmen to prevent health hazards.

A prime incentive for keeping products safe, is fear by the producers of financial loss if the product is unsaleable. Once producers know that the government will cover their losses, they have little reason to demand cautious conduct of themselves or their suppliers.

4. Other remedies are available.

Victims of natural disasters such as tornadoes, get government loans. These businessmen should get loans, if anything; not handouts.

Vote against S. 3231.

Vote against welfare for Mississippi corporate big boys.

THE REAL ISSUE IN THE DEFUNIS CASE

HON. BELLA S. ABZUG

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1974

Ms. ABZUG. Mr. Speaker, this week marks the 20th anniversary of the landmark decision in Brown against Board of Education and this year marks the 10th anniversary of the passage of the Civil Rights Act of 1964. I would like to be able to celebrate these anniversaries by proclaiming the accomplishments achieved under each of the two historic affirmations of national policy. But reality has not matched the intentions of either the Court decision or the will of Congress.

The issues that were being dealt with 20 years ago and 10 years ago are still before us. Sometimes they appear in the same form, often in altered forms. One of the altered forms of an old problem reached the Supreme Court this term. Accompanied by much publicity and I believe much misleading publicity, the DeFunis case became national news.

Howard Meyer, an attorney and author of "The Amendment That Refused To Die," a history of the 14th amendment, recently wrote for Newsday a perspective and thoughtful analysis of the real meaning of the DeFunis case. I commend Mr. Meyer's article to the attention of my colleagues:

THE REAL ISSUE IN THE DEFUNIS CASE

(By Howard N. Meyer)

When the Germans negotiated a "reparations" treaty with Israel after World War II, no one inside or outside Germany cried "reverse discrimination" or complained about the economic deprivation suffered by West Germans who were rebuilding a wartorn land, even though many of them were too young to have had any part in perpetrating their nation's crimes against humanity.

When my youngest son saw his guidance counselor about selecting a college, he was told that sons of Columbia alumni who meet certain minimal requirements were certain to be admitted to that school if they agreed in advance to accept. Other young people with higher qualifications were excluded as a result. No one ever made a fuss about this practice, which is not unique to Columbia.

I thought about these things as I read the cascade of columns dealing with Marco DeFunis' lawsuit to gain admission to the University of Washington Law School. DeFunis applied to enter the school in 1971 and was rejected, although his grades and aptitude-test scores were higher than those of 36 minority students who were accepted under the school's affirmative action program. DeFunis sued the school, alleging reverse discrimination against him on the ground of race.

He is in a safe haven now; while controversy rages over his initially rejected application, DeFunis will graduate this June. This bizarre situation ensued after a lower court voided the action of the school's admissions committee and ordered that he be allowed to register. He had completed more than half the course when the supreme court of Washington State rejected the lower-court ruling; but its order of exclusion was "stayed" by Justice William O. Douglas pending U.S. Supreme Court review.

Written arguments were presented to the Supreme Court by a wide-ranging roster of legal luminaries. The lawyers for the university and DeFunis were eclipsed by an array of *amici* ("friends of the court"), including Jack Greenberg, Joseph Rauh Jr., Archibald Cox, Erwin Griswold (all pro-university), Alexander Bickel and top counsel of the AFL–CIO (pro-DeFunis). Now the case has been declared "moot"—academic—since the court decided a decision would have no effect on the litigants because DeFunis is certain to graduate.

But the questions raised will remain to haunt us. They are being agitated by a cluster of white male liberal groups supporting the DeFunis side of the argument. There has been a widely orchestrated effort to achieve a politico-economic objective: reversal of the decade-old movement to repair "by affirmative action" the injuries to the fabric of our society that have been caused by the long dark decades of violation of the 14th Amendment's guarantee of equal protection under the laws.

The war cry of these forces is as plausible-sounding as any demagogic slogan: "reverse discrimination."

The phrase is slick, misleading and mischievous. Although it is deceptive it has gained acceptance through slanted presentations of the case that has been selected for a *cause celebre*.

One established proposition the pro-DeFunis forces ignore is that all pre-admission aptitude tests contain built-in weaknesses reflecting the examiners' own limitations. In addition, no school automatically admits all high-scoring applicants on the basis of these mechanistic tests.

Columnists who deplore "reverse bias" are overlooking the valid criteria that led the law school to accept qualified nonwhite applicants who had scored slightly lower than DeFunis: (a) white law students preparing to practice in a multi-racial society have a legitimate need to be part of a student body that is fairly representative of that society; and (b) prospective consumers of legal services (whether black, female or otherwise part of a previously victimized group) have a legitimate need for access to attorneys to whom they can relate with confidence because of shared life-experience. (It has also gone unmentioned that DeFunis would not have been kept from the bar: He'd been accepted by other law schools before he chose to sue Washington State's.)

These factors were legally sufficient to de-

cide the case in favor of the university defendants. It was also quite possible to meet the DeFunis agitators head-on over the issue that they falsely pose as the only one. They say in effect, that it is *never* permissible to consider the race (or other group victimization) of an applicant in deciding who shall be admitted to a school. This, they say, is discrimination against those who had higher scores; "reverse discrimination" because the "victim" is now the nonblack. As they say so, they conceal the fact that DeFunis was rated, on discretionary criteria, behind 38 white students as well as 36 minority students who had scored lower—but had met the minimum standard.

It is surprising that women's groups (except for the National Council of Jewish Women, bravely opposing male Jewish organizations) did not join the many *amici* who supported the university's defense of its remedial policy. Early in the history of the 19th Century Supreme Court's perversion of the 14th Amendment, it ruled that Illinois could exclude women from admission to the bar. To make up for the accumulation of injustice symptomized by this, should not a lower-scoring, but qualified, woman applicant be preferred if needed to have a balanced make-up in a law school class?

Those who attempted to use the DeFunis case to jettison affirmative action programs argue a great fallacy. That is, that the pervasive effect of chronic and built-in violation of the 14th Amendment can be remedied merely by saying, "Cease!"

It cannot. Sheer inertia is enough to perpetuate institutionalized injustice. Laws and courts that say merely "thou shalt not commit further injustice" do not fulfill the purpose of the 14th Amendment.

History teaches that the 13th Amendment, which terminated slavery, was seen to be insufficient by the people who drew it. They followed it in 1868 with the 14th not merely as a bland command, but as a tool to root out injustice: to make possible creation of machinery to undo the accumulated effect of the evils of the past. It is regrettable that Justice Douglas did not accept this view.

Quietly, steadily, day by day, the laws that came into being in the 1960s to reinvigorate the 15th Amendment have been implemented by the development of affirmative action programs. The U.S. Commission on Civil Rights, in a progress report last February, found that "the use of affirmative action is basic" to the new laws. The federal appellate courts have repeatedly so ruled. The city of Jackson, Miss,. has put the North to shame by voluntarily adopting a program to hire the subjects of prior discrimination preferentially; its goal is elimination of "the residual effect of past discrimination."

Marco DeFunis was the pawn of forces that seek by a slick slogan to undo progress toward eliminating injustice. Their concept of instant color-blindness, or instant sex-blindness, is not adequate for a society that for more than a century has denied equal protection of laws it guarantees to persons of the wrong sex, color, religion or parentage.

FIRE SERVICE RECOGNITION DAY

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1974

Mr. EILBERG. Mr. Speaker, the Philadelphia Fire Department observed Fire Service Recognition Day on Saturday, May 11, with open house at all its fire stations.

Fire Service Recognition Day is a national observance held in every city in the country to focus attention on the important role fire departments play in protecting the public's safety.

Fire Commissioner Joseph R. Rizzo extended a special invitation to all Philadelphians to visit their local firehouses, meet their firemen, examine the modern firefighting equipment, and learn about the vital services the men provide.

Philadelphia's Fire Department is nationally recognized as the country's No. 1 major firefighting organization. Since 1953, it has won the National Fire Protection Association Grand Award four times as the country's best fire agency. It has also won 16 first-place awards for the best fire service record in the NFPA's major city category of 500,000 or more population.

The department has received 10 George Washington Medals from the Freedoms Foundation of Valley Forge, including the foundation's highest medal, the Principal Award, for its innovative fire safety education programs. It has also won a Distinguished Service Award given by the Freedoms Foundation only to organizations that have won 10 George Washington Medals.

RAYMOND TOWNSEND, COCKEYSVILLE, MD., SCHOOL PRINCIPAL, RETIRES

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1974

Mr. LONG of Maryland. Mr. Speaker, Mr. L. Raymond Townsend, principal of Padonia Elementary School in Cockeysville, Md., is retiring in June after 42 years of distinguished service in the Baltimore County school system. I would like to take this opportunity to pay tribute to Mr. Townsend for his years of devoted service to the education of Maryland's youth.

Mr. Townsend graduated from Towson Normal School in 1932 and went on to receive a bachelor of science degree at the University of Maryland. In 1953, he achieved his master's degree at Loyola College. He has taught in three county schools and during the past 34 years has served as principal in six elementary schools.

During this time, Mr. Townsend has been a champion of innovation to improve pupil services and instruction. He succeeded in securing the first guidance counselor in a Baltimore County elementary school. He introduced the first hot lunch program and the first special reading program at the elementary school level. In May 1973, the Teacher's Association of Baltimore County honored Mr. Townsend with an award for distinguished service to the pupils of Baltimore County schools. He has been active in local, State, and national teacher and administrator associations throughout his career. I join his colleagues in saluting Mr. L. Raymond Townsend's outstanding accomplishments in the area of elementary education.

WILLIAM S. MAILLIARD RETIRES AFTER 21 YEARS IN CONGRESS

HON. JOHN J. ROONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1974

Mr. ROONEY of New York. Mr. Speaker, the recently announced resignation of my good and long-time friend and colleague from California, the Honorable William S. Mailliard is, in one respect, a great loss to the House of Representatives and the State of California but, in another, a great gain for our delegation to the Organization of American States.

Bill's resignation from the House of Representatives is, I believe, rather indicative of the approach Bill has always taken toward public service: If there is a way in which he can be of greater service to his country, then he will take up the new challenge. The challenge he faces this time will be as Permanent Representative of the United States to the Organization of American States, where he will be in a unique position to render great and long lasting service to the cause of peace and understanding between all the nations of this hemisphere.

Public service is not new to our friend, the gentleman from California. Bill started his career of public service shortly after graduating from Yale in 1939 when he was assigned to the American Embassy in London as an assistant naval attaché. He continued military service until 1946 and presently holds the rank of rear admiral in the Naval Reserve. His military career has been highlighted by the awarding of the Silver Star, Legion of Merit, and the Bronze Star.

Returning to civilian life, Mr. Speaker, Bill Mailliard became director of the California Youth Authority in 1947 and in 1949 became secretary to Gov. Earl Warren. In 1952, he was elected to the 83d Congress and has held that seat until his recent retirement.

Shortly after his arrival here in Congress, it became clear to all of us that here was a man of exceptional skills and talents with a flair and feel for international affairs. During his long career in the House, Bill Mailliard has become a trusted adviser to four Presidents, both Democratic and Republican.

Bill has also represented his country well and often at many international conferences. He was a delegate to the 18th session of the United Nations General Assembly, and as a delegate to the 22d session of the United Nations Law of the Sea Conference.

Mr. Speaker, it is with deep regret that I see Bill leaving this august body. His insight and expertise will be sorely missed. Mrs. Rooney joins me in wishing Bill and his lovely wife, Millie, much success and happiness in all their endeavors in the years to come.

YESTERDAY: A POLICY OF CONSUMPTION

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1974

Mr. HARRINGTON. Mr. Speaker, much of the congressional discussion on the energy crisis has not focused on one very real issue that must be addressed—the simple fact that we have finite fuel resources.

The American people—and citizens of every nation in the world—must realize that there are limitations on energy. We cannot maintain our present growth rates in many areas if we expect to have sufficient energy.

We have kept the price of energy artificially low for several years and as a result created an energy-hungry economy that may soon be faced with the very real prospect of energy starvation. There may not be enough oil or coal left.

I would like to bring to the attention of the Congress an article by Gordon J. F. MacDonald, Dartmouth College's Henry R. Luce Third Century Professor of Environmental Studies and a member of President Nixon's Advisory Commission on Energy, that appeared in the April 1974 edition of the Dartmouth Alumni magazine.

Professor MacDonald raises some important questions and suggests that a "10-percent reduction per capita in usage of energy is a realizable goal and one that can be implemented as we work with a number of other possibilities of getting through the next few very, very difficult years."

Professor MacDonald's article follows:

YESTERDAY: A POLICY OF CONSUMPTION

(By Gordon J. F. MacDonald)

Everyone has probably experienced an energy problem of one sort of another—sometimes it's personal, sometimes it's imposed from the outside. Today those problems, the brownouts and blackouts, which really resulted from failures in planning, failures in equipment, failures of a variety of kinds, are being compounded by the increasing demand for energy, and at the same time, by the increasing shortages of fuels.

To understand the current situation, it is helpful to trace some of the historical trends of how energy is used in our country and how that use has developed. An aborigine in the middle of Australia needs about 150 watts of energy to keep himself going—almost entirely in the form of food. That sets the base figure, 150 watts per person, as the minimum energy requirement needed to survive. Back in 1905, in order to fuel our economy, in order to keep people moving and fed, we used, on the average, 4.5 kilowatts per person. Since then those figures for the United States have increased consistently with fluctuation associated with both world wars and the Depression. Generally, the trend has been up. In my estimate for 1973, even with a variety of conservation measures, the average per capita use of energy is 13 kilowatts. This is all forms of energy: transportation, electrical power, all ways of using resources to produce energy of one sort or another.

Another very important figure to be considered when looking at the energy problem is how many units of energy it takes to generate one dollar of the gross national product. This is a measure of efficiency of how energy gets into our economy, and it reveals some very interesting and, at the same time, some very disturbing trends. For many years it took less and less energy to generate a dollar of GNP. That meant that our economy was becoming more efficient and we were able to convert energy into goods and services at an increasingly efficient rate. Beginning around 1966, that trend turned around rather dramatically and over the past seven years it has taken more and more energy to generate that dollar of GNP. Rather than becoming more economically efficient in our energy use, we are becoming decreasingly efficient, and have been markedly so over the last seven years.

Now what about the rest of the world? How do other countries use energy? Using the same measure of kilowatts per capita, other industrialized countries—West Germany, the United Kingdom, the Soviet Union—use energy at a rate of somewhere between one-half to one-third of the United States.

The point is that back in 1905, we consumed energy on a per capita basis that is equal to or perhaps even greater than the rate at which other industrialized countries are using energy today, almost 70 years later. We have had a historical pattern of using very large quantities of energy. There has been a conscious policy developed by Democratic and Republican administrations alike to price energy as low as possible in the general belief that low-priced energy would generate greater economic growth. So we have always used energy at a rate that is substantially larger than other countries and this pattern has continued. Part of this, of course, can be explained by the fact that the United States is a large country, long distances are involved. Basically, however, we have had a history of using energy as intensively as possible. The countries used in this comparison were the industrialized countries. If we look at the rest of the world, the average is about 1.8 kilowatts per capita. This is a factor of about seven less than the rate in the United States.

Now turn from these rather broad generalizations and historical patterns and consider how energy is used by four sectors of our economy: first, the percentage of energy that is directly used for heating plants in houses and commercial establishments; second, the energy that goes into the industrial sector of the economy; third, the energy that goes into the transportation sector of our economy; and fourth, the energy that goes into electrical power. I will not count energy twice. I will just count the energy that is used directly in the home by burning fuel oil in the residence; I will not count the electricity that is used in the home to run the washing machine—that will be under the electrical power utilities. What is seen is that energy which goes into the household and commercial sector has remained more or less constant. The industrial sector is using less and less energy. This is a reflection of the fact that our economy is moving away from heavy industry into light industry, one oriented toward products and services. Transportation, in terms of total percentage of energy use, remains about constant. The very dramatic increase in the total amount and percentage of energy used is in the sector of electrical power.

Twenty-five percent of the energy that is used in this country goes into generating electricity. This has increased very rapidly and is presently growing at such a rate that the amount of electrical energy that we will use, or the energy that goes into electricity, will double in somewhere between every eight to ten years.

Now look at how this energy is derived in each one of these sectors. The principal energy sources are burning of coal, burning of oil, and burning of gas, followed by hydroelectric power and, to a small extent, nuclear power.

In the household and residential sector the percentage of energy due to coal has dropped precipitously. Very few people heat their homes with coal any more. Petroleum has remained more or less constant in terms of percentage of source of energy that goes into the residential and commercial area of the economy. At the same time there has been an enormous increase in the use of natural gas. This shift is significant in many ways: Natural gas is becoming a less abundant commodity. The rate of discovery of natural gas fields has decreased substantially. At the same time coal is by far the most abundant fossil fuel source in this country. In the industrial sector the same pattern is taking place; industry as a whole is getting more of its energy from natural gas and less from coal.

In the transportation sector almost all the energy used to move people and move goods comes from petroleum. Petroleum is the driving, motivating fuel.

Now turn to the electrical utilities. Where do they get their energy? There is something of the same pattern; an increase in oil and natural gas, a decrease in hydro power and nuclear power. Nuclear power for this year will run between two and three per cent. Even though the capacity is around five per cent, the uptime for nuclear reactors is so low that the total fraction of the energy produced by nuclear power will still be a very small percentage of the total energy. The percentage by hydro power has dropped basically because we don't have any more rivers to dam up. There are plans to do something about the Grand Canyon, but I am sure that will lead to rather substantial battles with the environmentalists.

Where does the electricity go? There has been a small percentage increase in the residential use of electricity. This may be surprising because we often hear about how we waste energy with electric dog nail clippers and things of that sort. In fact, the use of energy in the residential area has remained more or less constant—indeed it can be demonstrated that most of this growth is in air conditioning and electrical heating.

Much more significant is a very heavy increase in the commercial area. An ever greater percentage of electricity is flowing directly into office buildings, into parking garages, athletic stadiums and other commercial establishments. Industrial use has been decreasing, again reflecting the gradual conversion of our industrial phase of heavy industry to one that is based more on high technology and on services.

Now, what if one takes these historical figures and asks the question, "What's going to happen in the future given our current set of policies with respect to pricing, regulation, etc.?" The answer is that in the next 15 to 20 years the total energy consumption will just about double—if the sources are available. This is just an extrapolation of the past historical trend, assuming no changes in the variety of policies that influence energy usage.

The present trends indicate a much greater increase in the use of liquid petroleum. And this, of course, is one of the most worrisome elements of the current world situation—that the amount of liquid petroleum to be supplied by domestic sources is unlikely to meet these demands, even given the development of the Alaska pipeline and our resources on the outer shelf of the Atlantic coast.

It may be instructive to go back to transportation and indicate where the energy used in this sector goes. This represents a figure of billions of gallons a year and is very hard to grasp. The transportation sector today is using a little over 20 per cent of the total energy in the country. If we maintain our current pattern of use and if the United States automobile "population" continues to

increase at the rate of four per cent per year, the automobile alone will use up all United States petroleum reserves in about ten years. Now that's the problem. This includes an attempt to estimate Alaska and outer continental shelf sources. If we take into account the Amazon developments, Venezuela, and Canada, the time can be postponed to about 1990. The world problem is somewhat worse because the rate of automobiles in the world has increased at almost seven per cent per year; and it won't take very long to use up all the world petroleum reserves just by driving automobiles.

This is, then, a very graphic illustration of what enormous strain even one segment of our total economy, transportation, places on existing natural resources. Of course, we can extend this by using oil shale and converting coal to petroleum, but nevertheless this illustrates a point that is very necessary to understand—we cannot maintain our present transportation pattern in this country without running out of petroleum with a time scale that is small. It's not 100 years—it's 10, 20, 30 years.

There are some very fundamental questions to be asked about why, historically, our use of energy has been extravagant, why it continues to be so, and what are some of the underlying reasons. Actually, this country has not had an energy policy that one could describe, other than it would appear in the nation's interest to keep energy priced as low as possible and in this way to drive an ever-increasing economy. For many years this policy worked in the sense that energy was becoming more efficiently used in generating a dollar of GNP. Things have changed.

We have kept the price of energy artificially low through a variety of policies. These were policies done piecemeal rather than by looking at the overall problem and asking where we were going. In order to increase exploration, we provided for a depletion allowance on oil, coal, and other resources; this itself brings the price that can be charged by the supplier down. We decided in 1956 to build a system of interstate highways to provide for highspeed ground transportation. The highways were funded by trust funds generated by taxes on gasoline. The highways generated more traffic, more taxes, more miles of highway, which is what one could call a positive feedback loop with some very great gains in the loop.

We have subsidized the development of nuclear energy through the Atomic Energy Commission. A very substantial amount of money went into making and developing a workable light-motor reactor and now the breeder reactor. Tax money went into that research. Where the supplier of the electricity does not have to pay for the cost of research and development, it can supply the electricity at a lesser cost than otherwise possible. A very great subsidy in the nuclear industry is the so-called Price-Anderson Bill, which limits the liability of utilities in the case of accidents. Otherwise utilities would have a very difficult time insuring themselves against catastrophic accidents. This is the way government steps in and regulates or provides for artificially low-priced energy.

In the coal area there is a whole class of similar subsidies. Last year the federal government paid $600 million to miners who suffered from the terrible black-lung disease. This is money that is coming from all the taxpayers and not from the users of the coal. No one has really questioned how government actions have distorted the price structure in the energy field.

I have not mentioned a very, very substantial cost that has been totally neglected. The utility, the industry, and even the resident has used the air and the water as a way to dispose of waste products without paying for their use. That, of course, is in the process of change through regulations—there have been proposals for taxes or charges on materials that are admitted into the atmosphere. But in the main these costs have been borne by society as an added health cost, as an added cost in clean up, and in a variety of ways. The basic point is that the producer and the user have not paid the total price in the cost to produce that energy. We simply haven't started to probe and ask some of these long-term questions of how we can develop a system within our price mechanism that will correctly reflect the cost of energy and the variety of ways that it can be used.

There is one terribly important goal that goes back to the first number—the 13 kilowatts per capita. Anyone who analyzes this problem recognizes that we can cut that figure back without decreasing, in any way, our standard of living or quality of life. A ten per cent cut to the levels in 1970 on a per capita basis will not make a noticeable difference in how people live and how they feel about life. So the one very great goal that we should be pushing for is energy conservation. A ten per cent reduction per capita in usage of energy is a realizable goal and one that can be implemented as we work with a number of other possibilities of getting through the next few very, very difficult years.

MORE ON GREECE

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1974

Mr. EDWARDS of California. Mr. Speaker, reports out of Greece seem to indicate that economic and political problems are becoming worse and building toward a climax.

It might be especially useful, therefore, to consider a timely article by Prof. George Anastaplo of Chicago's Rosary students, a massacre in which the Greek political affairs and U.S. foreign policy. I believe my colleagues will find it interesting and thought povoking:

BLOODIED GREECE: NO WAY OUT?

(By George Anastaplo)

It has now been seven years since a clique of colonels seized the government of Greece. That usurpation culminated last November in the shooting in Athens of a number of students, a massacre in which the Greek government acknowledges a dozen dead and in which unofficial sources count dozens if not even hundreds of dead. One result of the massacre was a military coup on November 25 which removed from office the demoralized dictator who had been in charge since April 21, 1967.

The student demonstrations which were suppressed so bloodily in November had been prompted by the general deterioration of the colonels' rule, a deterioration reflected both in a runaway inflation and in a general fatigue. The bitter discontent students were expressing was, it now turns out, shared by much of the Greek nation as well.

The crisis which toppled the bloody dictatorship in Athens cannot be resolved, or even smothered, by recourse to still another military strongman. That crisis is rooted in the incompetence and arrogance of colonels who cannot be expected to handle intelligently the complex social and economic problems of Greece. Such usurpers simply cannot enlist the necessary services and good will of the better professionals, politicians and military officers of that country for the great work of reconciliation and austerity which Greece so desperately needs.

It has now been five months since the army moved. It was not clear at that time just who would be ruling the country thereafter: another clique of ideological colonels who would try to maintain the dictatorship, or non-political regular army officers who would turn over the government to civilian rule. Non-political officers would by this time probably have surrendered power if they had been in control. Instead, one hears more and more reports from Greece of widespread torture and stifling repression—and this suggests that ideological officers have remained dominant in Athens.

The shortsighted role played by the American government since the colonels first took over in 1967 has already (and perhaps even permanently) compromised, in the eyes of the resentful Greek people, our legitimate interests in that country and hence in the Eastern Mediterranean. Among our mistakes has been that of publicly backing the wrong man in Greece, and in such a way as to make us seem either foolish or unfeeling.

One constructive role the United States can play is to provide the considerable money Greece will need to bail itself out of the unnatural economic mess into which the colonels have got that country. But no American Congress will provide such aid so long as the colonels remain in power. And no aid would be worth giving without a genuinely political government in Athens to use it, a government which can provide a disciplined, intelligent leadership and behind which a united country can breathe freely as it dedicates itself to an austere program of reconstruction.

The observer of Greek affairs gets an impression of helplessness, drift and malaise, with the new government going through the forms of moral regeneration and reform. But those forms have been made a mockery by revelations of the corruption around the recently deposed dictator who had also preached moral regeneration when he first came to power. It must be difficult for anyone in Greece today to take seriously anything a military government says these days.

And yet, what way out is there? As economic conditions worsen, partly as a result of the shortsighted measures adopted by the colonels since 1967 in order to stay in power, acts of desperation (including exploitation of crises with Turkey) will be provoked on the part both of government officials and of their opponents. An explosion can be expected next fall or early winter, when students return to their universities from summer vacations.

Thus, even more bloodshed can be expected upon the next "encounter" as well as a pronounced radicalization both of the opposition to the colonels and of the political life following the colonels—unless the present rulers of Greece can be persuaded to return to their barracks.

We Americans should, before still another ruthless dictator becomes consolidated in Athens or before a massive explosion radically disrupts the life of that country, try to redeem somewhat our good name by using our remaining influence in Greece and NATO, as well as our economic power, to help the Greek people recover control of their own affairs. This can best be done by vigorously encouraging the colonels to step aside for Constantine Karamanlis, the man whose prestige as a former conservative prime minister still recommends him to the Greek people (including elements as diverse as responsible Army officers and articulate Leftist intellectuals) as the best way to avoid even bloodier crises which now threaten their country.

Greece may be the only country in the world today where the genuine popular alternative to domestic tyranny is so moderate and so experienced a politician as Mr. Karamanlis. What more can the Greeks or

the United States hope for? Dare we or they risk further deterioration in Greece and in American-Greek relations?

If the changes begun so bloodily last November are not properly followed up during the next six months by responsible men in Greece and the United States, the political map of the Balkans is likely to be radically and hence dangerously altered during the next decade.

VOTER REGISTRATION ACT (H.R. 8053)

HON. THOMAS A. LUKEN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1974

Mr. LUKEN. Mr. Speaker, May 8 was a dark day in the history of election reform. I am deeply disappointed that the House rejected postcard registration.

I supported this legislation because the present system of voter registration disenfranchises millions of voters nationally, and thousands in my own district of Cincinnati and Hamilton County. It is the red tape and the bureaucratic hurdles that keep these people from fully participating in our electoral process; not disinterest or indifference on their part. They are senior citizens who are often physically unable to get to registration centers, workers who may be unable to register because 76 percent of the country's voting jurisdictions have no Saturday or evening registration in nonelection months—these are the people who gain access to the voting booth.

In my home city of Cincinnati, for example, only 58 percent of the eligible voting population are registered. Hamilton County as a whole has somewhat higher registration figures; approximately 68 percent. But as these statistics indicate we are a long way from the high level of participation that insures a strong and dynamic democracy.

Registration by postcard would have offered a simplified, convenient, and uniform system of registration that would have encouraged greater numbers of citizens to participate in our electoral process. Studies have shown that registration is the key phase in such an attempt. Over 87 percent of those who register do in fact vote.

Proof of the effectiveness of postcard registration lies in the experience of States which have already adopted this method: Texas, North Dakota, Minnesota, and more recently, Maryland. None of these States have witnessed the administrative nightmares proclaimed as inevitable by the opponents of this bill. On the contrary, they have all experienced a significant increase in registration with little difficulty. Maryland, for example, has seen a five-fold increase in registration in some counties since January of this year. Other States have experienced similar gains.

I certainly hope this legislation comes before the House again soon. And I hope at that time, the House will proceed to enact this vitally needed legislation. The time has come for election reform.

H.R. 14655

HON. KEITH G. SEBELIUS

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1974

Mr. SEBELIUS. Mr. Speaker, I would like to take this opportunity to discuss H.R. 14655, legislation I feel is crucial to both the consumer and the farmer. This legislation, which I recently introduced, would adjust wheat and feed-grain target prices established under the Agricultural and Consumer Protection Act, or the "farm bill" of 1973.

I would like to emphasize the point that last year's farm legislation stressed the word "protection," both for farmers and for our Nation's consumers. The intent of this bill is simply to protect the farmer in such a way that we enable him to receive a fair return for producing our Nation's food supply. If we enable the farmer to do this, we in turn will be guaranteeing the consumer he will continue to be able to purchase the best quality food at the lowest comparative price in the world.

Present law provides for cost of production changes in wheat and feed-grain target prices for 1976 and 1977 crops. It is the intent of my legislation to see that this cost of production protection is also provided for the 1974 and 1975 crops as well.

Let us look at the rather astounding record of the farmer during this past year, despite problems with increased costs and crucial shortages. The American farmer singlehandedly provided this Nation with its first balance-of-payments surplus in 3 years and provided a favorable trade balance equal to the cost of our petroleum imports last year. The farmer not only feeds America, but his productivity moves America as well. Given this record of accomplishment, the farmer needs, has earned, and deserves income protection.

In view of rising food prices and the obvious need for increased production, the Government has pulled out all stops and is encouraging farmers to push for full production this year. I feel quite strongly that it is only fair to accompany this encouragement with income protection. Without some assurance along these lines, farmers will either cutback future production or be the victim of the reoccurring cost-price squeeze that will force more farmers out of business. We, of course, cannot afford either alternative.

The intent of the 1973 farm bill was to return to a market-oriented agriculture. It was also the intent of Congress to provide some minimum protection for producers should a serious imbalance occur between supply and demand during this transition. This protection is needed now.

Since the farm bill became law, prices paid for fertilizer and liming materials have increased by over 50 percent, fuel and farm machinery supplies have increased almost 30 percent, and interest rates and land costs have skyrocketed. Not only has the farmer witnessed everything he must buy go up in price, he has also been faced with critical shortages of fertilizer, machinery, bailing wire, fuel, and other essential goods and services. He is in the unique position of having to pay record prices for what he cannot get.

And, since the farm bill became law, we have all read the headlines and heard the news that farm prices reached an alltime high. Much smaller headlines and much less time has been given to the fact farm prices have recently plummeted. Wheat that was selling for close to $6 a bushel is now worth approximately $3 at the country elevator. Beef prices have declined 33 percent since their highs of last summer, resulting in losses of $150 to $200 a head to feeders. The farm income picture has changed drastically. In short, the farmer never had it so good, if it wasn't so bad.

Mr. Speaker, it is time the Government stands behind its commitment to protect producers from overproduction, depressed prices, and income. This is necessary to enable the farmer to make the kind of long-range economic planning and investment so necessary to our Nation's food supply. It is also necessary if we are going to continue to provide our Nation with a favorable trade balance, if we are going to continue to be able to pay for the increasing cost of energy imports, and if we are going to stabilize the value of the dollar.

In support this legislation, I want to stress those of us vitally interested in agriculture are hopeful farm prices will not reach the levels where target price support will be necessary. The farmer is justifiably proud of his role at the head of our Nation's commerce. He would much prefer that he receive a reasonable return in the marketplace. However, it should be realized the Government still influences the farmer's price to the degree that a reasonable support commitment should be maintained in order to protect the farmer from Government action—or overreaction.

Since coming to Congress, my office motto has been to be fair with the farmer, for he is the backbone of the Nation. This bill is an extension of that philosophy. I ask the support of my colleagues to enable the farmer to provide this Nation with food and fiber.

PRESIDENTIAL RESIGNATION

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1974

Mr. MICHEL. Mr. Speaker, I respectfully disagree with some Members of Congress as well as some of our friends in the media who have been urging the President to resign. It is my feeling that we have a constitutional process to deal with the question of whether or not a President should be removed from office and that process should be allowed to run its course.

An article by William S. White appearing in the Saturday, May 11, 1974, issue of the Washington Post outlines the perils of Presidential resignation and I include the article in the RECORD:

THE PERILS OF PRESIDENTIAL RESIGNATION

(By William S. White)

Those who are joining in the rising clamor that the President should simply resign forthwith, thereby saving everybody a lot of pain and trouble, are proposing the worst possible resolution to one of the gravest issues in our history.

"Let's get it over with" has an appealing ring; the only trouble is that it is dangerously simplistic. In the first place, everybody knows that in the current circumstances "resignation" is an euphemism for morally firing the President. In the second place, ugly as indeed are the White House transcripts dealing with Watergate, there is at this point a respectable doubt as to whether Mr. Nixon has committed impeachable offenses as distinguished from acts that were shockingly bad in themselves.

But there is a third point that dwarfs all others, and it is this, offered in ABC form: The United States has something called a Constitution. This Constitution stipulates that in one place and one alone a President of the United States be rightly tried for such high crimes and misdemeanors and there cleared or convicted.

This place, of course, is the Congress of the United States. The somber search for truth and justice must begin in the House, which must first determine whether to impeach (indict) the President. The somber search for truth and justice must then, in the event of an impeachment, go to the Senate, whose members would try the President as jurors presided over by the Chief Justice of the United States, Warren Burger.

This is the high and the true way to try this case. "Resignation" would avoid or evade the true way. If the President has not in fact committed an impeachable offense—and it must be remembered that we do not yet know the answer to that crucial question—"resignation" would become the most massive injustice we ever knew.

If, on the other hand, the President has in fact committed an impeachable offense, "resignation" would defraud justice and cheat the right and proper demands of history that this affair be explored with due process, and due process alone, to its very end.

The politicians can do what they like; the "media" can do what they like. For my part, I am not about to put my private judgments, hunches or feelings above the magnificent constitutional processes of this nation. Nor am I about to remain silent while others demand the easy way out. It seems to me that they have not thought through the possible consequences of a "resignation" that would in common truth be a booting out of a President of the United States.

It is an inescapable fact that any ouster of this particular President, even if accomplished in the most scrupulous of due process, would have the effect of overturning an immense popular mandate given to that President less than two years ago.

Millions of Americans are going to believe that he was unfairly hounded from office if he leaves it, no matter how. Bitter divisions we don't need in this country—and most poignantly we don't need them if the President is compelled to leave office by whatever method. Let us therefore rely upon the constitutional method and only on the constitutional method to hold divisiveness to its minimum. "Hurry up" are words that don't belong anywhere in this tragic business.

BUT—IT WOULD BE RIGHT

HON. BILL GUNTER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1974

Mr. GUNTER. Mr. Speaker, because of the currency and urgency of the issue, I include at this point in the RECORD the text of a personal letter I have sent today to the Democratic members of the Rules Committee and, in somewhat abbreviated form, to all Democratic Members of the House:

A PERSONAL LETTER

In the wake of the unfortunate performance of the House Democratic Caucus last week in refusing by secret ballot to allow the House to work its will on the reorganization plan drafted by the Select Committee on Committees, I believe it must be made clear to the Nation as a whole where those of us in the party who opposed that action by the Caucus stand.

Specifically, the wording of the Caucus resolution notwithstanding, I believe it is immediately incumbent on those of us who see genuine congressional reform as a matter of the most fundamental conscience to make clear that we neither are, nor could be, bound by the expression of the Caucus in this matter; nor that we believe the Caucus speaks for the higher principles of the Democratic Party in this instance, either within the Congress or nationally.

Despite the attempt to psychologically portray the action of the Caucus as somehow binding on the Democratic members of the House, and specifically on the Democratic members of the Rules Committee, quite clearly under the Caucus Rules neither the members of the Caucus nor of the Rules Committee are bound, the vote on the Resolution having failed to pass by a ⅔rds majority. But even if it had, it is also quite clear that where matters of fundamental conscience and prior commitments to constituents are involved, the action of the Caucus would not be binding in any case.

Therefore, those of us who see the issue in this light have a positive obligation, it seems to me, to so inform the Democratic members of the Rules Committee of our feeling, advise them that they are not bound by the Caucus, and finally to urge them in the strongest and most positive terms to act to report the resolution of the Select Committee on Committees to the full House.

As a respected and conscientious member of my party on the Rules Committee, I urge you to so act, by your own motion or in response to one offered by either a majority or minority member of the Rules Committee.

The issue is a matter of deepest conscience, in my judgment, because of the continuing, massive erosion of public faith and confidence in the House as an institution of government. In the current general climate, that erosion of trust poses the most fundamental threat to the sanctity and effectiveness of our federal institutions in general. The need for clear, immediate action to restore the faith of the people in the House has become a moral as well as pragmatic imperative. No greater issue confronts the House.

I well realize the difficulty psychologically that might yet exist for the Democratic members of the Rules Committee in acting against the majority will of the Caucus, and particularly on the motion offered by the other party in the House—and even though this matter in its deepest sense is not a partisan one. It will be difficult for the Democratic members of the Rules Committee, I know, to appear to be perhaps joining to act in response to minority pressure, even for the greater objective sought.

But, in this instance, it would be *right!*

The House cannot continue to pretend with endless words and endless posturing that it is meeting its institutional and constitutional responsibilities to those who elected it, when in fact on vital issue after vital issue, from energy to the economy, it has proved incapable and unwilling to keep the faith.

This issue must not prove another such instance.

It is time now and without further delay to address the great problem of restoring the effectiveness, sanctity and responsiveness of the House itself as an institution, and with it the people's faith.

I ask you, as one responsible and concerned member of the Rules Committee, therefore, to act to report the Resolution of the Select Committee on Committees to the full House so that it may work its will.

Sincerely,

BILL GUNTER,
Member of Congress.

THE CASE FOR A FEDERAL OIL AND GAS CORPORATION: NO. 31

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1974

Mr. HARRINGTON. Mr. Speaker, the mere mention of the concept of a Federal Oil and Gas Corporation a few years ago would have triggered a bemused reaction from several sources, not the least of whom would be major oil company officials.

Now, an oil embargo and an energy crisis later, the idea is being taken seriously. The Federal Oil and Gas Corporation is in fact an idea that has come of age.

The Corporation has received the endorsement of several economists and energy experts. Now, unlikely enough, there are faint suggestions of support in The Oil Daily, an industry newspaper.

Tony Lo Proto, Oil Daily's Washington news editor, wrote in the May 7, 1974, edition that a Government controlled oil company is "needed."

He further stated that "only a terribly insecure industry" could object to such an idea.

Mr. Lo Proto highlights some important aspects of the issue, and I would like to bring his article to the attention of the Congress.

Mr. Lo Proto's article follows:

WHAT'S WRONG WITH A BIT OF "FOG" IN GOVERNMENT?

(By Tony Lo Proto)

Back in the good ole days of the Wobblies and the IWW and a host of other labor-oriented radical groups, Eugene V. Debs used to ask audiences, "Which do you prefer? A government that controls the railroads or the railroads to control the government?"

We all know what happened.

With the possible exception of Amtrak (and the possible is thrown in as a journalistic hedge) the railroads in this country are in a mess. Danny Taggart and Ayn Rand to the contrary notwithstanding.

And that situation did not come about because of either Pan Am or TWA (they've got their problems too).

It came about—and here's where we stick our journalistic neck way out—because of governmental benign neglect. The railroads did not control the government, nor did the government control the railroads.

They allowed Adam Smith (who had been dead for hundreds of years) and his erroneous economic theories to prevail.

No one in his right mind is suggesting that the government take over the oil companies. But then no one in his right mind would suggest a return to the Platonistic nonsense of Adam Smith's "market control."

What is needed is a government controlled oil company, a new company, financed, funded and fostered by Congress.

The idea can work. Britain's Gas Council is one example. The French Compagnie Francaise des Petroles is another. Enrico Mattei's AGIP (allowing for a little bit of Italian showmanship and braggadoccio) is yet another.

Only a terribly insecure industry could object to the Stevenson-Magnuson proposed Federal Oil and Gas Corporation (promptly dubbed FOGCO by Stephen Wakefield, ex-FEO official).

Their attitude would be: the more the merrier.

And if, as is quite possible, FOGCO fails. . . .

MR. MACON BERRYMAN

HON. RON DE LUGO

OF THE VIRGIN ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1974

Mr. DE LUGO. Mr. Speaker, on April 30 the Virgin Islands reluctantly accepted the resignation of Mr. Macon Berryman, commissioner of the department of social welfare. Mr. Berryman has been an inspired public servant whose ability and leadership have directed the initiation of public assistance programs in the Virgin Islands.

Macon Berryman, a seasoned professional, joined the Virgin Islands department 24 years ago and has been its commissioner since 1958. His efforts have successfully brought to the Virgin Islands many Federal programs that had previously been accessible only to the 50 States. Since 1950, the average amount of public assistance per recipient in the Virgin Islands has increased from $6.50 to $50 per month.

In my dealings with the social welfare department, I have found Commissioner Berryman to be an exceptionally cooperative public official, as well as a sincerely compassionate and thoroughly professional man. His years of dedication to the interests of the elderly, underprivileged, and needy members of the Virgin Islands community have earned him our warmest gratitude.

At this time, I wish to share with my colleagues the following article which summarizes Mr. Berryman's productive career:

BERRYMAN LEAVES WELFARE POST ON TUESDAY

Macon Berryman, who has been with the Department of Social Welfare for the past twenty-four years, sixteen of them as Commissioner, resigns after the close of business on April 30.

Under his leadership spectacular progress was achieved in the introduction and expansion of children's and senior citizens' programs, and aid to the needy. "We have been involved in so many programs that it is difficult to single out any one of them as the most significant, but if one has to be mentioned it is the program for the aged," Mr. Berryman declared Monday. "What we have accomplished for senior citizens in this territory is not duplicated anywhere in the United States," he emphasized.

In 1950 the average public assistance client received $6.50 per month, while today the average payment is $50, Mr. Berryman disclosed.

He entered the Social Welfare Department on July 10, 1950 as Director of Child Welfare and became Acting Commissioner on September 28, 1958. He was appointed Commissioner by Governor John Merwin the following January 1.

Mr. Berryman said he intends to remain involved in a number of community activities, including the Boy Scouts, Red Cross, and the People's Bank. He will also work with the Commission for the Blind.

Mrs. Gwendolyn Blake, Executive Assistant to the Commissioner, will become Acting Commissioner, and it is generally anticipated that Governor Evans will appoint her to the Commissionership.

NAVY GUN MISFIRES

HON. LES ASPIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1974

Mr. ASPIN. Mr. Speaker, shortly, the House will be considering this year's defense authorization bill. I believe the amount contained in this legislation is too high. But I am happy to report that the committee has decided to eliminate $20 million for the Navy's Phalanx program. While this does not eliminate all the funds for the program, it is a clear message to the Navy to get its house in order immediately.

Mr. Speaker, the Phalanx is one of the alltime stinkers in a long string of bad new weapons programs. The Phalanx is supposed to be the last defense of ships against incoming cruise missiles, but it is so bad that during a recent test it threatened to sink Santa Barbara Island and the U.S.S. *Hollister*.

Information on the test failures of the Phalanx are contained in recently declassified sections of a General Accounting Office staff study. The study says:

The results of the Navy-at-sea testing have disclosed a tendency for the Phalanx to track, and lock on to objects which it should not have accepted as threats. Specifically, the system tracked, locked onto, and declared as a threat, Santa Barbara Island and the U.S.S. *Hollister*.

It is interesting to note, Mr. Speaker, that the Navy refused to declassify the velocity and the yards per second at which the Phalanx radar clocked Santa Barbara Island. However, Mr. Speaker, it can nevertheless be revealed without endangering national security that it appeared to be a very fast island.

The Phalanx is an automatic gun that is intended to stop low flying, high speed missiles that have penetrated all other ship defenses. Although, as the GAO report says, "system reliability is and has been for more than 2 years, of great concern," the Navy last year asked Congress for money to deploy the Phalanx on ships at sea. The Navy plans eventually to place Phalanx guns on all its ships.

Mr. Speaker, this GAO report casts serious doubts on whether the Phalanx is worth another penny out of our already bloated defense budget. Certainly, we have no urgent requirements for an automatic gun that attacks islands and friendly ships.

The tests reported in the GAO report took place between January and March 1974, aboard the U.S.S. *King*. What we have here is a weapons system that is worse than useless. With guns like these who needs enemies?

There is according to the GAO report the danger of having a gun that shoots at friendly ships instead of enemy missiles. Says the report:

We believe that the implications of these events, when it is considered that a Phalanx-equipped ship may be part of a multiship task force, indeed warrant considerable attention.

CHICAGO'S POLISH CONSTITUTION DAY PARADE

HON. FRANK ANNUNZIO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1974

Mr. ANNUNZIO. Mr. Speaker, on Saturday, May 4, 1974, the Polish National Alliance sponsored Chicago's annual Polish Constitution Day parade and it was my pleasure and honor to be on the reviewing stand and at the Civic Center for the commemoration ceremonies which followed the parade.

Chicago Americans of Polish heritage gather each year to celebrate the traditions of liberty which bind our peoples so closely together and to pay tribute to those who have sacrificed and put their lives on the line in defense of that freedom. The May 3, 1971, Constitution of Poland is a landmark event in the history of man's struggle against tyranny.

The ceremonies included a ringing speech by the president of the Polish National Alliance and the Polish American Congress, Aloysius A. Mazewski, in tribute to two of those men, Thomas Jefferson and Thaddeus Kosciuszko, who helped originate and forge the democracy we enjoy today.

For the benefit of my colleagues, I am inserting in the RECORD the Polish Constitution Day remarks by this outstanding leader in our Nation's Polish-American community, a program of events in commemoration of the May 3 Constitution, and the invocation offered by Bishop Francis Carl Rowinski.

Mr. Speaker, the program, the invocation, and President Mazewski's speech follow:

COMMEMORATION OF POLAND'S MAY 3, 1791, CONSTITUTION, MAY 4, 1974

PROGRAM AT REVIEWING STAND

State and Madison Streets—12 Noon:

Welcome: Mrs. Helen M. Szymanowicz, Vice President, Polish National Alliance, General Chairman, Poland's Constitution Day.

National anthems: Mr. Stefan Wicik, accompanied by 81st United States Army Band.

Parade announcer: Mr. Chet Gulinski, WOPA Radio.

PROGRAM AT CIVIC CENTER PLAZA

2:00 P.M.:

Welcome: Mrs. Sophie Buczkowski, Commissioner, District 13, Polish National Alliance.

Invocation: The Rt. Rev. Francis C. Rowinski, Bishop, Western Diocese, Polish National Catholic Church.

Master of ceremonies: Hon. Aloysius A. Mazewski, President, Polish National Alliance, President, Polish American Congress.

Remarks: Honorable Richard J. Daley, Mayor, City of Chicago.

Principal address: Honorable John Richardson, Jr., Assistant Secretary of State for Educational and Cultural Affairs.

Introduction of guests: Mrs. Helen Orawiec, Commissioner, District 12, Polish National Alliance.

Resolution: Mrs. Helen M. Szymanowicz, Vice President, Polish National Alliance, General Chairman, Poland's Constitution Day.

Benediction: Most Reverend Alfred L. Abramowicz, DD, Auxiliary Bishop, Vicar General.

Conclusion:

SUNDAY, MAY 5, 1974

Assembly for solemn mass: 10 a.m.—Polish National Alliance, 1520 West Division St.

March to church: 10:15 a.m.—to Holy Trinity Church, 1118 Noble Street, led by Council 80, PNA, Drum and Bugle Corps.

Solemn mass: 10:30 a.m.—Reverend Casimir J. Czaplicki, C.S.C., Pastor, Celebrant and Homilist.

INVOCATION AT MAY THIRD CONSTITUTION DAY CEREMONY, BISHOP FRANCIS CARL ROWINSKI, WESTERN DIOCESE POLISH NATIONAL CATHOLIC CHURCH, CHICAGO CIVIC CENTER, MAY 4, 1974

Eternal Father of men and nations, Shepherd of journeying generations that come and go before Thee, the Savior of humanity; we, Americans of Polish heritage and our friends, remember with grateful hearts Thy loving providence, which enabled our fathers to build Poland as a nation founded under God, dedicated to the pursuit of truth, to the creation of beauty, to the great venture of Christian service, social justice and freedom.

May the noble purposes which inspired our forefathers and the high ideals which they cherished endure in our thoughts and live in our actions, as we cooperate with men of good will to create a community within diversity, where each ethnic group shall have the freedom to develop what is unique about itself . . . . . language, culture, tradition, music, hymnody, custom and dance . . . . . where each respects the same in others, and together create a mosaic serving Thee in righteousness, intelligence and good will, making faith fruitful in a better order of human society

During this time of national humiliation, fasting and prayer, behold us, God of all mercies, bowed in the name of Jesus Christ, as together we confess our personal and social sins; our indifference to the unmet needs of fellow man, both at home and abroad; our callous greed seeking gain at the cost of misery to others; our vanity of soul and pettiness of mind . . . . . Thy mercy on Thy people, Lord, who repent before Thee.

O God, whose goodness is our hope, bring Thy people to a just mind and a pure heart; restore mutual trust, justice, mercy and firmness in the right as Thou givest us to see the right. Lead us out of the bondage of indifferenence, fear, suspicion and hate into Thy new day of peace. We pray in Thy Holy Name. Amen.

SPEECH OF ALOYSIUS A. MAZEWSKI, PRESIDENT, POLISH NATIONAL ALLIANCE

It is eminently fitting and proper that during the observance of the May 3rd, 1791 Constitution of Poland, we pay tribute to General Tadeusz Kosciuszko.

He embodies the love of freedom and the precepts of democracy and justice which are the landmarks of glory in both the United States and the Polish history.

Kosciuszko's military genius first found its expression on the American soil. As the designer and builder of the Saratoga fortifications, which were crucial to American victory there, Kosciuszko is regarded by historians as one of the architects of American independence.

Fighting in later years in the defense of the May 3rd Constitution and Poland's freedom, Kosciuszko drew from the fount of his American experience. And even when he suffered defeat at the hands of overwhelming Russian forces, Kosciuszko grew in stature as one of the great military geniuses, and great, compassionate statesmen in Polish history.

His legacy of total commitment to freedom is both American and Polish.

His extensive correspondence with Thomas Jefferson attest to the spiritual kinship of the United States and Poland, and political philosophy which bind both nations in respect and friendship.

His humanitarian acts are many. The most singular of them is his testament of 1798, in which he bequeathed his entire American estate for the purchase of freedom and for the education of ensiaved blacks.

In the words of one commentator:—

"Kosciuszko's will is an unwritten chapter in American history. It is possible that if its suggestions had been followed, there might have been no Civil War in the United States, and the race problem of today would not be so perplexing to economists".

On this 183rd anniversary of the May 3rd Constitution of Poland we are mindful of the fact that the Polish Constitution was proclaimed only four years after the submission of the United States Constitution for the ratification of several states.

And both legislative documents are truly great and unique in the annals of man.

The United States Constitution was the first truly progressive and democratic legislation on the American continent.

And the Polish Constitution of 1791 was the first democratic, humanitarian and progressive legislation in continental Europe.

And in the majestic panorama of freedom spanning both continents, Thomas Jefferson and Tadeusz Kosciuszko occupy places of singular greatness.

RUMANIAN INDEPENDENCE DAY

HON. CHARLES W. WHALEN, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1974

Mr. WHALEN. Mr. Speaker, today marks the anniversary of the founding of the Kingdom of Rumania. It is indeed appropriate that we observe the independence of that state in the hope of peace and freedom throughout the world. May 10 is a date which Rumanians all over the free world will commemorate as we would celebrate our Independence Day. However, it deserves special recognition, for there will be no public observance within the boundaries of Rumania; a great hope for freedom is now suppressed by that country's Communist regime.

On May 10, 1866, a long struggle of the people of Rumania culminated in the proclamation of Charles of Hohenzollern—Sigmaringen as Prince of Rumania. However, it was not until 11 years later, during the Russo-Turkish war, that the principality declared its independence of the Ottoman Empire. This status was confirmed by the European Nations at the Conference of Berlin in 1878. Then, 4 years later, on May 10, Charles I was crowned King by the will of the people. This achievement of national independence inaugurated a prosperous period in Rumanian history, throughout which May 10 was celebrated as a national holiday.

Unfortunately, this period lasted but little more than 60 years, and now these people toil under Communist suppression. Mr. Speaker, we understand the importance of May 10 to all Rumanians. Therefore, I join with them in recognizing this day as a symbol of great hope, not just a past event. By pausing to observe it with them, we can share our hope that in future years this will be a day that all Rumanians can openly revere.

THE KILLINGS AT KENT STATE 4 YEARS LATER

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1974

Mr. MOORHEAD of Pennsylvania. Mr. Speaker, 4 years ago, when four students were killed and nine more wounded by Ohio National Guardsmen at the campus of Kent State University during protests over the President's decision to invade Cambodia, simple justice dictated that 20 of our colleagues and I write to the Attorney General demanding that he convene a Federal grand jury to investigate the incident.

John Mitchell turned us down.

Events have shown that men in the highest offices of the current administration, charged with the public trust, often made decisions for selfish personal and political gain.

Last week the families and friends of the those killed and wounded at Kent State gathered there to honor the memory of the four students.

Peter Davies, a British-born insurance man who has devoted the past 4 years to rooting out the truth of what happened that black day, delivered one of the most moving speeches I have ever read.

I would like to put that speech in the RECORD at this time and remind my colleagues that since former Attorney General Mitchell refused to convene that grand jury because of insufficient evidence of wrongdoing, one of his successors did and the Supreme Court overturned a lower court ruling and sanctioned a suit by the students' parents against the State of Ohio.

As Davies remarked in his speech, re-

cent legal developments have "made it possible for us to assemble today without the sense of injustice that has haunted previous anniversaries."

FOUR STUDENTS

(By Peter Davies)

As this is the first anniversary I have been able to attend, I would like to direct our thoughts back to the time before the shootings; to remember the four students who died here, and to reflect on what their families, this university and the community at large so tragically lost four years ago. By recalling who they were I hope to remind our fellow citizens that regardless of all the lurid stories to the contrary, they were the innocent victims of a chain of events that few Americans can look back at with pride. Such unnecessary destruction of human life is far from being unique in our history, but I believe that Kent State of May, 1970, will come to mark a significant turning point in our tendency to excuse official lawlessness no matter how blatant the abuses may be.

The recent Federal indictments against one present and seven former members of the Ohio National Guard, no matter what the final disposition of the cases may be, has made it possible for us to assemble today without the sense of injustice that has haunted previous anniversaries. Although many grave questions still remain to be answered, the unanimous decision of the Supreme Court, on three of the civil suits stemming from the killings, has opened the door to further revelations. Those who made the decisions that maneuvered the students and the guardsmen into a confrontation situation have been called upon, by the High Court's ruling, to account for their actions in a court of law. Consequently, there is every reason to now believe that justice will at long last be done. This holds equally true for the Jackson State cases which have, I understand, been in a state of limbo pending the Supreme Court's findings on the Kent appeals.

No student, James Michener said on many occasions, did anything for which he, or she, deserved to be shot, and yet we are here today to remember that four died and nine more were injured, two of them permanently. One is Dean Kahler, a gentle young man whose lifeless legs are mute testimony to the horror of what happened on this campus four years ago, and who is with us to share these moments of remembrance.

Who were those four students? Why were they so ferociously condemned as radicals, or passionately hailed as martyrs, when they were neither? Why did their deaths to the bullets of a few National Guardsmen set them apart in the minds of a great many Americans? Some of the answers, I believe, are self-evident in the tone and content of the rhetoric that rolled so glibly off the tongues of our now disgraced national leadership. We all know what was said, and their words fostered an emotional atmosphere of anti-student sentiment which turned into an almost frightening fury at the victims, as though killing students was too mild a punishment for their audacity in refusing to disperse. The facts of what these four young people were doing at the time they died were literally buried beneath an avalanche of official allegations and distortions, and it took almost four years for the parents and many others to dig those facts out into the light of day.

Now that a Federal grand jury of Ohio citizens has found probable cause for prosecuting some guardsmen, just as a State grand jury found similar cause for prosecuting twenty-five students and others back in 1970, it is time to talk about the human qualities those four young citizens possessed and perhaps, to explain why I am here today. My contribution toward justice in this incident began, four years ago, with the feeling that any one of the killed and wounded could so easily have been my own child because of the circumstances surrounding that long fusillade of deadly gunfire. Subsequent intensive probing of their backgrounds and life styles by the Government, the news media and Mr. Michener, not only justified those feelings, but made me very proud to know the parents of such fine sons and daughters.

When Jeffrey Miller was in fourth grade he, and a friend, on their own initiative, decided to conduct a study of racism in America. To complete this ambitious project they contacted Ebony magazine for additional material and information. It was not until a staff member of the Journal called Jeff's mother to praise her son for his concern and resourcefulness, that his parents learned of his keen interest in social problems at such a young age. Although Jeff very much enjoyed participating in just about every kind of sports activity, his happiness was frequently darkened by the suffering of others, both at home and abroad.

During the last few years of his brief life, spent mostly at Michigan State University, Jeffrey Miller became increasingly concerned about our involvement in the Vietnam war, and as early as 1966 he wrote these words.

"The strife and fighting continue into the night. The mechanical birds sound of death as they buzz overhead spitting fire into the doomed towns whose women and children run and hide in the bushes and ask why, why are we not left to live our own lives? In the pastures, converted into battlefields, the small metal pellets speed through the air, pausing occasionally to claim another victim. A teenager from a small Ohio farm clutches his side in pain, and, as he feels his life ebbing away, he, too, asks why, why is he dying here, thousands of miles from home, giving his life for those who did not even ask for his help."

Much was made of the fact that Jeff, with his distinctive head-band, was out there that day giving the National Guardsmen the finger and throwing objects at the soldiers from distances of about two hundred feet. We have, in the past, ascribed to his behaviour whatever our social and political environments have conditioned us to see in his conduct. Nevertheless, I believe it is fair to say that Jeffrey Miller was simply expressing, inappropriately, the same kind of frustration that motivated Allison Krause to shout obsenities: Dean Kahler to throw a rock, and Alan Canfora to wave a black flag.

All were shot by guardsmen. Jeff and Allison were killed and Dean paralysed in what we were told was a lesson in just what law and order is all about. But what of some of the other victims?

Sandy Scheuer, for example, was faithfully following the instructions of former university president Robert White to attend classes as usual. This generally happy go lucky young woman was more concerned with trying to help those afflicted with speech impediments than attending demonstrations to protest America's participation in the killing of civilians in Southeast Asia. Sandy had what I call an open heart, one that is as vulnerable to the pain of others as it is strong in the determination to give aid and comfort where it can be the most effective. This loving, outgoing human being had so much to offer those less fortunate than herself, yet she died here four years ago because of that chain of events that no official, with the power to intervene, sought to break before it culminated in almost inevitable disaster.

Sandy was not a politically conscious person, but rather a generous individual who believed she could contribute something constructive toward overcoming our general tendency to shun the needs of the handicapped. As fate, or what you will, would have it, she was walking to her next class in speech therapy when a guardsman's bullet tore through her neck. We shall never know how many Americans Sandy could have helped to conquer their speech problems, anymore than we shall ever know what Jeffrey Miller might have contributed toward improving our society. Both were taken from us violently, just as tens of thousands of fine young Americans were taken from us in a war that few of us understood and fewer still can now endorse. The loss to science, medicine, industry, and the liberal arts, that is this Nation's sacrifice to a questionable cause, can never be calculated in terms of impeded progress and parental grief.

If it were necessary to classify Bill Schroeder as symbolic of something in our society, my immediate response would be that almost meaningless label: the all-American boy. A more appropriate description, perhaps, would be world citizen. This sensitive young man had involved himself in so many aspects of our past and future that it is equally impossible to assess what we have lost by his untimely death. Throughout his pre-college education he was an honor student, with a keen interest in the history of the American Indian and an abiding love for music. Not only was he a dedicated athlete, concerned about the causes and affects of war, but also he was able to make time available in which he could explore the worlds of geology, psychology and photography. In 1969 Bill accepted an R.O.T.C. scholarship, thereby committing himself to four years at college, four years of active military service, and two years in the Army Reserves. Such a commitment at the age of seventeen may, or may not, have eventually been regretted, but whatever the outcome might have been there is little doubt in my mind that he would have faithfully honored his obligation. How is it, then, that Bill Schroeder is dead?

The answer to this question is not easy to come by, but I believe he was out there four years ago today because he was going through that difficult period in our lives when we hover on the brink between childhood and adulthood, when we have to make a decision that is strictly on our own. I think that bill was confronted with a natural desire to remain faithful to his family's code of behavior and his need to identify with the frustrations that so many of his peers were experiencing following President Nixon's decision to support the South Vietnamese invasions of Cambodia. Had he not possessed such a thirst for knowledge and participation in human events, I doubt that he would have bothered about the noon rally that day. But he did, and he went, and it cost him, his family, and the nation, because he died to a bullet that struck him in the back as he lay motionless face down upon the ground.

Just eleven days before her death, Allison Krause celebrated her nineteenth birthday in the company of her parents and her lover. At that happy gathering was her younger sister, a remarkable person who was to suffer to a degree that few of us could experience without sustaining permanently crippling scars. Her fortitude after May fourth, in the face of such cruel adversity, symbolized for me the spirit of Allison. It is hardly surprising that her parents, and the young man who loved Allison, and myself, should find in this sister the quiet strength of a character that unwittingly became the fountainhead of our determination to establish the truth about the circumstances surrounding Allison's death.

It is difficult for me to speak about Allison because, right or wrong, it was her death that touched me the deepest. Since it happened, I have tried to explain to myself why this should be, but answers such as beauty and youth do not adequately justify the commitment of four years of one's family and

business life. I admit to an emotional contempt for male assault upon the female, but it is more likely that I saw myself in Allison as much as I saw her as my own daughter. Despite my political conservatism, I understood why she was out there shouting at the advancing Guardsmen with their M–1 rifles and fixed bayonets. On the other hand, it might well have been a response to the fact that she had shouted at a Guard officer: "Flowers are better than bullets", or that she had wept that day, not from the tear gas, but because of what was happening to her, her friends, and her campus. Whatever the explanation for my being here may be, I do know that it began because a part of me died with Allison Krause, and the stubbornness that was one of her inherited characteristics, as much as her love for, and desire to help, retarded children, aroused my British blood of never going along with the popular notion that authority is infallible, especially when the facts point to the contrary.

Time does not permit me to speak at length about the four students who died here. Suffice to say that on this fourth anniversary they are remembered as much for who they were as why they are dead. I do however, want to take a few moments to remind you about the young man who was killed at the University of Wisconsin when the Mathematics Center was the object of a bomb protest against the war. The fact that the perpetrator of this crime was unaware of the victim's presence in the building is no more excusable than the claim that Guardsmen firing into a crowd of students did so without intent to kill. Blowing up a building is just as inexcusable as shooting at defenseless people, and the rationales given for both incidents are equally offensive to my concept of law and order.

There is no denying my sense of vindication now that a Federal grand jury and the Supreme Court of the United States have set the wheels of justice in motion. That this is happening, I feel compelled to point out, is in no way due to any great efforts over the last 4 years by the so-called new left or the antiwar movement, but rather because a few citizens worked day in and day out to get the Justice Department, and the courts, to recognize the fact that the Constitution and the laws of the United States had been violated by the shootings. Now it is up to juries to decide whether or not these violations warrant convictions and compensation. Whatever the outcome, these citizens accomplished this breakthrough despite the intimidating handicap of having to deal with an administration in Washington that had wrapped itself in our flag whilst presiding over the slow, and secret, burying of our Bill of Rights.

To those of you who share my concern about the future of our country, the reversal of the Nixon-Mitchell decision against ever convening a Federal grand jury investigation should inspire you to follow in the footsteps of Paul Keane, Greg Rambo and Bill Gordon, former students who came to the support of the families with their petition to President Nixon, an act of faith which was recognized by Dr. Glen Olds when he accompanied Keane and Rambo to the White House in October 1971. Apathy and cynicism, as Arthur Krause has said on more than one occasion, will get you nowhere, and he should know, because it was this man who went before the Nation the day after his daughter's death and asked if dissent is a crime, if that was a reason for killing her. Not only can you fight city hall, you can fight the White House too, if you have the patience and stamina to remain true to your convictions and to work within the channels provided by our democratic system of government.

In a recent article I wrote for American Report concerning the Patricia Hearst kidnaping, I expressed my belief that the ultimate human failure in any society is our inability to envision our own children in the tragedies which befall the sons and daughters of others. As the parents of the four students killed soon learned, a great many of us are all too quick to moralize about the lives of strangers that have been destroyed under circumstances comparable, or not even similar, to what happened here. How often do we hear people criticizing a female victim of murder because she was "out late", or she must have been "no good" because she let her killer enter her apartment. The perpetrator of the crime is all too often the object of misplaced sympathy, so it is hardly surprising that the four dead students should become the objects of such chilling venom that one wonders to what extent social guilt inspires vitriolic condemnation of the victims.

Patricia Hearst, for example, existed in an isolated world where summary execution was a day to day possibility, yet there were quite a few ready and willing to suspect the worst and to accuse her of engineering her own kidnaping. After the dramatic bank robbery in San Francisco even the Attorney General of the United States got into the act and accused her of being a "common criminal." After the shootings here, Allison Krause was called the "campus whore" who was "tatooed from head to toe" and Jeffrey Miller was said to be "so covered with lice" he was destined to die anyway from being "so dirty." Such utter nonsense is easily dismissed, but we should ask ourselves why there are people who so quickly condemn the victims.

Is it the human trait of selfishness? We can always afford to sacrifice the life of the other guy for the so-called general good of the majority, and this was painfully evident in the reaction to the killings on this campus. Jeff, Sandy, Bill, and Allison, symbolized the public's sacrifice to atone for the bombings and burnings committed by others. The fact that they were innocent was irrelevant to the greater need for a tough stand against the Weathermen and their kind.

Murder, kidnaping and rape have plagued mankind since the beginning of recorded history, yet civilization is presumed to be at its most advanced stage as we approach the twenty-first century. Recent events, however, suggest that respect for human life is declining in a world where overpopulation is becoming a major threat to our ability to meet such a challenge. The Reverend John Adams put his finger on this problem when he noted, in my book, that the condensation of James Michener's account of what happened and why, in the April 1971 issue of Reader's Digest, contained an advertisement for Ortho Chevron Chemical Company. "In advertising insecticides for use in gardens," he wrote, "bold black words stated: 'The balance of nature is predicated on the fact that one thing dies so that another may live.' Some believe," Mr. Adams continued, "that this is what happened. Some believe that the shooting of students at Kent was necessary in order that other students could live and the society could be preserved." Likewise some believe that Patty Hearst should be abandoned to whatever fate the SLA might decree for her so that others may not become the victims of kidnaping, just as many supported the bombing of Hanoi as a means of forcing North Vietnam to sign a so-called peace settlement. The fact that hundreds of civilians were killed to accomplish this political necessity was irrelevant, just as the Viet Cong's vicious murders of bound and helpless men and women in the villages of South Vietnam is irrelevant to their political goals. Yet all, including My Lai, are contemptible, inexcusable crimes against humanity, crimes which the allies prosecuted so vigorously at Nuremburg, but which the United Nations ignore today.

I could, of course, go on at great length about our feelings toward the violence that seems to have become a part of the daily existence of countless millions who simply want to live out their lives in peace and free from fear. It is so much easier to turn a blind eye on the day to day tragedies which befall our fellow human beings, and sometimes it becomes imperative that we do, otherwise we would all become victims of the pain and anguish that is constantly before us in newspapers and the television screen. So I want to close on a more uplifting note, if not a happy one.

We are here today not to mourn the death of four students, but rather to honor their memory. We are here to recall once again that they were decent young people, like their two black brothers killed at Jackson State fourteen days later, people who should not, by any yardstick of right and wrong, be dead. There are many more than these six students, but their deaths, like those of the unknown soldiers, are symbolic of the countless victims who died to shootings that were unnecessary, unwarranted, and inexcusable.

To the trustees, the administrators, the faculty, and the student body of Kent State, I say the turning point we have so recently reached will eventually lead to the long awaited healing of the terrible wounds inflicted here four years ago. The spirit of what Jeff Miller, Sandy Scheuer, Bill Schroeder, and Allison Krause represented for our future has been ever restless until this day. They should never have been killed, but they were, and so it fell to their parents and a few others to make sure that this truth be known. The time will come, I say to you today, when this university will be looked upon as a symbol of the triumph of American justice over the travesty that has haunted you for so many unhappy years. Thank you.

WHEN—IF EVER—IS ABORTION "VICTIMLESS"?

HON. LAWRENCE J. HOGAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1974

Mr. HOGAN. Mr. Speaker, 15 months ago, the Supreme Court handed down a decision which, in essence, defined a person as a legal entity from the stage of "viability." This has created numerous legal complexities in our court system today.

I would like to insert in the RECORD at this point an article in the Washington Post by George F. Will. The April 30 article points out the crucial question that must be answered: "When, if ever, is an abortion a victimless procedure, merely preventing rather than ending a human life?" The Supreme Court has certainly failed to address itself to this question:

WHEN—IF EVER—IS ABORTION "VICTIMLESS"?

(By George F. Will)

A Boston doctor has been charged with manslaughter in connection with a legal abortion. No one disputes that the abortion was performed in accordance with standard gynecological practices, and in compliance with the Supreme Court's guidelines.

What is at issue is what happened after the normal abortion procedures.

The district attorney's office has not explicitly said that the fetus survived the abor-

tion itself. But an assistant district attorney acknowledges that "obviously" the manslaughter charge indicates that the fetus "had to be alive if it were killed."

Evidently the fetus was alive when removed from the woman and the doctor did nothing to help the infant in its struggle to sustain life. The fetus, a male, died.

He probably would have died in any case. He was terribly premature, and he was not delivered with the gentle procedures of childbirth. Rather, he was extracted from the womb by rougher abortion procedures, the purpose of which is to extinguish the life of a fetus.

Cases of lingering life in aborted fetuses are not unknown in other American hospitals these days. But our language seems oddly unsuited to describing such cases.

Is it a "death" when a fetus is terminated?" Why do we feel constrained to use desiccated language like "terminate" to refer to what an abortion does to a fetus? Something—the logic of our language, or at least the ethical impulse embodied in our language—makes it seem natural and reasonable to say that if a "death" occurs, then what dies is a human infant, a child.

Never mind that the intention of a woman seeking an abortion is to "terminate" a fetus. If a fetus confounds that intention by emerging alive, how long must the fetus linger before the woman ceases to be just a "patient" and becomes, like it or not, a mother?

How long before an inconveniently durable fetus has a right to be treated like a fragile, suffering child, albeit an unwanted child? How long before doctors, irrespective of the "mother's" desire, have a duty to try to sustain the life of the little survivor?

Fifteen months ago the U.S. Supreme Court ruled that no state can prohibit the abortion of a fetus that is * * * the court, at 26 weeks old. According to the Court, at 26 weeks the society's interest in protecting the fetus becomes sufficiently compelling that states are permitted to prohibit abortions, *except* when they are necessary for maternal "health," broadly construed.

The court ruled as it did because it decided that a fetus is "viable" at 26 weeks, and that "viability" is the crucial consideration. It defines viability as the stage at which a fetus is "potentially able to live outside the mother's womb, albeit with artificial aid."

This ruling suggests that there is no duty, legal or moral, to provide aid to a less-than-26-week-old fetus that survives an abortion. The fetus in the Boston case was 24 weeks old.

It is not clear why viability should be considered a point at which the legal status of a fetus changes in any way. It is not clear why, as a matter of constitutional law, viability is a more significant growth stage than, say, quickening—the stage, usually after the fourteenth week, when the fetus begins discernible movement.

What is clear is that the court's 26-week viability standard is arbitrary and inadequate. And improved life-support technology, including artificial wombs, will make this standard increasingly inadequate.

So, sooner or later, and the sooner the better, the abortion question is going back to the court. Then the court should clear its mind of cant and consider the following thought:

The commands of the Constitution should not be allowed, much less made, to fluctuate with changes in scientific opinion or capabilities. The fact that technological developments can invalidate a viability standard sugests that viability standards are irrelevant to the crucial question.

The crucial question is: When—if ever—is an abortion a *victimless* procedure, merely preventing rather than ending a human life?

INTEGRITY IN ADVERSITY

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1974

Mr. CRANE. Mr. Speaker, in light of Watergate and other violations of the public trust inherent in recent events in Washington many have predicted an overwhelming defeat for the Republican Party and its candidates in the 1974 elections.

The fact is that those responsible for Watergate are being, and should be, held legally responsible for their acts. These men were part of a small coterie of advisers at the White House with virtually no ties to the Republican Party, and no ties at all to elected Republican officials in the Congress.

To hold elected Republican officials responsible for the acts of this small group would be to exact retributions from those who are in no sense responsible for wrongdoing. The American people, I am confident, will not see fit to exact such unfair retribution.

Discussing the premature obituary notices being published with regard to the Republican Party, Dr. John A. Howard, the president of Rockford College, recently noted that—

It is time we informed them that the obituary notices they are so busily and happily writing are premature. Indisposed our elephant has been, but moribund it is not. It is our job . . . to exorcise the demons of self-doubt, discouragement and confusion, and get on with our work.

Addressing the Westwood, Calif., Republican Women, Dr. Howard stated that,

As the Republican Party takes its case to the voters in the coming election, we insist that the whole balance sheet of honesty and integrity in government be scrutinized. I ask that we ask the citizens to judge the candidates we place before them for seats in the U.S. Congress and for state and local offices, not in the context of grievous shortcomings of certain appointees of our national administration, but in the appropriate context of the performance of the office-holders and the principles of the office-seekers concerning the responsibilities of the posts which are to be filled.

Our party has served the American people faithfully and well for many years. I am confident that the voters will see through the demagogic appeals which are already being made with regard to the November elections and will judge each candidate for public office on the basis of his own merits, principles, and achievements.

I wish to share with my colleagues the talk delivered by Dr. John A. Howard, president of Rockford College, at a meeting of the Westwood, Calif., Federated Republican Women on March 21, 1974, and insert it into the RECORD at this time.

INTEGRITY IN ADVERSITY

(By Dr. John A. Howard, president, Rockford College)

First, I want to make it clear that in giving a partisan speech to a partisan audience, I am presenting my personal views and convictions. One can hope that all my colleagues at Rockford College might be so happily enlightened that they would agree with every word I say, but that may not be the case, so let it be known that I am speaking for myself, not for my college.

Republican colleagues: Some observers of the political scene have suggested that our Party has seen better days. Indeed, some spokesmen for the opposition are making smug conjectures about whether they shall, come November, bury us with 90 or 100 more seats in the House of Representatives, or only a modest 50. Well, it is time we informed them that the obituary notices they are so busily and happily writing are premature. Indisposed our elephant has been but moribund it is not. It is our job, yours and mine, to exorcise the demons of self-doubt, discouragement and confusion, and get on with our work.

Our task, I believe, is four-fold: 1) To acknowledge our shortcomings; 2) To place them in perspective; 2) To proclaim anew the principles in which we believe; and 4) To nominate and elect candidates who are committed to those principles and will deliver on them. Let us spend a little time thinking through each of the four.

First, any citizen who places his own interests above the public laws, and acts in defiance of the laws, undermines our form of government and does injury to all other citizens. This is just as true of the pot-smoker and the draft-dodger and the shoplifter as it is of the public official. Every illegal act frays the fabric of society. The Frenchman, Charles deMontesquieu, in my judgment, was probably the most astute political philosopher of Western culture. He noted that each form of government has an essential relationship between the people and the government, and when that relationship fails, the government can no longer exist. In a dictatorship, that key relationship is fear, and when the fear is gone, the dictatorship is doomed. In a monarchy, it is loyalty without which the monarchy cannot remain in power. In a representative government, the essential relationship is virtue among the people, and when the people are no longer honest and honorable, that form of government is doomed.

No righteous person of any political party can tolerate or excuse dishonesty on the part of public officials. The partisan response to the disclosure of dishonorable conduct within the ranks of one's own party is often to point the finger back at the other party and say you are just as guilty as we are. Any Republican who lives in Illinois has a whole library full of headlines from the last year or two to draw upon in retaliation, but that kind of response, while certainly human and sometimes gratifying, does nothing to advance the cause of good government. On the contrary, it identifies a pettiness on the part of the finger-pointer, and suggests he is more interested in advancing his own political ends than he is in making sure the government is operating honorably and effectively. *This is* true for both political parties.

The only proper response to alleged misconduct on the part of an officer of government is, I suggest, for everyone to cooperate in determining the truth of the allegation through established legal procedures, to root out and punish anyone found guilty of misconduct, to apologize to the citizens for the breach of public trust, to replace the guilty officer with someone selected for his integrity as well as his skills, and get on with the terribly complex and demanding business of government. Measured against this ideal, both political parties have a rather dismal record which constitutes a great disservice to the citizens they claim to represent and serve.

Let us turn now to the context in which some members of this Republican adminis-

tration have pleaded guilty to or been found guilty of violating public law. There has been a great avalanche of analyses of the Watergate affairs, most of them unfortunately more political or polemical than possessed of useful perspective. One of the few statements that offered penetrating pertinent understanding was a piece by Jeffrey Hart in *National Review* last May. He stressed the cause-and-effect relationship of Daniel Ellsberg's theft and unauthorized disclosure of the Pentagon Papers and the counteractions taken by the people involved in Watergate. Both he perceived as actions in an undeclared civil war that had been going on in this country since the mid-sixties.

To quote Mr. Hart:

"We have recently had in this country, in effect, two governments—the ordinary, official government, elected by the people . . . but also, opposed to this, not a "loyal opposition" in the old sense, but a kind of counter-government.

This counter-government denies the legitimacy of the actual government, and employs every means at its command—legal and illegal—to frustrate its policies. This counter-government, as in the case of Ellsberg, demands the right to declassify secret documents on its own say-so. To a man like Tom Wicker, who is a sort of Ron Ziegler of the counter-government, Ellsberg and Russo are heroes. The counter-government celebrates the feats of its heroes who, when they don't like a law, simply go ahead and break it. In its demands for amnesty, and in the visits of its emissaries to Hanoi, and so on, the counter-government asserts its claim to have a different foreign policy from that of the regular government. . . ."

"The counter-government has its own journalists and even its own clergy: the Berrigans, Groppi, and so on. It has its lawyers—Ramsey Clark, Boudin, Kunstler."

The situation which prevailed and which Mr. Hart described so accurately is really the contemporary form of the eternally insoluble riddle: How does the gentleman deal with the cad? He cannot respond in kind without forfeiting his status as a gentleman. But can he simply remain immobilized in the face of an assault upon that which he is obliged to protect? Some of the participants in Watergate, as Mr. Hart has observed, behaved as if they were engaged in a civil war, and in a war, as you know, some civil rights and some civil liberties are, of necessity, suspended so that the government may put an end to subversion and insurrection as swifty as possible.

However, those Watergate participants did break the law and they must pay for that transgression. Nevertheless, it seems to me that a thoughtful and responsible citizenry in exacting the proper price for that sin would be far more charitable in recognizing the plight of those who were motivated to try to stop the illegal and devastating acts of the unscrupulous members of the counter-government.

I trust you will recognize that I make no attempt here to justify the reprehensible efforts to swell a campaign treasury by illicit methods or by promises of government favoritism. Such tactics are as old as politics, are always shameful, and it is a sad thing when they occur in either party.

As I have observed, all of our citizens suffer when an officer of government commits an act of dishonesty. I want to suggest now that there is an even more destructive form of dishonesty that occurs in partisan politics, and which has been practiced on a massive scale in this country for years, the results of which plague every citizen in the United States. I speak, of course, of the dishonesty which political parties and individual office-seekers engage in when they promise that which they cannot possibly deliver. Such deceptions have been practiced upon the American people through the last forty years on a grand scale, and may well have done more to create cynicism among our people about their government than the aggregate of all the illegal acts of office-holders of both parties.

I will mention only three areas where we have been deceived by policies and programs advanced by politicians. Each of you will, no doubt, be able to extend the list on into many areas of concern to you. Let us begin with the economic facts of life. There is no such thing as a self-generating dollar, to use William Buckley's phrase. You cannot obtain something for nothing. Government can print more money and it often does, but government does not, in printing those dollars, create any additional value. It simply reduces the value of the dollars we already have, unless there is additional productivity out in the marketplace, offsetting the increase in the supply of money. Therefore, whatever monies government spends in the conduct of its own operation and in the services it provides to the people, those monies the government must first take away from the people, and the larger the government grows, the more costly it is, and the less the people get back out of the taxes which they have paid.

Some of our politicians assert their new projects can be paid for by increasing corporation taxes and the citizens will not have to pay the bill. Such assertions must derive, I believe, either from an inexcusable ignorance of elementary economics or from a callous intent to deceive the voters, for, in general, corporations do not pay taxes, they merely collect them for the government. If the tax upon corporations is increased, that tax is usually passed on to the consumer in the form of higher prices for the goods or services which the corporation provides. Ultimately it is the individual taxpayer who must pay the bill for any new government program that is enacted, and that tax bill will include the per capita share of the increased bureaucracy which administers the new program. The last time I inquired, which was a couple of years ago, the Department of Health, Education and Welfare had 104,000 full-time employees. How many tens of thousands of those people are essentially engaged in processing grants is anybody's guess, but it is a vast empire engaged in sending back to the people the tax money that has been taken from them, after all those HEW salaries and office supplies and building maintenance, etc. have been taken out of the purse.

At this time when there is such deep concern about the integrity of the people in the government, it is fitting that we extend that concern to fiscal integrity, and judge our elected representatives by their record of honest reporting to the voters about how much a program will cost, who pays the bills, whether we can afford the programs they enact, and the actual solvency of the United States Government. Not only have the citizens been deceived about the financing of government, but the costly programs which have been advanced in the interests of the people, presumably to attract (buy) their votes, have all too often turned out to be cruel deceptions.

The fanfare and hoopla with which our national government declared war on poverty and the grand promises made on behalf of that ill-fated and immensely costly fiasco turned out to be one of the most appalling delusions of our time. There is afoot now another perennial legislative sleight-of-hand which poses as a boon to the underprivileged, but inevitably works great hardship upon the least privileged segment of our society. I refer, of course, to the effort to raise the minimum wage still further. Every time the minimum wage is increased, the result is the elimination of many jobs held by people who are handicapped by lack of skills, lack of education, lack or intelligence or coordination.

Why? From the employer's point of view, it is cheaper for him to undertake further automation than to pay $2.20 an hour to an employee whose productivity is only worth the $1.60 he is now getting. If the employee can't produce $2.20 worth of work when the minimum wage is raised to that level, then the margin of money the employer would have to pay according to the new rate is invested in the cost of new machinery and the old job is phased out. You cannot stay in business paying $2.20 to a worker who delivers $1.60 worth of production. Turn the telescope around. The under-trained or under-qualified person has only one bit of leverage to apply in the job market, and that is a willingness to work for less than the going wage rate and eventually earn his way up the pay ladder by his performance. The minimum wage forecloses that opportunity to him, and makes of him a permanent charity case. I think you will discover that objective analyses of Urban Renewal, Social Security, Aid to Dependent Children, and much other welfare legislation that has been sold to the public as grandly humanitarian is likewise overstated, deceptive and cruelly destructive of the welfare of the very people whom that legislation is claimed to serve.

Someone has defined the welfare state as a system wherein A promises to take care of B with C's money. All too often, A obtains political advancement, B and C both lose, and vast numbers of D's wind up with new jobs in the ever-growing bureaucracy in Washington. C does learn one thing from all this, however. He learns that the result of hard work and thrift is generally more taxes.

The third area of governmental deception I wish to touch upon is that of federal involvement in higher education. Before the end of World War II, an extraordinary event took place. Officers of the prestigious American Council on Education met with officers of the National Education Association in an unprecedented emergency session. The cause of that meeting was a mutual concern that the federal government might undertake to provide the funds to carry on the nation's schools and colleges after the war. At the conclusion of that meeting, they issued a joint message of alarm to the citizens of the country, warning of the dangers of federal funding of the educational function.

For some years thereafter, educational officers continued to hold to this view, and it was probably the college and university presidents who were most influential in convincing Congress to reject President Truman's vigorous thrust for federal aid to education in the late 1940's. Then along came Sputnik. The nation was startled and frightened that Russian technology had so far outstripped us and in our fear, the so-called National Defense Education Act was passed, and the floodgates of federal funding burst. The proposed federal budget for education this year is, I believe, about $9 billion dollars. There are now so many programs of federal monies for education that it is unlikely any one person in the government can even list and describe them all. One can take seminars in federal grantsmanship, and subscribe to publications which do nothing but provide current information about grant programs. More federal money has been poured into the educational establishment than the original promoters could ever have dreamed of.

And, yet, where are we? Higher education is extensively overbuilt. We have more educational services than the public will support with their taxes, tuition and gifts. Academic standards are generally conceded to have dropped rather considerably. The use of illegal drugs is a commonplace in college dormitories. Affirmative Action programs now force colleges, in the selection of the faculty, to put other considerations above scholarly qualifications and teaching ability. The cur-

riculum in many places has been prostituted by the introduction of faddish and fatuous courses. The religious ties of many colleges and universities have been greatly weakened or cast off altogether. And, irony of ironies, despite the enormous outpouring of federal funding, numbers of colleges and universities seem to be in deep financial distress.

To some extent, I believe, these circumstances are the direct or indirect consequence of federal funding. It is hard to imagine that American higher education could have been in worse shape if dollar one had never been issued to the colleges from the federal treasury. To be sure, some very important research has been accomplished in the universities with federal help, and the number of minority students who have gone to college has greatly increased, but considering the claims made for each new extension of federal funding by the partisans, the over-all conclusion in this field, too, has to be one of deception of the voters by our legislators on a large scale.

At this point I want to suggest that, as the Republican Party takes its case to the voters in the coming election, we insist that the whole balance sheet of honesty and integrity in government be scrutinized. I urge that we ask the citizens to judge the candidates we place before them for seats in the United States Congress and for state and local offices, not in the context of the grievous shortcomings of certain appointees of our national Administration, but in the appropriate context of the performance of the office-holders and the principles of the office-seekers concerning the responsibilities of the posts which are to be filled. In this regard, although some members of our Party have been advocates of what has turned out to be fiscal irresponsibility and have voted for welfare legislation that turned out to be more puffery than useful program, and have supported educational legislation which has grievously backfired, on the whole I am confident an objective evaluation will prove definitely that the Republican Party has been far more responsible than the opposition in these matters.

Further, I would suggest that any candidate for the House or the Senate or for state and local office, who focuses his campaign on Watergate calls his own integrity into question. He is not running for appointment to the White House staff. He is asking people to *elect him to* a post where he will be responsible for governmental spending and a balanced or unbalanced budget, where his views on the issues and programs pertaining to his office are of paramount importance to the voters. To try to direct the attention of the voters away from such matters and focus upon an extraneous problem strikes me as typical of the deception and the dishonesty of program and policy and public discussion that have far too long characterized many of our elected officeholders.

Let us, the Republicans, make integrity the issue in the coming campaign. Let us set forth to insist upon a full discussion of the judgments and the performance of the officeholders and office-seekers in the precise areas where they have or seek to have responsibility. Let us question and challenge the candidates of both parties on the issues which affect their constituents in all the aspects of their daily lives. If we do that and do it well, I am confident the coming election rather than being a disaster for the Republican Party will give our friends, the Democrats, the surprise of their lives.

WELFARE OF THE AMERICAN INDIAN CHILDREN

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1974

Mr. GILMAN. Mr. Speaker, today as the Association on American Indian Affairs convenes for its annual meeting in New York City, permit me to take this opportunity to call to the attention of my colleagues the organization's fine work in focusing attention on the plight of the American Indians.

Mrs. Barbara Alovis of Spring Valley, N.Y., one of my constituents who is an active member of the organization, has provided me with some of the following information on the prime interests of the Association on American Indian Affairs.

Among AAIA's paramount concerns is the welfare of Indian children. Recently, the Subcommittee on Indian Affairs of the Senate Interior Committee held hearings on this issue, receiving testimony from leaders of Indian affairs organizations, representatives of the Bureau of Indian Affairs, and individual tribe members. These hearings brought to light some startling facts concerning the problems of child welfare on Indian reservations, particularly the high numbers of Indian children who are uprooted and placed in foster homes.

On the national average, 1 in every 51 children is placed in a foster home. The rate of foster home placement of Indian children is 5 to 25 times greater with approximately 25 percent of all Indian children placed in a foster home at some time.

Many factors prevalent in producing this startling statistic. Frequently, the lack of cultural understanding of the American Indian is the basic reason for removing the child from his family and placing him in an alien environment. The tradition and heritage of the American Indian, often difficult for an outsider to appreciate, leads to misunderstanding of the care of an Indian child and results in placement of the Indian child in a foster home. Ninety-nine percent of Indian children are placed under foster care not due to child abuse, but rather as the result of vague standards, affected by cultural misunderstandings and the imposition of non-Indian value systems.

The effects of these uprootings on the Indian child are, indeed, severe. Most of the children are placed in non-Indian foster homes where the difficulties of adjustment are magnified. In addition to psychological adjustments, the Indian child encounters an environment in which even his basic needs are alien—he must cope with a foreign language, a different religion, and even strange new foods.

These factors have had severe effects on the Indian child. Of the Indians who become juvenile delinquents, 80 percent were previously placed in foster homes. The suicide rate among young American Indians is twice that of the national average age. The closely knit nucleus of the Indian family has been seriously eroded by taking away the children and placing them in non-Indian foster homes.

One of the saddest facts about these placements, is that the family of the child is not adequately informed, or financially able to protest and prevent the taking of their children. At the recent Senate hearings, an Indian mother testified, reciting a tragic episode, detailing how her children were taken away without her consent and without even the benefit of a court-appointed attorney.

Apparently, this is not any isolated situation. There are hundreds of other similar cases in the annals of recent Indian history. The Senate committee hearings have brought forth some of these abuses. Hopefully corrective legislation will soon be forthcoming.

It is through the good work of organizations such as the Association on American Indian Affairs that we, in Congress, have been made cognizant of these heartrendering problems.

In conveying my thanks to the association on this annual meeting date I also urge them to continue their worthy efforts on behalf of the American Indians and I ask my colleagues to give due consideration to these pressing problems confronting the American Indian.

THE UNIVERSITY OF MASSACHUSETTS OUTREACH PROGRAM

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1974

Mr. HARRINGTON. Mr. Speaker, as many of my colleagues know, it seems to me that student interns offer congressional offices at least the potential for significantly increasing output and productivity. Since entering Congress, I have tried to make the greatest possible use of interns, and like to feel the program has benefited not only me, but the interns who have worked for me.

The most constant and dependable source of this manpower for those of us from Massachusetts is the University of Massachusetts Outreach program. Administered by Bill Burke, the program offers congressional offices, from our point of view, a number of dependable interns throughout the school year to complement our paid staffs. The program, in my way of thinking, is invaluable.

An article appeared in the April–May issue of the University of Massachusetts Alumnus magazine which describes the nature of the program, and its administration and I would like to insert it in the RECORD at this time for the information of my colleagues.

The text follows:

LEARNING IN THE "REAL WORLD"

(By Katie S. Gillmor)

For 40 students this semester, a stroll into town doesn't mean a rendezvous at the Drake. The Washington Monument is more like it.

The students are interning in the nation's capital, working in Congressional offices, goverment agencies and other institutions under the auspices of the University's Center for Outreach Programs. They get 15 academic credits in exchange for 40, 60, or even 80 hours a week of practical experience in the "Real World," an experience they say, almost unanimously, is "the best semester I've ever had."

Such praise may seem a bit weak coming from Chris Sands who is, after all, only a sophomore. Although departments prefer to send juniors and seniors on internships, Sands says he "didn't want to wait a year to be disillusioned." Now, after several months with Congressman Gerry Studds, he feels confident in his choice of political science as a major.

Washington has been a chastening experience for Sands, who admits he is "incredibly dumb and naive at times. I came down here to set the world on fire. . . . Well, at least I thought I'd be able to do the job."

Nancy Welch had never been able to "work under people" but she has found that "to develop a program with people who are enthusiastically willing to help me is such an up." Welch was pursuing an unusual major, museum education, at UMass, and interning at the Smithsonian was a natural extension of her studies. It is, she says, "the best thing that could have happened to me."

Besides organizing and promoting programs for school children at the museum, the Smithsonian is also working on developing a mobile unit, and Welch is doing the necessary research. "I guess I'm self-righteous, seeing museum education as a boon to mankind, but it's my first love," she says.

Although George Bacon prefers the ambience of Congressman Silvio Conte's office to the "rarefied theories" of the political science department ("They're people talking about countries they've never even *been* to"), he's learned in four months on Capitol Hill that politics "is not my way."

Bacon believes that U.S. involvement in Southeast Asia is a positive contribution, and he interrupted his undergraduate training twice to serve in Viet Nam. He decided on a Congressional internship for the last semester of his senior year to "get away" from UMass where "I was made to feel that what we were doing [in Viet Nam] was wrong." But Bacon has found a similar myopia in Washington. "Congress is jumping to every political whim," he says. "During the energy crisis, every Congressman on the floor moved to cut off gasoline being shipped to save the people of Southeast Asia. And it was a pittance."

Bacon says this came as no surprise, but the other interns seem to marvel at what they are learning. And most of this information, such as "how incompetent most people are," never finds its way into textbooks.

"The first thing I found out," says Sands, "is that a Congressman is more a symbol than an individual. Things are fed to him. He's a mouthpiece."

Personality problems and office politics, says Welch, "are the things I have to learn to put up with. I know it's good for me to learn. It's part of education."

The learning experience continues back at the "UMass Mansion," a small apartment house at 1515 16th Street, N.W. which the University has leased and rents to 37 of the 40 students. Although the housing is under UMass auspices, the students have had an opportunity to cope with most aspects of life in the Big City. Cockroaches have been the most obvious instance, although the students will admit privately that they've seen bigger cockroaches on Capitol Hill than they have in their apartments.

The cockroaches, and other problems, have brought Bill Burke to Washington on several occasions. As director of Outreach, it is his responsibility to see that the internship programs work. If that includes a short course on exterminating, so be it.

Outreach is Burke's brainchild, and he has taken more than bugs in his stride to make it go. The program was minuscule when it began in May 1972, a spin-off of President Robert Wood's *Future University Report* which called for greater University involvement with the community. Burke, working with a student committee, proposed a program which would inventory all such community-related programs, place students in part-time positions in the community on a volunteer basis, and develop full time internships worth a semester's credit.

When Burke submitted his proposal to Robert Woodbury, the associate provost who is responsible for special programs, there was no coherence to the University's involvement outside the campus. Perhaps dozens of students were on internships while hundreds of others did volunteer work. Any number of departments could have had projects in the communities of the state, but no one knew for sure. Burke's proposal, that he act as a liaison and coordinator matching students and faculty with community needs, would bring an element of rationality to these *ad hoc* arrangements.

The idea of Outreach was naturally attractive to Woodbury, who became associate provost after serving as an associate dean of the School of Education since 1969. In moving into the realm of campus administration, Woodbury had written Provost Robert Gluckstern that he viewed the job "as a mandate to encourage, nurture, test and evaluate many new models and approaches to higher education and the role of the University in the 1970s. . . ." An organized Outreach program was certainly a new model.

Patricia Crosson, Woodbury's assistant, believes that Burke's proposal was serendipitous. "It was a very, very small start for something that the campus was absolutely ripe for," she says. "It was just one individual saying, 'I think we ought to do this.' "

Burke has spent the past two years convincing faculty, students and the outside community that Outreach is, in fact, something that ought to be done. In the beginning he had $3,000 and four part-time students to work with. Now his budget is almost $15,000 ($2,000 of which has come from alumni contributions) and there are 30 students who make up his "free wheeling" staff, all but two of whom are part-time.

The internship program has grown from 11 in the fall of 1972 to 176 in the spring of 1974. Some 100 agencies have student volunteers, who number about 350 a semester. And most departments have or are considering a field work component in their curriculums.

That is almost wholly due to Burke's energy and unabashed willingness to hustle. The Washington program is a case in point.

One problem was placing students, a minor one as it turned out. Most agencies in Washington are familiar with student internships and were willing to add UMass undergraduates to their staffs. As Rod Smith, administrative assistant to Congressman Michael Harrington, put it, "We're politicians. That's the point. If people offer us four months of their lives, it's ludicrous to say no." Still, it was not an easy matter for Burke to match students with competent supervisors 400 miles away.

Another problem was assuring the quality of the program's academic component. Since most of the interns were political science majors, Burke brought in two adjunct faculty from the area who teach courses in Congressional politics and reform. Although the students resent the intrusion of academics in their "real world" experience, the political science department back in Amherst favors the courses.

Close monitoring of the students work by the Amherst faculty, plus two papers (one before internship and one after), have also helped quiet objections to giving academic credit for experience outside the classroom.

A third problem was housing. Burke wanted to establish a program that could bring substantial numbers of students to Washington each semester, but felt that it would be next to impossible for the interns to find short-term, reasonably priced housing. The "UMass Mansion" was the unprecedented solution.

Now, after one year, Burke feels that the Washington program is "solid" (despite the bugs), and he is contemplating a similar set up in New York City, where students could work in the areas of art, theater and music. He speaks yearningly of internships in California and of international programs, but acknowledges that geography would inhibit monitoring the quality of the supervision the students would get. The Washington program requires about a trip a month to iron out problems between students and their supervisors.

Many problems stem from the immaturity of some of the interns, who enter their work experience with excessive expectations as to the impact they will have and limited expectations as to the work they will have to do. Although Burke weeds out, through individual interviews, many candidates for whom an internship is obviously inappropriate, there are always severe adjustment problems. Even Nancy Welch, who went to the Smithsonian with useful experience, clear goals and active support from her on-campus advisor, says she felt there was "no way I could stick it out" when she began her internship.

Burke has had to contend with on-campus problems too, where the old question about experiential learning warranting academic credit is still debated. There is unrest even in political science, which has one of the most extensive internship programs and appears to be a "natural" for this kind of curricular addition.

Assistant Professor Stanley Bach, the department's Outreach coordinator this semester, is "uneasy about giving academic credit for experiential learning, especially if people haven't mastered the basic reading, writing and talking skills. I'd screen for that and for people who can take maximum advantage of the opportunity."

Because of the problem of placing students, screening responsibilities have fallen on Burke's shoulders (although the academic departments decide whether or not a student gets credit), and he is trying to open the internships up, not restrict them.

"I don't think it's right for the University to say no to a student who wants to intern," he says, and he and his staff spend evening after evening talking about Outreach in dormitories, sororities and fraternities, encouraging students to apply.

Despite the popularity of Outreach and despite the proliferation of other alternative programs, there are still those on campus who feel that the classroom experience is the best vehicle, perhaps the only vehicle, for attaining a university education. To that, Associate Provost Woodbury has an answer:

"A lot of people argue that some of these programs are diverting the University from its planned mission—intellectual discourse and intellectual inquiry. I would argue absolutely the opposite. It's these kinds of activities that provide a healthy atmosphere, that make this an intellectually important place. Constantly trying different ways of educating people creates the kind of atmosphere that most stimulates intellectual activity."

SAN DIEGO SCHOOL ACCOMPLISHMENTS UNDER ESEA

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1974

Mr. BOB WILSON. Mr. Speaker, recently a comprehensive report on the progress of the school district's title I program under the Elementary and Secondary Education Assistance Act. It represents a collection of achievements which have resulted from title I funds in the San Diego program. I wish to bring this information to the attention of our colleagues and include the following résumé of the original board report in the RECORD:

SAN DIEGO CITY SCHOOLS' ESEA TITLE I PROGRAM ACCOMPLISHMENTS HIGHLIGHTS FROM REPORT TO THE SUPERINTENDENT, FEBRUARY 26, 1974

A. BACKGROUND INFORMATION ON SAN DIEGO'S TITLE I PROGRAM

Extent of program service

In San Diego, approximately 27,765 public school students meet federal guideline requirements for ESEA Title I project participation. Present funding allows the district to bring program benefits to only 9,896 public school students (7,360 elementary and 2,536 secondary) or approximately one-third of the eligible students. These 9,896 students are designated as project participants and receive major services from the Title I program. The remaining two-thirds of the eligible students are unable to receive Title I assistance at the present time. In addition, 696 nonpublic school students are served. Students in participating schools whose achievement in reading and mathematics is below grade level are eligible to participate. In the event funds are not adequate to serve all eligible participants, elementary students with the greatest educational need are served first.

Budget FY 1973–74

The current entitlement for San Diego's Title I program is $3,244,628. Sixty-eight percent of this entitlement provides services to district elementary school students; 26% provides services to district secondary school students; and the remaining 6% serves students in nonpublic schools.

Instructional Program

San Diego's Title I instructional program, known as DPT, is a diagnostic/prescriptive teaching system for individualizing instruction in reading and mathematics and English as a Second Language. The student's skills in reading, mathematics and ESL are diagnosed to determine what skills are already known and which need to be taught. Based on the diagnosis, a learning prescription is prepared and instruction follows as prescribed. The State Department of Education is currently in the process of determining how San Diego's DPT design can most effectively be prepared in a useful implementation package for utilization by districts across the state.

B. PROGRESS OF READING AND MATHEMATICS INSTRUCTION PROGRAM, 1971–1972

In San Diego, the inability to serve a greater percentage of needy students has been a continual source of frustration, especially now that Title I student achievement gains are becoming increasingly evident. For example, in 1971–72, four of the Title I schools moved off the list of the 15 elementary schools showing greatest educational need. In addition, in a study monitoring the reading growth of second and third grade students over a two year period, the following statements can be made:

1. Eight schools showed an increase that ranged from 2% to 10% in the number of 3rd grade students in the lowest quarter of achievement moving into a higher quarter of achievement.

2. Eight schools showed an increase that ranged from 3.1% to 19.0% of the underachieving 3rd grade students moving above the median.

3. Nine schools showed an increase that ranged from 1% to 22% of the second grade students in the lowest quarter of achievement moving into higher quarters.

According to the results reported in the Secondary Title I Evaluation to the State Department of Education for the year 1971–72 in all grades except the 11th grade, the target students were able to achieve or surpass the criteria of one month's gain in achievement for each month of instruction. For many of these students, this was a complete reversal of an earlier pattern of achieving less than a month's instructional growth for a month's instructional time. Fifty-five percent of the junior high school participants were able to gain a minimum of one month in their reading achievement growth for each month of instruction. In the high schools, 53% of the 460 target students did the same. Therefore, considerably more than one half of the 1,608 participants in all secondary Title I schools were able to make the expected growth or better.

C. PROGRESS OF READING AND MATH INSTRUCTIONAL PROGRAM, 1972–73

San Diego's ESEA Title I program, is currently demonstrating that a diagnostic/prescriptive teaching approach to reading and mathematics instruction is paying dividends, with gap closing achievement[1] being made in grades 1–6, 9–10 in reading and in grades 1–10 in math. Dramatic shifts are being made by first and second grade students in reading and math; by 10th grade students in reading; and by 7th and 8th grade students in math. Because the growth has occurred after less than one full year of Diagnostic Prescriptive Teaching implementation, site and central Title I staffs are encouraged by the progress made with students scoring in the bottom 25% at the time of pretest.

A survey of 1972–73 pre-post test data for elementary school students indicates the following in the area of reading achievement:

1. Four hundred sixty-four of the project elementary school students whose achievement was sampled made a minimum of 14 month's instructional growth in seven month's instructional time thereby doubling the normal rate compared to national norms. This represents 13% of the project participants sampled.

2. An additional 1,453 of the project elementary school students sampled achieved test score growth of one or more months for each month of instructional time.

At the secondary level, impressive progress can also be seen by examining achievement growth in months as compared to months of instructional time. The following statements show average achievement gains per grade at select Title I secondary schools:

1. Both 8th and 9th grade students at one Title I junior high school achieved 8 to 9 months growth in reading in 6 months. Seventh grade students at another junior high school averaged one year and two months growth in arithmetic in six months instructional time.

2. Tenth grade students at one Title I senior high school averaged 8 months growth in reading in 6 months instruction time. Tenth grade students at another senior high school averaged one year's growth in mathematics in six months instructional time.

Other examples of San Diego Title I program accomplishments can also be seen in the achievement of specific Title I Schools:

1. Five district compensatory education schools were cited for their Title I programs in the state-wide "Promising Practices" program. One school, Gompers Junior High, was selected as the demonstration site for a state-wide "Promising Practices" documentary film focusing on an effective junior high school compensatory education program.

2. At Kentucky Elementary among 333 students, 45.9% first grade, 50.1% second grade and 33.5% third grade students shifted out of the bottom two quarters of achievement in math into the normal range of performance for their grade level.

3. At San Diego High School, 279 tenth grade participants made an average reading growth of 1.1 years in six months instruction.

4. At Gompers Junior High School, Title I students at the seventh and eighth grades respectively averaged 13 and 12 months growth in math computation in six months instructional time.

D. SUMMARY

Staff members and parents feel assured that the program is heading in the right direction and that continued implementation of the positive techniques now being utilized will result in increasing academic gains for participating students during 1973–74. Staff members and parents also realize that much more needs to be done and that ongoing exploration of new and different techniques must continue so that a viable program which reflects the needs of all its participants may be the end product.

[1] "Gap closing achievement" indicates that San Diego's Title I students are closing the gap between present standardized achievement test scores and the national average. "Gap closing achievement" indicates *more* than one month's achievement growth in one month's instructional time.

A TRIBUTE TO VIRGIL BOZARTH

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1974

Mr. WALDIE. Mr. Speaker, 40 years ago Virgil Bozarth started teaching in Martinez, Calif. He served as a teacher and a principal in the school system for 28 years. He could best be described as a tough-minded optimist willing and always ready to learn. He has taught thousands of students and by his example instilled in them the confidence that has stood them well throughout their lives.

Since his retirement from the Martinez School District after 28 years of service, Mr. Bozarth has exhibited a rare quality. He represents the epitome of a citizen willing to question not only the actions of our Government, but of its citizens as well.

He has shown great courage by supporting unpopular issues. He has for a long time warned Americans of the danger of polluting our environment.

Mr. Speaker, Virgil Bozarth has given a great deal to his country. I am proud

to insert in the RECORD an article written by Virgil Bozarth:

[From Contra Costa Times (Walnut Creek), Apr. 14, 1974]

TOMORROW, TOMORROW AND TOMORROW

(By Virgil Bozarth)

The country's economy must not slow down, too many people would be affected. We must not lose the impetus of a growing economy. Only perpetual growth can keep us prosperous. True? False? Haven't thought it through?

Do we solve, or do we intensify, the energy crisis by finding more of the earth's limited natural power sources and then, in conformance with the demands of our way of life, exploiting them at ever increasing rates?

No economy, no population can grow everlastingly because the earth is finite. Resources and space are limited. The earth's natural resources are not inexhaustible.

Can it be that our real crisis is not one of just energy, just gasoline, just electricity, just population, just technology? Can it be that the fundamental crisis rests in an arrogant, thoughtless, greedy, lifestyle, a way of life that is leading us to suicidal destruction of that lifestyle, exhaustion of the earth's resources, and production of an uninhabitable planetary environment?

We can take people to the moon, the Skylab, the H-bomb, supersonic jets, Teflon, hair sprays, and deodorants. Can we think ourselves into the survival of a livable environment, and thereby, the survival of man?

We could get along without power mowers, snowmobiles, electric dryers, electric toothbrushes, electric can openers, gasoline and electric golf carts, multiple packagings, most cosmetics, and millions of display lights. It would tend to be disruptive of our economy but aren't we smart enough to think through and deal with resultant problems?

Are scientists applying themselves to the crisis of the daily acceleration of the depletion of the earth's resources, the indications of the collapse of civilization, the possible suicide of the human race? Or are they, in the main, intensifying the crisis?

The big car is a salient emblem of America's predominant lifestyle. It is a crisis in itself, a crisis in thoughtlessness, arrogance, and selfishness. It uses more steel, more rubber, more copper, more petroleum than the small car. It spews out more air pollutants and, indirectly, more stream pollutants than its little relative. It is a blatant symbol of belief in the untruth that bigger is always better.

Our demand for power is doubling about every 10 years. This amounts to an automatic forecast of an eightfold increase in demand in approximately 30 years. Assertion has been made, apparently based on serious computations, that with our current growth rate of demand for power the United States will be covered with power plants in about two hundred years with no room for people or anything else.

Virtually everything we do generates or liberates heat. Every power plant of whatever kind, every factory, car, truck, locomotive, ship, airplane, dishwasher, refrigerator, freezer, garbage disposer, electrical gadget, television set, radio, hi-fi, light bulb, furnace, dryer, sewing machine, animal, and human being releases heat. Space launchings generate great quantities of heat. Every brake application and skid mark represents production of heat. All this released heat is not immediately dissipated into space. Some of it is retained in the biosphere, the sphere of living organisms. And the living organisms are not inured to man's mounting release of heat. If the power plants now planned for erection by the year 2000 are built, a large fraction, some say virtually all of the run-off water of the country will have its temperature raised significantly, perhaps markedly, with consequent changes of climate and plant and animal life.

It appears that man-made and man-released heat will within approximately 100 years equal the heat received by the earth from the sun and will raise the average climatic temperature of the planet so as to cause melting of the ice caps and consequent flooding of coastal plains.

However, the sun is a non-polluting energy source even with reference to heat. Some serious students of the problems under consideration contend that the world should be pointing toward the virtual exclusive use of solar energy as its origin of power. To many it is odd and disappointing that the federal government has allotted to solar energy research only a tiny fraction of the funds allocated to sources known to yield highly dangerous pollutants.

Nuclear reactors, whether so-called conventional or the hoped for breeder type, produce plutonium 239. This man-made stuff is lethally radioactive even in microscopic quantities. The half life of plutonium 239 is over twenty-four thousand years. To be safely stored it must be in containers that will be absolutely certain to be leakproof for hundreds of thousands of years. Ponder the fact that the containers must last twenty to forty times as long as the time that has elapsed since mastodons lived in North America.

Must our wash be whiter than white even though the whiter may destroy lakes and rivers? Must we drench our land with inorganic fertilizers that get into our water supplies, streams, and lakes while millions of tons of manure and slaughter house effluent, that contain great quantities of nutriment from the soil as well as valuable humus, are wasted and ultimately also find their way into rivers, lakes, and bays?

The United States arrogantly proclaims itself the richest, most powerful nation on earth. But our lifestyle, what has been called our cowboy economy, is propelling us toward environmental and financial poverty.

Unlimited expansion cannot occur on a finite island in space. Finite resources cannot last for infinite time. The energy crisis cannot be solved by using earth's limited natural energy supplies faster. We cannot, by whatever means, indefinitely produce more and more power. So doing will produce more and more heat. And heat is a pollutant. The thermal barrier will stop us. Unless we go to solar power. In short, we cannot expand forever, we cannot deplete forever, we cannot pollute forever.

It would be a great service if a concerted movement would arise among the best minds of the world to discover what would be an optimum world population and what kind of lifestyle that population could maintain indefinitely in reasonable comfort and convenience on our planet.

Can it be that those truly superb minds that have brought about so many astounding things including putting Skylab into orbit avowedly, among other assignments, to study conservation of natural resources, are unwittingly going about their tasks wearing blinders manufactured of fascination with the growth ethic?

Is this a tale told by an idiot?

Will all our yesterdays have lighted our rampaging lifestyle to dusty death?

ELEMENTARY AND SECONDARY EDUCATION ACT AMENDMENTS OF 1974

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1974

Mr. HANNA. Mr. Speaker, on March 27 of this year the House passed H.R. 69, the Elementary and Secondary Education Act Amendments of 1974. Contained in the bill was a provision to ban employment discrimination by recipient school districts against blind people. This provision, offered in committee by Representative MINK, is one which I hope the other body will include in its counterpart legislation. As case history evidence of the need for this legislation, I offer the following letter from one of my constituents:

NATIONAL FEDERATION OF THE BLIND OF CALIFORNIA, INC.,
Anaheim, Calif., April 26, 1974.

HON. RICHARD T. HANNA,
U.S. House of Representatives
Cypress, Calif.

DEAR CONGRESSMAN HANNA: I am writing to you in a dual capacity, both as an elected representative of the largest organization of blind people in Orange County, the Orange County Chapter of the National Federation of the Blind of California, and as a blind school teacher teaching sighted children. Congresswoman Mink of Hawaii has introduced an amendment to HR 69, the Elementary and Secondary Education Act, which would make it illegal for a school district to deny employment to a teacher candidate on the basis of blindness. I strongly urge your support of this needed legislation.

I am now a full time teacher of sighted children at Dale Junior High School, Anaheim Union High School District. This year my assignment is teaching ninth grade world history and anthropology classes.

Despite a successful college career including an outstanding student teacher evaluation, I spent two and one half years attempting to find a full time teaching assignment. While my sighted classmates were affected by the teacher surplus and were forced to take teaching assignments that they considered less desirable either in geographic location or class assignment, all of them did find teaching positions the first year. In my opinion, the reason that was unable to find a teaching assignment for two and one half years was because of discriminatory behavior on the part of California school districts. I will attempt here to recreate some of the incidents that I experienced in the hope that this information will help you in arriving at a just decision.

Discrimination against the blind is complicated because it is often not recognized as discrimination. For example, I was informed by the Glendale School District that although my resume and application looked very good, I would be unsuited for the opening in their district because it was at a school that had stairs. This school district not only discriminated against me but they felt they were doing it for my own "benefit". When I attempted to deal with this illogical thinking in relating my lack of eyesight to my mobility, I pointed out to them that my meeting with them was taking place on the second floor, but they only persisted in repeating their original statement.

The San Marino Junior College District informed me that their students were not ready for a blind teacher but that in all other areas I was highly qualified.

The Los Angeles City School District informed me that if I were hired, a sighted teacher's aid would have to be in the classroom with me and my classes at all times and that this teacher's aid's salary would come from the principal's building budget. Furthermore, although I passed the written and oral examinations administered by the district, after my name on the list of teacher candidates that went out to all schools the word "blind" would be placed to "warn" the principal.

In Pasadena, the principal that interviewed me stated frankly that he did not know what the district's policy was toward hiring the blind and that he would check

with the district regarding this matter. I never heard the district office's reaction to his inquiry.

In two and one half years of job hunting, I mailed out over six hundred resumes, filled out over three hundred applications, most of them inquiring as to physical "defect" or handicap. The most blatant case of application discrimination is the question that asks, "Do you have any physical defect that will interfere with your ability to teach?" As a blind teacher applicant, I invariably checked "No" since I do not consider blindness to be a factor in effective teaching. In my more than fifty jobs interviews, I encountered numerous cases of blatant discrimination. The cases cited here are meant to be illustrative of attitudes rather than an exhaustive list.

I received my Bachelor's Degree and Master's Degree and California Standard Secondary Teaching Credential for life with the assistance of the Department of Rehabilitation. If the Federal Government has the confidence in my ability as a blind man to be a teacher of sighted children to the extent that they help in the financing of my education, then it makes sense that the Federal Government should offer legal support by eliminating discriminatory practices by school districts. During the two and one half years of my job hunting, I was a recipient of Aid to the Blind in California, a tax consumer rather than a tax payer. If there had been a strong anti-discriminatory provision, it is probable that I would have gained employment sooner and become a tax payer quicker.

For all of these reasons, I urge the passage of this anti-discriminatory provision. If you agree with me that the passage of this anti-discriminatory amendment to HR69 will be of benefit to thousands of blind teacher candidates in the future, will you please communicate your support to Congressman Carl Perkins, Chairman of the House Committee on Education and Labor, as well as to the members of this committee.

Thank you very much.

Sincerely,

R. DONALD BROWN,
President, Orange County Chapter, NFBC.

WESTCHESTER COUNTY SCHOOL BOARDS ASSOCIATION OPPOSES H.R. 8677

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1974

Mr. ASHBROOK. Mr. Speaker, in the CONGRESSIONAL RECORD, volume 119, part 24, page 32650, I warned that there is a serious danger of public employee unions becoming a private government. H.R. 8677, which extends collective bargaining privileges to the public sector, would in effect deny government by the people and turn it over to private organizations unaccountable to the public.

The dangers that this bill poses to the *public* interest are outlined in a position paper prepared by the Westchester County School Boards Association. This association represents the school board members of 49 public school districts in the county of Westchester, N.Y., where they are responsible for the education of more than 165,000 children.

The association believes that H.R. 8677 would unbalance the negotiating process in favor of employee unions and give these unions, rather than elected public officials and the citizens and taxpayers they represent, control of policymaking in the schools. The association also contends that this is a matter for the States to determine without being superseded by Federal legislation and administration.

Following is the complete text of the association's position paper on H.R. 8677:

POSITION STATEMENT ON H.R. 8677

We are opposed to H.R. 8677 in its entirety for the following reasons:

1. The right of public employees to organize and bargain collectively is a matter for the states to determine without being superseded by federal legislation and administration.

2. We consider H.R. 8677 ill conceived because it is so structured as to unbalance the negotiating process in favor of the employee unions and to give them, rather than elected public officials and the citizens and taxpayers they represent, control of policymaking in the schools.

3. It provides for policy making power by appointed officials which is binding upon elected officials.

The following material points out the detailed analysis of H.R. 8677, as presented by the Lower Hudson Council of Chief School Administrators of New York State and supports our collective view that H.R. 8677 would seriously harm both the public school systems of our country and the collective bargaining process:

1. The subject matter of bargaining would not be limited to terms and conditions of employment, as it is in the private sector, but would extend to "other matters of mutual concern relating thereto". There is nothing that goes on in a public school building that is not a "matter of concern" to professional employees and which does not relate to their job in some way. The list is endless: curriculum, selection of teaching materials, grouping of children, class size, length of the children's day, number of support personnel, the person in the principal's office, handling of children with problems, the physical facilities of the building and classroom equipment are just a few. Not only are all of these to be negotiable, but the union is to be given the power to enforce its views through strikes or, solely at its option, through binding fact finding. Decision-making thus moves from the public, which supports the schools and is required by law to send their children to them, to the public employee. This is a far cry from the right to bargain about salaries, hours and fringe benefits, and is unprecedented in the history of labor relations in this country.

2. The duty to negotiate is extended to matters of public policy upon which the state legislature has seen fit to legislate, if these matters relate to employment. Even the very concept of free public schools for all the children of the state would be open to negotiation. For if tuition were to be charged, more money might become available for improved salaries and benefits. If some children were excluded from the schools, the conditions of many teachers' jobs would be made easier. Legislative mandates on such varied matters as curriculum and minimum standards for school buildings would be negotiable. Negotiations in such areas are unsupportable as a matter of public policy.

3. The proposed Act, by making agency shop mandatory and union shop permissible, would exclude from our nation's classrooms, and from a voice in the negotiating process, all of those teachers who for ideological, personal or religious reasons are unable to support a union or unionism. Thus the very atmosphere in which children learn would be affected.

4. The Act goes out of its way to intrude on the management of schools by providing that, in regard to educational employees, a bargaining unit may include both supervisors and non-supervisors. School principals exert enormous influence on the education that takes place in their buildings and on a day-to-day basis are involved in a myriad of policy decisions. The New York State Legislature recognized their key role in public education when it decided two years ago that principals would no longer be eligible for life-time tenure. H.R. 8677 goes to the other extreme: it puts the principal, with all of his important powers, in a union with the teachers he supervises. Nothing could be more opposed to the public interest and the well-being of our sschool systems.

5. Under the impasse procedures of the bill, fact finders are given broad powers to subpoena witnesses and require the production of records, papers and information relating to any matter before them. This could include confidential matters between Board members and superintendents or others negotiating on behalf of the school district. Such extreme powers are not provided under the Taylor Law and the lack of them has not in any way obstructed the process of fact finding in New York State. Fact finders in our State are able to help resolve disputes without such subpoena powers, which also have no counterpart in the private sector.

6. Among the most dangerous and one-sided provisions of this bill is the right given to a union to decree that the fact finder's recommendations shall be binding. We have pointed out above that the bill permits union demands to extend into the far reaches of school policy-making. At the union's whim, now, the fact finder could make a binding decision on what school policy shall be. Apart from whether school officials responsible to their electorate would ever want to avail themselves of a right to turn their functions over to a fact finder responsible to no one, what is the conceivable justification for granting the right to compel a final determination of a negotiating dispute to the union but not to the employer? It becomes more incredible in light of the fact that unions are given an almost unfettered right to strike by this bill. The public employer is forced to take the strike: no binding final determination of the impasse is available to him. This provision is logical only if it was the intent of the drafters of this bill that public institutions be controlled by public workers' unions.

7. A clear illustration of the bent of this bill to tip the balance of negotiations in favor of the unions is the provision that if the contract does not provide for binding arbitration of grievances either party may submit a dispute to binding arbitration through the National Public Employment Relations Commission. Almost all of us are signatories to contracts with our employees providing for binding arbitration. But in every case, this resulted from the give-and-take at the bargaining table. Employer demands were agreed to in exchange for our agreement on binding arbitration. Or other employee demands were withdrawn in exchange for the right to binding arbitration. Why this limitation on the public employer's right to negotiate? Throughout the 45 pages of this bill there is no comparable limitation on the employees' right to bargain.

8. The bill permits teachers the right to strike without any limitation whatsoever unless a district court finds a clear and present danger to the public health or safety. There is no limitation on the demands over which a union may strike, no limitation on the length of time a strike may last, no penalty even for an irresponsible strike, no provision for a compulsory settlement of the issues of the strike. We believe that public education deserves more thoughtful treatment.

9. This Act would apply to all states unless

a state has established a system for regulating employer-employee relationships which is "substantially equivalent" to the system established by the Act. In this connection, we urge the Special Subcommittee to consider two points: (1) Education has been for almost 200 years a special concern and responsibility of the states. In the present school year, public elementary and secondary education is being supported 93% by funds generated within the states; only 7% by federal funds. We question under this circumstance the interest and propriety of the federal government to legislate in the area of relations between School Boards and their employees. The proposed Act provides no additional funds for school districts to offset the greater costs which might result from the obligation to bargain in accord with this proposed legislation. (2) The statute provides no standards by which "substantial equivalence" may be measured. We cannot judge whether New York's Taylor Act, which has worked well, by and large, to regulate public employer-employee relations in New York State, would be considered substantially equivalent. Such determination should not be left for decision by a Commission, without standards established by Congress.

In addition, the Westchester County School Boards Association finds fault with the following provisions of H.R. 8677:

(a) That it goes far beyond the National Labor Relations Board legislation and any federal labor control in the private sector;

(b) That it provides for an appointed last word administrative body in which three members constitute a quorum and two of those members could form a majority decision binding upon every public employer in the United States;

(c) That it provides for an appointed examiner not subject to court review.

For all of the foregoing reasons, the Westchester County School Boards Association strongly urges the Subcommittee to disapprove this proposed Act or any modified legislation that may be proposed in the future having similar basic intent.

WILL BREAD FALL TO 7 CENTS A LOAF?

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1974

Mr. FINDLEY. Mr. Speaker, just a few short months ago, spokesmen for the baking industry were predicting a bread shortage of mammoth proportions. The American Bakers Association compiled figures pointing to this disaster and touched one of the tenderest spots in an American's heart by promising:

"No hamburger buns
No rolls for hot dogs at ballgames
No bakery snacks for children
No birthday cakes
And no pizza."

Faced with a loss of this proportion, Americans were expected to rise up in protest and push for strong export controls on wheat.

That was just 5 months ago. Today, the cash price of wheat has fallen by more than 40 percent and chances of a shortage are zero. But the ABA has not been heard from. There has been no official baking industry comment on this turn of events.

In order to point out the situation to the ABA, I sent the following letter to ABA chairman Bill O. Mead:

DEAR MR. MEAD:

On January 9 you forecast that without export control wheat prices would skyrocket to $8, $10, or $12 per bushel by spring—and this would push bread to $1 a loaf. Spring is here and no controls have been imposed on exports. But instead of doubling, as you forecast, wheat is down more than 40 percent.

The cash price f.o.b. Kansas City on May 7, 1974, was $3.46, a decline of 40.3 percent from the January 8 price of $5.80 to which you alluded in your statement.

Now that wheat is down, consumers are eagerly awaiting your forecast that bread prices will be declining sharply in the near future. USDA reports that the retail price of a one-pound loaf of white bread was about 32 cents in January. As wheat prices have fallen by more than two-fifths, I must draw a corollary to your reasoning and assume that a one-pound loaf will soon cost about 20 cents.

Or, because you implied that a twofold increase in wheat prices would precipitate a threefold increase in bread prices, are we to expect that a 40 percent wheat price decline will cause an 80 percent decline in bread prices?

You will surely make millions of consumers very happy with the dough-saving announcement of a seven-cent loaf of bread. Big news, no matter how thin you slice it.

Knead I say more?

Maybe I sound a bit crusty, but who wouldn't be when bread prices stay up despite a big drop in wheat prices?"

THE SOCIAL SECURITY HOAX

HON. JOHN H. ROUSSELOT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1974

Mr. ROUSSELOT. Mr. Speaker, the social security program has, unfortunately, become a "sacred cow" in many segments of the American public to the extent that if a rational question is raised about the method and procedure of the system, or even the basic reasons for its existence, people in the news media and certain politicians viciously attack those who speak.

William A. Rusher, whose column appears in many newspapers across the country, raised some hard questions in an article which appeared in a newspaper in my district, the San Gabriel Valley Tribune, on April 28, 1974. The points brought out need desperately to be considered by the Ways and Means Committee of the House and the Congress as a whole. Mr. Rusher is clearly concerned about the ultimate welfare of the millions of people in this country who have placed substantial faith in the social security system to be many things it is not. I am in hopes that my colleagues will review Mr. Rusher's analytical comments in the article which follows:

SS HOUDINIS PLAY SHELL GAME WITH US

(By William A. Rusher)

Whenever my faith in human gullibility begins to flag, I spend a few minutes contemplating Social Security. Of all the hoaxes perpetrated on the American people by Franklin Roosevelt's New Deal, this one is my very favorite.

It began, like most New Deal reforms, with the discovery and proclamation of a human need, in this case the need to provide for people in their old age. Thus stated, there was surely nothing wrong with the idea.

To this insight, the New Deal liberals added another—their own firm, paternalistic conviction that the American people are incapable of coping with the problem themselves. As an individualist I always found this a tough proposition to swallow, but I have finally managed to get it down. Unquestionably there are plenty of feckless types around who just don't have enough foresight—who will spend, all their lives long, every penny they can lay their hands on, and then wind up in a tearful heap on the city hall steps in their 60s or 70s.

From this it followed quite naturally, in the eyes of the New Dealers, that Big Daddy would have to do for people what they were too dumb to do for themselves: compel them to set aside a part of their earnings as a retirement fund. So far so good.

At this point, however, the Houdinis of the New Deal got busy. If you can follow the pea from shell to shell the rest of the way I will paste a gold star in your book.

First, they brusquely removed a Social Security premium from every worker's pay before he even got his hands on the check—thus, they correctly calculated, dulling his sense of loss. Then they required the employer to match the employe's contribution—a piece of rigamarole that didn't cost the employer a cent (since it merely became an item in the total cost of labor, which continued to be negotiated freely as before), but gave the worker an obscure and meretricious feeling that he was getting something extra. And then, instead of investing or even saving the money, they took the whole caboodle—employer and employe contributions alike—and spent it on the high purposes of the New Deal, including their own salaries, trusting to future Social Security contributions, or general tax revenues if need be, to pay the pensions of the elderly when these started falling due in substantial amounts a quarter of a century later.

Beautiful. Simply beautiful. Even the side benefits were from a social planner's standpoint, impressive. For example, every American must have a Social Security number, which tags him as efficiently as the tattoo on the forearm of an Auschwitz inmate—thus creating a potential for big brotherhood that even libertarians have only lately begun to dread.

Best of all, Roosevelt managed to sell this scheme, which is really just a ruthlessly regressive payroll tax, to the American people as one of the major "benefits" he was conferring upon them. To this very day, as Barry Goldwater discovered to his sorrow, an unkind word about the Social Security system is enough to convince millions that you are about to snatch away their only hope of a dignified old age.

And yet Social Security is, and always was, a ripoff pure and simple. There was no reason on earth why a system of old-age insurance had to be set up the way this one was. By 1977, the maximum Social Security payment (by employer and employe) will rise to nearly $100 a month. A person 21, paying this same amount for private insurance, would receive $158,700 of immediate insurance protection, plus a cash value growing to $96,600 at age 65, and dividends worth, if reinvested, at least $150,000 at retirement. What's more, he could leave to his heirs any of the cash he didn't spend, and could earn as much as he pleased on the side. Does this sound to you very much like what he will get under Social Security?

Workers of the world, with friends like that you don't need enemies.

EQUITABLE RELIEF ASKED FOR HAVIV SCHIEBER

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1974

Mr. ASHBROOK. Mr. Speaker, on last Wednesday, May 8, I was glad to have the opportunity to testify before the House Judiciary's Subcommittee on Immigration, Citizenship and International Law where subcommittee members raised serious questions in the case of Haviv Schieber, the subject of two recent deportation tries by the Immigration Service. The presence of Senators JAMES BUCKLEY of New York and JESSE HELMS of North Carolina at the morning session, later postponed until the afternoon, is a good indication of the interest and concern aroused by the Schieber case.

My interest stems from the intimate knowledge of the case of Mr. Stephen Koczak, a former Foreign Service officer who knew Mr. Schieber in Israel and who is now research director of the American Federation of Government Employees—AFL–CIO. Mr. Koczak has appeared on behalf of his union before the House Committee on Post Office and Civil Service, the House Committee on Education and Labor, and the House Committee on Foreign Relations, as well as the House Government Operations Committee. In addition, he was a witness before the House Internal Security Committee.

Mr. Schieber, a 63-year-old Israeli citizen and a resident of the United States for 15 years, cut his arm on May 1, in what has been described as a suicide attempt and which certainly was an act to frustrate deportation. Two days later, a second deportation attempt failed as Mr. Schieber, bound in a leather straightjacket and nearing Kennedy Airport, was returned to detention, stayed by a last-minute court appeal. A third deportation effort is being stayed until the subcommittee, based on new evidence by Mr. Schieber's lawyers, votes whether to untable a 1969 private bill, thus allowing new legislation to be introduced and the merits of the case reviewed on the equities.

Mr. Schieber was born in Poland and risked his life helping Polish Jews escape from Nazism to Palestine in the late 1930's. He spent several years in Israel after World War II, serving in the Israeli army and then rehabilitating housing, at no profit to himself, for Jewish refugees.

An outspoken believer in our system of government, Mr. Schieber has appeared on many platforms extolling our way of life. He has donated blood for Vietnam servicemen, and contributed to, and participated in, American patriotic organizations. He has founded a successful construction firm in New York, specializing in rehabilitating low-income housing, for which work he has received many letters of commendation including one from an agency of the New York City government. In his firm, Mr. Schieber has made special efforts to employ minority groups and returning Vietnam war veterans. The Bronx chapter of the National Congress of Puerto Rican Veterans has praised Mr. Schieber and actively opposes his deportation.

In contrast, an Israeli official described Mr. Schieber as a troublemaker in a recent issue of the New York Post and stated that he was unwanted by either Israel or the United States. While having no criminal record either in Poland or in the United States, Mr. Schieber claims to having been arrested in Israel 18 times for his political activism in which he declined to work within the existing major political parties, which he viewed as socialistic and Marxist. He sought to organize his Democratic Party as a base for people to acquire economic independence and social services outside the usual political party channels.

The charge of crimes of moral turpitude which has been used by Immigration officials against Mr. Schieber came under sharp questioning by subcommittee members. It was conceded, for instance, by the officials, that the crime of theft charged against Mr. Schieber was only for his use of two street tiles to construct a symbolic post office, when, as mayor of Beer Sheba, he had been denied a post office in his area.

Still another area explored by the subcommittee was the continued use of a Board of Immigration Appeals decision, Matter of Lee which had been ruled reversible error by the U.S. Court of Appeals for the Ninth Circuit. This objection is spelled out in detail in the brief submitted to the subcommittee by Schieber's lawyers.

Finally, if the allegations raised against Immigration people in the two deportation attempts are true, and if they are representative of deportation cases, they do raise serious issues of due process and violation of basic human rights. For instance, it is alleged that after Schieber cut himself permission was denied by INS to have his own personal physician examine him. A later attempt by another doctor and nurse was denied, as were the requested inspection of his medical records.

After 15 years in the United States, and judging his legal recourses exhausted, Mr. Schieber claims he asked Immigration people on Friday, May 3, for an electric razor for his 5-day beard and for a suit from his apartment before leaving for the airport that night. He was refused although he complained he did not wish to be humiliated in Israel when deplaning, arriving with a beard, in hospital garb and in a straightjacket.

Permission to contact one of his employees to wind up his business affairs was refused.

Permission to call his lawyer was refused; his lawyer was not notified of his imminent deportation nor was my office notified, as promised by INS-Washington, of either deportation attempt.

According to Mr. Schieber, when he asked to have his personal effects from his apartment, he was refused. Instead, Immigration people forced on him two luggage bags containing writings and tapes authored by him and whose subject matter was both anti-Communist and anti-Zionist. He protested that this material, upon inspection in Israel, could well inflame passions against him and it could be inferred that he was importing them to arouse the populace against the government. When he asked that the material be left behind, he claims, Immigration authorities placed tags on the luggage bearing his name and readied them for delivery to the plane.

As I stated at the hearing, these are allegations, the truth of which I am in no position to verify at the moment.

I also stated at the hearing that Mr. Schieber's political views are his own. My concern for his future is on a humanitarian basis, the nature of the Immigration case against him and on the equities involved in the case. I am hopeful that favorable action will be taken by the subcommittee so that a new bill on Mr. Schieber's behalf can be introduced.

RAPE: SOCIETY'S CRIME AGAINST WOMEN: PART II

HON. H. JOHN HEINZ III

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1974

Mr. HEINZ. Mr. Speaker, last week I introduced into the RECORD the first of two excerpts from a special edition of the Pittsburgh New Sun concerning the growing threat of rape in our society. At this time, I would like to bring the second of these excerpts to the attention of my colleagues. This article deals at length with the police treatment of rape victims, the low percentage of rape convictions, the most effective methods of avoiding rape and, if attacked, how best to preserve evidence to insure an effective prosecution.

Because of the spiraling incidence of rape, the poor treatment of rape victims, and the lack of understanding of the causes of rape, 63 of my colleagues have joined me in sponsoring H.R. 10848, the Rape Prevention and Control Act. This proposal would establish within the National Institute of Mental Health a Center for the Prevention and Control of Rape. This Center, working in conjunction with the Justice Department, would probe the causes of rape and draft a model rape law. In addition, this legislation would provide grants to localities for demonstration projects into the treatment of rape victims and the rehabilitation of rape offenders.

I am hopeful that many of my colleagues will read this article and join us in a national effort to overcome the threat of rape in our society:

AT TRIAL, THE ACCUSER ACCUSED

IV

Hundreds of women across the country have criticized police as being judgemental ("she asked for it," "she looks like a tramp," "she's that kind,"), harassing, and suspicious of rape victims. They are, in fact, just as susceptible as other members of our society to the myths and false attitudes existing about rape. Often, because of sex role stereotyping, they are ineffectual in dealing

with traumatized women. Many women have felt that their interactions with the police were just as painful and traumatic as the rape itself.

Pittsburgh's Youth and Sex Squad seems to be one department relatively exempt from such complaints and claims, even receiving some compliments.

Sergeant Flannigan of the Squad claimed that while not trained specifically for dealing with raped women, his men were trained extensively in the methodology of interview and interrogation, and "were very sensitive and compassionate towards rape victims."

Well aware of the accusations being directed towards the police on this sensitive issue, Flannigan added, "Contrary to what some people might be led to believe by recent movies on television, I don't feel that the police put the rape victim through unnecessary harassment. The personnel in this section are very competent and always conduct themselves in a very professional and personal manner with the victims. We don't discourage anyone from going to court if we have a case. We have even received letters from victims thanking us for our help and understanding."

The Squad is responsible for gathering all the evidence necessary to insure a conviction in court. If some questions appear too personal, vulgar, or intimate to the victim, to the police they may be clues to identifying and convicting the rapist. According to the Sergeant: "The attitude that our section has toward the rape victim is that we *believe* the person has been raped up until the point that something shows up during the investigation that would prove otherwise."

Because counseling is not routinely provided for rape victims in Pittsburgh, it is often the detective involved who recommends help for a woman he believes has been severely affected by her experience. It should also be noted that the Youth and Sex Squad detectives are significantly more successful in obtaining arrests (achieved in about half the cases) and evidence than the State in obtaining convictions.

The trial

The problem of rape doesn't end with the victim's report to the police, because rape, besides being a violent crime, is one of the most difficult to prosecute and defend.

The central issue in a rape trial is consent. If a jury finds that the woman gave no consent to the act, then the accused is guilty. If the matter of consent is unclear especially if the victim is not severely beaten or injured acquittal is likely.

"I heard a quote somewhere that 'A good cop will tell you not to resist, a good D.A. will tell you to fight back all you can.' Now that's something I read; I don't necessarily go along with it," said County Assistant District Attorney Bruce Dice.

Realistically speaking he said that it is easier to win a brutality case because "it's more serious for the jury to see a beaten victim." In his experience, the conviction rate seems to be lower for non-brutality cases. In the minds of the jurors the fact that the woman wasn't beaten implies consent. In prosecuting a case like this Dice said, "It takes more time. We explain the ramifications of the case to the witness, we tell her 'Look, this is the situation, you tell me why it's not consent.' We also simulate a cross examination." The prosecutor practices with his witness in this way to build his case in proving that the victim was forced and didn't consent.

Ellen was amazed. The Allegheny County Assistant District Attorney assigned to her case met with her for the first time, about 10 minutes before court convened "We didn't have a chance. From the beginning, he acted as though we'd never win. He was really negative. He didn't even bother cross examining the defense's witnesses. The police wanted to testify in my behalf. They told him Joe was committing perjury. He refused to put them on the stand. After two years of rehearsing, Joe's story was completely flawless, he never waivered. I had forgotten many minor details, no one rehearsed me."

Another major problem that makes it difficult to prosecute a rape is delay in reporting the crime. Dice stressed the point that a victim should contact the police immediately to corroborate her story. Delay only makes it easier for the defense to convince the jury that the woman consented.

Dice also mentioned that a woman who reported a rape is not automatically provided police protection. That recourse is available, however, if she has been flagrantly threatened. Should she report serious threats from the accused, his bond can be revoked for protection.

Mr. Snyder, a defense attorney, and Mr. Dice commented on the recently televised movie, *A Case of Rape*. Their comments were directed most specifically to this issue (and problem, as most viewers perceived it) of the defense questioning of the prosecuting witness.

Both lawyers agreed that the extent to which the victim's sexual experience and "reputation" were explored was dependent on the judge's discretion. "Promiscuity *usually* has *no* bearing on the case," said Snyder; Dice went further, "It *has no* bearing on the case."

Criminal Court Judge Henry Smith believes, "It depends on the circumstances. In cases of prior intercourse (with the accused) it might be pertinent. Many times it is admitted but not relevant."

It is the defense strategy to show that the victim in fact consented to—if not encouraged the act. The victim is now on trial, because presumably, only a woman of questionable moral character would consent. Acquittal for the accused is a guilty verdict for the accuser.

"A defender defends, it is not his job to determine if the accused is a menace," said Snyder. He must establish certain circumstances that tend to show consent. Did the victim and the accused know each other? Were they drinking? Was she hitchhiking and thus asking for it? Did she delay in reporting the crime?

Even if the District Attorney or the Judge object to irrelevant questions by the defense lawyer, the jury has heard the accusation and its connotations. The doubts that arise from such implications can not be stricken from their minds.

The defense used incredible theatrics. They brought in Joe's terminally ill father, his mother with his high school graduation picture, his girlfriend. "Joe committed perjury over and over. He said, 'She wanted it as much as I did.' He referred to me as 'easy,' 'sleazy.' They asked if I'd ever had intercourse."

A few months after the rape, Ellen married her high school sweetheart. At the trial last month—2 years after the rape—their baby was seven weeks old. The defense asked, "Is that your husband's child or another man's?" "I couldn't believe it. I couldn't control myself—I screamed out in the middle of court—'Why would I go through this hell if I had consented?'"

Because our Constitution and our criminal justice system are meticulous in protecting the rights of those accused, maintaining a presumption of innocence, it is very difficult to introduce evidence concerning the defendant's moral or sexual background. However, according to Judge Smith, "Promiscuity on the part of the defense is admissible as evidence in certain circumstances. If a man has had a course of conduct lending itself to sexual violation, it is admissible in court." Discriminatory accusations (arrests or complaints without convictions) are dangerous to the prosecutor's case. The defense can often have the charges dismissed, or call for a mistrial.

The police were present when Joe called to apologize for what he had done. The police were on an extension phone and heard Joe's confession. The evidence was declared inadmissible, as illegal surveillance. Two months later Joe was positively identified by a minor as the man who raped her. She was too frightened to press charges, and her identification was also inadmissible.

Allegheny County, 1973 criminal court dispositions

Number of defendants tried:	
Murder	23
Manslaughter	50
Arson	18
Armed robbery	212
Assault	696
Rape	42

Number found guilty:	*Percent*
Murder	61
Manslaughter	60
Arson	61
Armed robbery	79
Assault	48
Rape	29

It has been suggested by reformers seeking equity in rape cases that a defendant's moral character be examined, if he is pleading consent and has previously pleaded consent to a charge of rape.

In a rape proceeding, the jury's determination is based on their belief of one witness' word as opposed to the other's. As long as irrelevant theatrics are a valid resort, and as long as juries subscribe to society's double standards, trials will continue to be of the attacked, not the attacker.

"In a case of rape it doesn't do any good to tell the truth. You can't win with the truth—you've got to lie and perjure yourself."

Ellen's mother can't understand how Joe was acquitted by the 3-man, 9-woman jury. "We urged Ellen to fight it. Over the two years and dozens of delays and postponements Ellen wanted to quit. We thought he should be nailed. Everyone knew he was a troublemaker and a threat. We didn't want anyone else's daughter to go through this. If our younger daughter is ever raped, we won't report it. Why go to court—you don't have a chance."

v

The best thing to do in case of a rape is to avoid being assaulted in the first place.

Avoid walking alone at night, and if it is necessary, remember that a majority of rapes are premeditated. Parking lots, alleys, and playgrounds are popular. This advice is galling and useless to women who work, or for other reasons must be out at night, and in fact there should be no reason for women not to share the right of men to walk in public unmolested. But although to state it is a tacit admission of women's second class citizenship, the fact remains that the streets at night hold danger for lone women. Go in groups if possible.

If you are outside, and suspect you are being followed, find out. Turn and look. If necessary, change direction to confirm or disprove the suspicion.

If you are being followed, the best option is to run, but only if there is a place to run. Otherwise you will be turning your back to an attacker who more than likely can outrun you. If pursued and an occupied building is nearby, go to it. If the occupant is slow to answer the door, or doesn't want to become involved, break the door or window glass. A whistle is a good thing to carry in an easily accessible place.

When at home, check the credentials of any stranger at the door claiming to be a repair, delivery, or police man. If not satisfied, check with a phone call to his superior before admitting him.

Hitchhiking is inadvisable, and a successful prosecution for hitching-connected rape very difficult, but if done, remember that it is your right to refuse a ride, particularly if the driver has changed directions just to pick you up. Always check the back seat before entering a car, and if possible, sit in it. You always have the right to get out at any time. Traffic lights are good for that. Carry a lighted cigarette or other small objects such as a comb, keys, nail file, pencil or toothbrush to use as weapons if necessary.

If escape is impossible

Much of the advice above is in fact worth little, because a majority of women raped knew their assailant before the attack. He may be a friend, neighbor, or date.

When the best alternative, escape, is impossible, and a woman decides it would be unwise to resist, there is still much that should be done. *All the evidence available must be secured!*

Learn his face and look for scars, moles, and other details, such as physical characteristics, an accent, or other specific mannerisms that will assist the police. Be able to identify him from mug shots or in a line up or to assist a police artist in sketching him. Practice picking up identifying features of a car, like make, model, year, decals, broken windows or dents, a trailer hitch, and above all, a license number.

Do not destroy or contaminate evidence! The most common and understandable reaction is to shower or bathe immediately, but that is the worst possible thing to do. Do not wash, change clothes, or treat cuts and wounds (unless necessary). This lessens or eliminates the proof needed for a conviction.

Summon a friend for comfort and support through what will follow, and report the assult to the police immediately. Any delay will aid his escape, and hinder his conviction.

Report it

Rape is epidemic today. No rapist was ever apprehended and convicted for a crime that wasn't reported; if raped, think of other women and call the police.

Prepare for trial

When your case comes up for trial, remember that the impression upon the jury is critical. Dress and behave accordingly. Go over the facts until absolutely sure of them; the defense attorney will do everything possible to confuse and upset you, so rehearse and role-play with friends or a lawyer before the trial. Know the proper language, to avoid appearing vulgar (vagina, penis, semen, intercourse, etc.). Have someone with you for support.

VI

Self-defense

Women confronted by rape have another option—that of fighting back effectively. Though most women are smaller and weaker than most men, there is little physical reason why a determined woman could not drive off an attacker.

The reason is really the submissiveness and helplessness conditioned into women from childhood. Nice little girls are weak and gentle. Most women are reluctant to fight because they have no experience with physical combat and they cannot imagine themselves punching someone in the face. They believe that if attacked they would run to safety, scream for help, or talk their way out of the situation. The fact is that this rarely happens.

The ability to defend oneself does not require any formal training, though it is a good idea, but just a conviction that self-defense is necessary, a knowledge of two or three basic techniques, the physical learning of those techniques, and continuing mental practice.

Before choosing to develop and rely on her defensive abilities, a woman should consider whether such skills are worthwhile, within her value system, and whether she will really be able to use them if the need arises; and ineffectual defense may only increase his gratification, and may even raise her risk of serious injury. Of course, if the attacker is armed there is far more to consider.

Common items make weapons

Probably the most common misconception among women is that an effective self-defense technique is a kick to the groin. There are a variety of reasons why this is not so. One is a mental block that keeps the woman from actually doing it. It is almost impossible to do, and a moment's hesitation gives the attacker enough time to perceive your intent. In addition to these, a man instinctively protects his groin area so that the chances of making contact are very slight.

Always carry something small that can be used as a weapon, but something that will not constrict your movements. A comb, brush, key or pencil can be an effective weapon.

If you plan to use an umbrella, do not use it like a club. (When you raise your arm, he will grab it.) Instead use it like a bayonet and aim for his stomach.

If you are attacked from the front, the best parts of the body to aim for are the eyes and nose. Dig the teeth of your comb (or your fingernails) into his face. Using an upward blow with the palm of your hand smash his nose. Chop at his Adam's apple with the side of your hand. You should try to break away and as soon as possible leave him.

Remember that surprise is a great weapon and the would-be rapist will not expect you to be able to effectively———

* * * * *

"We hope to open the crisis center in the next three months, but as yet no tentative date has been scheduled." She declined further comment about the center's development of goals and policy.

Ms. Pat Farley sees the delay in the opening of the crisis center as a direct result of a political battle between the members of NOW (National Organization of Women) and PAAR. "Since PAAR is staffed by several former NOW members, competition between the two is inevitable. Myself, I have not become involved because I feel nothing is being accomplished." She commented that more might be done if PAAR were a "non-feminist related group."

VIII

Finally, the problem of rape can only be solved when the sexual double standard and its attendant myths are overcome. When violence and domination are no longer confused with sex, when jurors recognize the right of a woman to make love with or refuse anyone she chooses, and when men join in redefining social roles, with women as equals rather than as possessions, most of rape's motivations will be gone.

TAX ADVANTAGES FOR OVERSEAS OIL OPERATIONS: QUOTES FROM PHILIP STERN'S, "THE RAPE OF THE TAXPAYER"

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1974

Mr. VANIK. Mr. Speaker, on Wednesday, the majority party of the House of Representatives will be meeting in caucus to consider calling on the Rules Committee to allow a floor amendment to the windfall profits tax bill (H.R. 14462) which would terminate certain incentives for oil company operations overseas.

If the caucus or the Rules Committee agrees, I hope to offer an amendment to the windfall profits tax bill which would, first, terminate the intangible drilling expense for overseas petroleum operations; and, second, change the foreign tax credit for oil companies into a straight business deduction. The text of my amendment—which has received wide cosponsorship in the House—is printed on page 13430 of the May 7 CONGRESSIONAL RECORD.

I would like to include in the RECORD at this point a very readable description of how these tax incentives for overseas oil operations developed and what they have cost the taxpayer. The following are quotes from Philip Stern's excellent and informative study on the need for tax reform entitled, "The Rape of the Taxpayer":

QUOTES FROM "THE RAPE OF THE TAXPAYER"

(By Philip Stern)

A second pleasure enjoyed by American oil companies springs from the fact that much of the oil-rich land in the Middle East is owned not by private companies or individuals but by the various national governments. If the land were privately owned, payments by the American oil companies to the landowners for the privilege of extracting the oil would clearly be considered *royalty* payments. But since the land is owned by governments, and payments to governments are usually called "taxes," the payments they receive from the oil companies can be labeled either "royalties" *or* "taxes." The difference, to the oil companies and the U.S. Treasury—and, indirectly, to the foreign governments—is far more than semantic. The difference is this: suppose Aramco makes a $100 million payment to the government of Saudi Arabia. If that is considered a royalty payment, it is merely treated as a deduction from Aramco's *income* in computing its U.S. taxes. At the current 48 percent corporation tax rate, Aramco is out-of-pocket $52 million, the remaining $48 million in effect being diverted from the U.S. Treasury to the government of Saudi Arabia. If, on the other hand, the $100 million is labeled a *tax* payment, *the law allows Aramco to reduce its U.S. tax payments by the full $100 million*. Uncle Sam ends up bearing the entire load.

As indicated, there is, to Saudi Arabia, an indirect advantage in using the "taxes" rather than the "royalties" label, since it and other foreign governments can exact a higher total tribute at no expense to—and hence with little or no complaint from—the American oil companies. Apparently this truth was revealed in all its glory to the various Middle East governments in the early Fifties, for, beginning about that time, oil company tax payments to the U.S. government underwent a dramatic decline, and their tax payments to foreign governments a correspondingly dramatic increase—a result that some members of Congress might be tempted to label un-American.

For example, from World War II through 1953 the nation's largest oil company, Standard of New Jersey, was paying roughly the same percentage of its profits in foreign and in U.S. taxes (19 and 16 percent, respectively). But suddenly, in 1954 Jersey's U.S. tax dropped to 11 percent, and by 1958 it paid only *1 percent* of its gargantuan profit to the U.S. Treasury, *but more than 40 percent to foreign governments and potentates!*

In the case of the Gulf Oil Company, the transformation occurred a year earlier. Prior to 1952, Gulf was paying roughly 25 percent taxes to the U.S. government. But from 1953 through 1967, the percentage dropped to

about 5 percent (for three consecutive years it was less than 1 percent), with foreign governments getting the 25 percent that had been going into the Federal Treasury.

The loss to the United States was prodigious. If in the ten years, 1962 through 1971, Standard of New Jersey and Gulf had gone on paying American taxes at the rate they did in the late Forties and early Fifties before "royalties" began to be called "taxes," *the American Treasury would have been more than four and a half billion dollars richer.* (And that is for just *two* of the major oil companies!) Instead, that $4½ billion was siphoned off to foreign governments and had to be made up by the non-oil-owning American taxpayers.

Even one strong supporter of the *domestic* depletion allowances, former Senator Mike Monroney of the oil-rich state of Oklahoma, once expressed strong reservations about the tax privileges enjoyed by overseas companies. The disguising of royalties as "taxes" he said, amounts to giving international oil companies a depletion allowance twice as great as that enjoyed by domestic companies.

* * * * *

Far more costly to the American taxpayers is the manner in which the oil-rich Middle-East sheikdoms and kingdoms disguise, behind an Arabian "tax veil," what really amounts to royalty payments. It's a ploy that works superbly for the sheiks and kings, and well for the American oil companies, but dismally for the U.S. taxpayers.

Under U.S. tax law, payments to the owners of mineral lands for the privilege of extracting the minerals are termed royalties and, like other expenses, are deductible, thus saving a corporate royalty-payer 48 cents on the dollar. But in the countries in question, all subsurface oil and other minerals belong to the sovereign government, regardless of who owns the land under which they lie. Thus, in such countries, all royalty payments are to governments, rather than to individuals. But what are taxes, if not "payments to governments"? Therefore, in these countries, the line between a "tax" and a "royalty" becomes very thin.

Before 1950, the Middle East sovereign owners were content to receive royalties of about 15 percent. But in the late Forties, they began to look enviously in the direction of Venezuela, which had worked out a far more favorable arrangement with the American firms, and they began to press for a better deal for themselves. What particularly titillated them was the fact that Venezuela had hit upon a scheme whereby the American companies could pay far more for the oil, *and whereby Uncle Sam's help eased the pain of the increase.* The device was simple: label the payments "taxes" instead of "royalties." That would entitle the American companies to reduce what they owed the U.S. Treasury by the amount of the "tax," *thus saving 100 cents, rather than just 48 cents, on the dollar.* In this manner, the companies could afford to double their payments, and still end up no worse. The difference would be footed by the American taxpayers.

The Middle East governments made no bones about wanting to stick the U.S. taxpayers with the bill. Here is the way the Chairman of the Board of the Arabian-American Oil Company (Aramco) described it to a Senate committee:

"They [the Saudi Arabians] wanted more. They asked as early as 1948, 'Isn't there some way in which we can get a greater take?' and a little later than that they said, *'Isn't there some way in which the income tax you pay to the United States can be diverted to us in whole or in part?'* " [Emphasis added.]

And, of course, there was. The Saudis imported a tax expert from Washington to advise them just how to go about it, and on December 27, 1950, the Saudi Arabian government issued a royal decree, stating that henceforth the Saudi government would be a fifty-fifty partner in all Aramco oil extractions, and that the difference between that and the old 20 percent royalty would be called an "income tax."

And so it came to pass that the Saudi government prospered mightily. In 1956, for example, Aramco's "royalties" amounted to just $80 million, but its "income taxes" came to roughly $200 million.

And it came to pass, too, that the United States Treasury suffered mightily. In 1949, Aramco—which is a full-fledged corporate citizen of the United States, chartered in the state of Delaware—was paying more to the United States than to Saudi Arabia. But, as of 1956, after the imposition of the "income tax," Aramco's chairman told the Senators, the U.S. Treasury hadn't *"received any taxes* [on Aramaco's Saudi Arabian operations] *for I don't know, two or three years now, I guess."* [Emphasis added.]

ERADICATING SCREWWORM

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1974

Mr. TEAGUE. Mr. Speaker, every day we learn of a new application in space technology to our problems right here on Earth. During 1972, parts of Texas were reinfested with screwwormfly which had been successfully eradicated in the United States by the Department of Agriculture in conjunction with Mexico. NASA is now undertaking an experimental program to utilize remote sensing from aircraft to determine the breeding areas of the screwwormfly and aid in their eradication. This international project utilizes our space technology in a program sponsored jointly by NASA and the Mexican Commission for Outer Space. A recent release by NASA outlines this important space-program-developed application of remote sensing to the solution of a difficult and recurring problem.

The article follows:

ERADICATING SCREWWORM

Officials from NASA's Johnson Space Center and representatives of the Mexican National Commission for Outer Space (Comision Nacional del Espacio Exterior) have completed plans for a remote sensing test project to assist in eradicating the screwworm from Mexico.

The eradication program is being conducted by the Mexican American Commission for the Eradication of the Screwworm, established last year by the secretaries of agriculture in the two countries.

The screwworm is a grub or larva which destroys cattle, poultry, and wildlife in the warm regions of the Americas. It develops from screwwormfly eggs laid in open sores and in the navels of new born animals.

The grub grows to a length of about a half-inch by eating living flesh, frequently crippling or killing large numbers of domestic animals. Actual loss to the livestock industry has frequently exceeded $200 million annually.

At one time, screwworms infested the United States from Florida to California and as far north as Nebraska. During the past two decades, they have been kept in check in the U.S. by dropping billions of sterile flies to mate with females in the infested areas.

An active program by the U.S. Department of Agriculture succeeded in pushing the screwwormfly out of the United States. For several years, a 300-mile-deep buffer zone has been established along the northern border of Mexico from the Pacific Ocean to the Gulf of Mexico.

Due to mild winter conditions, the screwwormfly managed to reinfest parts of Texas in 1972, causing an estimated $100 million in damage to livestock.

Beginning in 1975, a joint effort by the American and Mexican governments will attempt to eradicate the insect throughout Mexico, maintaining a new buffer zone across the narrow Isthmus of Tehuantepec. This new corridor will reduce the cost of maintaining the cleared zone to a fraction of present levels.

To bring about the eradication of screwwormflies in Mexico, agriculturists must have accurate reports on environmental conditions that affect the breeding habits of the flies. In the United States, information was communicated quickly through an extensive network of weather stations.

In Mexico, an estimated 260 additional weather communications links would have to be constructed to provide similar data. However, scientists in the Earth Resources Program Office and the Health Applications Office of NASA's Johnson Space Center believe that sensor data provided by the Earth Resources Technology Satellite (ERTS), ITOS weather satellites and similar space vehicles can be combined with information returned by a Mexican remote sensing aircraft to provide detailed reports on soil temperature, moisture, and vegetative cover—all of which affect the breeding patterns of the screwwormfly.

If satellite data can accurately pinpoint potentially favorable conditions for screwworm infestation, this will aid flight planners immensely in distributing the sterile flies.

The test site selected for the project by a joint team from Mexico and the United States is an area 50 miles wide by 100 miles long, with its center at Cordoba, a city midway between Mexico City and the Gulf Coast port of Veracruz.

At the remote sensing test site, measurements from equipment on the ground will be collected to be compared with the results of analyzed data provided by the Mexican aircraft and the twice-daily overflights of the weather satellites. The region around Cordoba contains both lowland and highland plains, major breeding areas for the screwwormfly.

Although screwworms do not pose a serious threat to human health, Dr. Charles M. Barnes, Manager of the Health Applications Office at JSC, says that remote sensing techniques tested in Mexico may play an important role in understanding insect ecology.

Barnes points particularly to the possibility that remote sensing technology may help extend the sterile fly eradication technique to other insects, including the disease-carrying tsetse fly. The tsetse fly is so great a danger to the health of humans and animals that thousands of square miles of Africa are made virtually unfit for habitation.

The experimental phase of the remote sensing project in Mexico is underway and is expected to continue for approximately a year. If the techniques being developed are successful, they may be integrated into the operational screwworm eradication program being conducted by the two nations.

CAB AIDE SCORES AIR TICKET RULES

HON. JOHN W. DAVIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1974

Mr. DAVIS of Georgia. Mr. Speaker, the Civil Aeronautics Board deserves rec-

ognition for the aggressive stand taken in the interests of consumerism. I refer to a recent New York Times story that related the position of the Board's Office of Consumer Affairs on matters relating to airline consumer complaints:

CAB AIDE SCORES AIR TICKET RULES—SAYS LINES USE "DOUBLETALK" TO THWART THE PUBLIC

(By Robert Lindsey)

WASHINGTON, April 26.—An senior official of the Civil Aeronautics Board has accused the nation's airlines of writing self-serving ticketing regulations "filled" with jargon, doubletalk, strange phraseology and catch phrases" as a "defense weapon to thwart the grievances and desires of the public."

In an unusually blunt public scolding of the airlines, Jack Yohe, the board's director of consumer affairs, said:

"I am not suggesting that the consumer is always right by any stretch of the imagination. I am simply saying that the present system has an undue bias in favor of air carrier interests which amounts to an almost universal assumption that the carrier is always right."

Mr. Yohe made the remarks to a group of airline representatives at a meeting called to review an upsurge in complaints from air travelers.

During 1973, he noted, the board had 14,760 complaints from passengers or air-cargo shippers—a 40 per cent increase over the total in 1972. The upward trend continued during the first three months of this year, when 5,147 complaints were received by the board—22 per cent more than during the same months of 1973, he said.

The traveling public, Mr. Yohe said, was becoming increasingly angry and suspicious about some airline practices and, in his view, the reactions were justified in many cases.

HELD OVERLY COMPLEX

Mr. Yohe contended that many airline ticket rules covering such matters as fares, reservations, baggage and customer rights, were overly complex and offered inadequate protection for travelers. These rules are technically known as "tariffs."

"I will go so far as to state," Mr. Yohe said, "that most of the board's own economists, analysts and attorneys do not completely understand most tariffs as written. Yet the average air passenger is [legally] presumed to have complete and intimate knowledge of the most complex of tariff provisions based on the simple ticket notation: 'Sold Subject to Conditions of Tariff.'"

"We have reached the point where for some simple trips between two domestic cities the contents of five or six large volumes of printed matter are being incorporated as conditions of contract by this simple ticket reference," Mr. Yohe said.

Even airline ticket agents, he added, cannot decipher some tariff rules "without the assistance of a team of attorneys, accountants, economists, and philosophers." As a result, he said, many passengers are overcharged or abused in other ways.

WARNING TO AIRLINES

Mr. Yohe conceded that the board had formally approved such regulations proposed by the airlines. But he maintained that the volume of such filings was too great for anything more than cursory agency review of most cases. He urged the airlines to simplify the rules voluntarily, asserting that they might otherwise face a Federal mandate to do so.

Mr. Yohe cited the following examples of what he saw as abuses of the present system:

Employes of one airline left out in the rain an uncovered coffin containing the body of a retired woman being shipped north from Florida, causing the coffin and the body to be disfigured. The applicable airline tariff limited damages to 50 cents a pound, not enough to replace the coffin.

Another line refused to honor a couple's claim that their baggage had been lost because fine print in the tariff excluded claims for "soft pack type luggage—as is most baggage sold in the United States today."

"The basic problem with the concept of fares is simply that nobody can give the consumer a definitive answer about how much it will cost from one city to another," he said. "The domestic fare structure is presently a hodge podge of multi-condition fares governed by tariffs which are anything but clear."

Some airline representatives at the meeting agreed with some of Mr. Yohe's criticisms but maintained that, for the most part, the regulations reflected the realities of running a complex industry day to day.

Roger Chase, director of consumer affairs for Trans World Airlines, said the situation did not reflect conscious "malfeasance" by the airlines. Many of the tariff rules, he said, start out relatively simply, but with time are made more complicated as they change to meet circumstances and needs of different airlines.

Mr. Yohe, however, was not sympathetic to this view, saying that it was the airlines' responsibility to simplify their rules. Of the 14,760 complaints received by his office from the nearly 200 million passengers carried by United States airlines, he said protests were heaviest regarding schedule irregularities, reservations, baggage handling and fares.

Airlines with the largest number of complaints, in order, were Eastern, American, Pan American, Trans World, United and Allegheny, he said.

TONY VERDI—BABE RUTH LEAGUE

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1974

Mr. WOLFF. Mr. Speaker, for about 20 years now, the Merrillon Athletic League, Inc., of New Hyde Park, N.Y., has run an excellent baseball program for the boys of the area. During the spring and summer months, five different leagues are organized, and the teams have a busy schedule.

The enjoyment of the players, coaches, and organizers of the league has been made possible by the financial support of many loyal sponsors, advertisers, and boosters. The names of the people and the firms who contributed are too numerous to mention, but their support has been appreciated by the boys, the coaches, and the community.

Special credit should go to Tony Verdi, who, for the past 10 years, has served the Merrillon Athletic Association in many different capacities. His spirit and leadership were honored by a special letter in the 1974 baseball schedule. The letter is written by Marv Morrison, the devoted chairman of the Merillon board of directors, and I would like to insert it at this point in the RECORD.

Recognition should also go to all the members of the Merrillon Athletic League. They have contributed their time to see that the boys of the New Hyde Park area will have an enjoyable summer. All the members, past presidents, and officers, headed by present President Sol Fried, deserve the thanks of the community, and I would like to insert their names in the RECORD for the attention of my colleagues.

The material follows:

TONY VERDI—BABE RUTH LEAGUE

Effective this year, the Merillon Board of Directors unanimously approved the future designation of the Babe Ruth Division (Boys 13–15) as the "Tony Verdi—Babe Ruth League"

Everyone is aware of the immortal Babe's deeds and the part he played in making baseball the great game that it is. Most of you who have been involved with Merillon are familiar with Tony Verdi and his outstanding work for Merillon over the past 10 years. Tony has served as: Chairman of the Board, President, Field Maintenance Director, Fund Raising Chairman and as manager/coach in Babe Ruth, Little League Majors, Minors and Farms. His spirit, leadership, unselfishness and love for Merillon and its boys has made him one of the greats of our Association.

Just as the founding fathers of Babe Ruth baseball saw fit to name their new league after the great Babe Ruth, it is equally fitting for Merillon to co-title this division after Tony Verdi for his contributions to Merillon, the community and the wonderful boys who have played and will play Toni Verdi-Babe Ruth baseball in the future.

Thanks, Tony,
MERILLON BOARD OF DIRECTORS,
MARV MORRISON,
Chairman.

MERILLON ATHLETIC LEAGUE, INC., OF NEW HYDE PARK

BOARD OF DIRECTORS

Marv Morrison, Chairman.

HONORARY MEMBERS

Hon. Clinton G. Martin (Deceased).
Hon. Albert Oppido.
Marv Morrison, Honorary Chairman of the Board.

MEMBERS

Sol Fried, Lou Tufano, Ray Krust, Harry Macri, Vito Gentile, Pete Sharf, Bill Sheehan, Andy Charley, Charlie Calderone.

Dolores Pasquaretta, Joe Parisi, John Weitzel, Mike Marchese, John Phelan, Will Lumpp, Cy Pastore, Laura Kucklinca, John Wizbicki.

PAST PRESIDENTS

John F. McDonald, Henry Meyer, Franklyn Biondo, Ralph Cappiello, Sal Procida, Bert Brooks, Marv Morrison.

Al Koch, William Schilling, Tony Verdi, Bob Schramm, Frank Borgia, John Rego.

OFFICERS 1974–75

President, Sol Fried.
Vice President—Connie Mack, Lou Tufano.
Vice President—Tony Verdi Babe Ruth, Ray Krust.
Vice President—Little League, Harry Macri.
Vice President—Minors, Vito Gentile.
Vice President—Farms, Pete Sharf.
Player Agent, Bill Sheehan.
Umpire-in-Chief, Andy Charley.
Secretary, Laura Kucklinca.
Treasurer, Andy Charley.
Corresponding Secretary, Kathy McCormick.
President, Ladies Auxiliary, Dolores Pasquaretta.
Dance Committee Chairlady, Donna Dodegge.
Sponsors Committee, John Wizbicki.
Equipment Manager, M. Morrison—A. Charley.
Journal, John Zabarauskas.
Fund Raising, Dolores Pasquaretta.
Insurance, Carl Moschella.
Maintenance, Charles Calderone, Fred Vogl.
Refreshment Stand, Joan Kelly.

CINCINNATI CELEBRATES ISRAEL'S 26TH ANNIVERSARY

HON. THOMAS A. LUKEN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1974

Mr. LUKEN. Mr. Speaker, yesterday I enjoyed the opportunity of taking part in Cincinnati's celebration of Israel's 26th anniversary, an annual event in my hometown. This year's parade was one of the best, thanks very much to Mr. Gene Mesh, chairman of the Cincinnati Committee for the Celebration of Israel's 26th Anniversary. Great thanks also go out to Mrs. Anne Korey, a wonderful woman, a friend of Israel, and a member of the Jewish Community Relations Council of Cincinnati. David Keen, this year's "Mr. Parade," proved once again, through his enormous efforts, that a parade really can be coordinated and made to come off well.

We were also honored this year by the presence of a shaliach—a messenger—from Israel. Mr. Uzi Himovich is a representative from Israel who has worked for 3 years with the Jewish youth of Cincinnati. Now our many thanks go out to him as we wish him bon voyage. It is our hope that as Uzi returns to his homeland he will be the shaliach of Cincinnati in Israel.

The celebration in Cincinnati, marking the 26th anniversary of the establishing of Israeli statehood, was yet another example of the deep pride Americans have in the determination of the Israeli people.

These citizens of Israel, joined in spirit by Jewish and non-Jewish friends around the world, reiterate daily the importance of Israel in her constant struggle to remain a free and democratic state.

For all of us who have believed in the potential of Israel, this is a deeply satisfying time. The tiny state that some said could never survive has emerged as a mature nation. Americans have admired the courage of the Israeli Army, its pluck and intelligence; they have looked with favor upon Israel's active democracy, even now going through natural adjustments but certain to emerge from today's period of realinement still devoted to those institutions which have vanished in so many countries of the world: a free press, free elections, and a representative government. That Israel has done all these things under extreme duress can only encourage all those who sincerely believe that the principles of our Fathers can survive in the mechanized and often amoral modern world. It is, as we all know, a success borne of the sacrifice in sweat and blood of thousands of determined people.

But Israel and her friends throughout the world cannot afford the luxury of complacency. Her old enemies in the Middle East and the Soviet Union continue to watch for signs of weakness and hope to dam the flow of human resources which have helped make Israel productive. In spite of the recent encouraging initiatives toward peace, there are still foes of Israel who insist upon her complete dismantling. In spite of her tremendous performance after the Egyptian and Syrian aggression last October, Israel's army is taxed by an endless war of terrorism and attrition, waged with the assistance of the Soviet Union, in an attempt to weaken Israel's bargaining position. Enemies look for signs of vulnerability in Israel's willingness to negotiate and make concessions in the interest of peace.

But the many threads of Israel's great fiber remain as real as ever. The determination of her people to keep Israel free remains strong and persistent. Those who would underestimate these attributes should know after all these years of strife that the Israeli people are peace-loving, but ever-vigilant and ever-prepared to defend their homeland.

Mr. Speaker, we all can take pride in the great strides toward peace which have been taken since last fall's Mideast war. We can be proud of the role played by America. But we must insure that the United States does not back away from its support of Israel. Indeed, we must insure that even the impression that we are doing so is not made. Our assistance to Israel is needed more than ever in this struggle to remain free—and it must also remain visible to those who may read our intentions wrongly. For in spite of the courage shown by Israel's citizens, who have been under constant tension, they now face the burden of inflation and onerous taxes caused by a war which took only 18 days and yet consumed the equivalent of Israel's entire 1973 gross national product.

We will have to provide additional economic and military assistance to Israel at a level commensurate with her extraordinary needs because cease-fires are easily violated and disengagement agreements are not synonymous with nonbeligerence. And we must promote a settlement negotiated directly by the parties which is the best guarantee of secure and defendable borders and a genuine peace.

On this proud occasion of the 26th anniversary of Israel's statehood, I extend my sincerest hopes and prayers for a peaceful and prosperous future for the people of Israel.

I sincerely hope that Israel's anniversaries in the years to come find her unafraid and secure, at peace with her neighbors and with her full energies free to be devoted to the one object which has always impelled her and her people: The building up of a dynamic new society which can be called home. I pledge my continued friendship to Israel and my continued efforts on her behalf, and I call on my colleagues to join me in doing so.

WORLDWIDE CRISIS OF LEADERSHIP

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1974

Mr. BROWN of California. Mr. Speaker, the United States is not unique in its crisis of leadership. Even without Watergate related problems, we would have a crisis of leadership. Most of the countries of the world, particularly those considered the most successful and affluent, are undergoing changes in their governmental structures. Many people have commented on this phenomenon, but I believe few observers have captured the crux of the crisis. An exception is the New York Times editorial of May 11, entitled the "Collapse of Leadership." Their analysis closely parallels the message that the Club of Rome has been attempting to convey for the past 2 years. Dr. Aurelio Peccei, the president of the Club of Rome, was in Washington just 1 week ago and discussed this situation with several Members of Congress.

Members of the Club of Rome, which is an informal group of prominent world citizens, have been traveling throughout the world and attempting to alert interested people to the nature of the crises that are repeatedly occurring. Dr. Peccei refers to the nature and interactions of the multiple problems as the "problematique." The crisis of leadership stems from the failure of present governmental structures to adequately recognize and deal with the problematique.

The Club of Rome held a symposium in Tokyo last October to discuss this pervasive problem. In the introduction to the report of the Tokyo symposium they state:

That shortsightedness and narrowmindedness still prevail in the management of political, economic and technological matters, as in public opinion, is shown by the energy crisis. However, as energy is a key element of modern society and as only part of its crisis can be considered transitory, political leaders and the public at large in many countries may now at last be forced to abandon obsolete concepts and adopt new approaches.

The New York Times editorial on changing governments displayed a similar line of thought:

To this structural change must be added the seeming inability of leadership groups in country after country to break loose from the traditional issues of strategy and economy, in which they were so well schooled, in order to confront the new problems—scarcity in energy and food supplies, population pressure, deteriorating natural environment, inflation unresponsive to any of the traditional checks—which are taking hold of their societies. It requires a far subtler political mind to lead a society through evolution than revolution.

I commend this entire editorial and the reports of the Club of Rome to all Members of Congress.

The editorial follows:

COLLAPSE OF LEADERSHIP

Georges Pompidou, Willy Brandt, Edward Heath, Golda Meir, Pierre Elliott Trudeau, Marcello Caetano, George Papadopoulos. These longtime fixtures at the top of diplomatic lists in the world's chancelleries no longer hold the reins of power.

In a remarkably short time measured by only a few months, the Western world has witnessed an extraordinary overturning of political power. (The ironic footnote is that some of those national leaders considered chronically vulnerable—say, King Hussein of Jordan, President Assad of Syria, even President Thieu of South Vietnam—remain entrenched in relative security.)

Is there a common thread through these power reversals? Not specifically. A decade or

two ago, it could have immediately been supposed that a plot against the so-called free world had been sprung, that the "international Communist conspiracy" had shown itself, and all the well-oiled alarms would have sounded. Even as a tentative hypothesis, such a notion can hardly get off the ground today.

Each of these leaders fell from causes peculiar to his own circumstances. President Pompidou, of course, died; but his Gaullist movement seems to have fallen victim to the same kind of internal disenchantment that hit Prime Ministers Heath and Trudeau. Premier Caetano in Portugal and President Papadopoulos in Greece grew careless in managing the conspiratorial right-wing politics that kept them in power. Chancellor Brandt and Mrs. Meir plummeted disastrously in their public's esteem as their vision of earlier years went cloudy; then both succumbed to specific mishaps.

The proximate causes of these changes of regime are different, but all seem to spring from roots common to the industrialized world. Alastair Buchan defined them in his Reith Lectures to include "diminishing respect for political leadership, the divorce between social and political loyalties, the adjustment from rural to urban values, and the increasing dominance of the mass media." Confronting these pervasive factors and the rapid acceleration of social change which they are visibly provoking, regime after regime has found itself overwhelmed.

The postwar era which nurtured the present generation of unsteady leaders was a time, by and large, of orderly economic expansion, offering seemingly automatic safety valves to correct social dislocations. With the coming of the nineteen-seventies, and particularly the oil crisis starting last October, the industrial economies found the abstract desirability of growth giving way to the absolute necessity for contraction. "Capitalism in contraction is as much of a social and political monster as capitalism in expansion tends to be a miracle," wrote Prof. Fritz Stern of Columbia University.

To this structural change must be added the seeming inability of leadership groups in country after country to break loose from the traditional issues of strategy and economy, in which they were so well schooled, in order to confront the new problems—scarcity in energy and food supplies, population pressure, deteriorating natural environment, inflation unresponsive to any of the traditional checks—which are taking hold of their societies. It requires a far subtler political mind to lead a society through evolution than revolution.

Improvisation supplanted vision as the quality which created leadership, and it is not enough. The most somber note of all in this time is the incapacity of leadership in yet another nation, which had served as source of much of the inspiration and power that guided the Western world through the postwar era. Already in effect, and perhaps soon in fact, the President of the United States must be added to the list of political leaders fallen from authority.

RUMANIA'S NATIONAL HOLIDAY

HON. THOMAS E. MORGAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 13, 1974

Mr. MORGAN. Mr. Speaker, the 10th of May is a date of special significance to the peoples of the free world as the anniversary of Rumania's national independence and of the kingdom of Rumania.

It was on May 10, 1866, that Prince Charles of Hohenzollern-Sigmaringen was proclaimed Prince of Rumania in Bucharest. On May 10, 1877, Rumania declared her independence, severing her ties with the Ottoman Empire. On May 10, 1881, Charles I was crowned King of Rumania by the will of his people.

While the present Government of Rumania pursues an independent foreign policy in some respects, we must not forget the circumstances of the people of Rumania and their just aspirations to basic freedoms. I commend the Rumanian National Committee for its observance of the 10th of May.

SENATE—*Tuesday, May 14, 1974*

The Senate met at 10 a.m. and was called to order by Hon. HOWARD M. METZENBAUM, a Senator from the State of Ohio.

PRAYER

The Reverend Monsignor Louis W. Albert, pastor, St. John the Evangelist Church, Silver Spring, Md., offered the following prayer:

O God of might, wisdom, and justice, through whom authority is rightly administered, laws are enacted, and judgments decreed, assist with Thy counsel and fortitude the Members of the U.S. Senate. May their deliberations always be conducted in righteousness and be eminently useful to the people whom they serve. Let the light of Thy divine wisdom shine in their proceedings and in the laws framed for our rule so that they may tend to the preservation of peace, the promotion of national happiness, the increase of industry, sobriety, and useful knowledge, and may perpetuate to us the blessings of equal liberty. Give them the courage and insight to discharge the duties of their office with honesty and ability. May the laws so enacted in the Senate be in conformity with the knowledge of Thy most holy law. May the Senators be preserved in union and in peace. Although there may be diversity of thought, let the differences be always modified with charity and understanding.

This we pray through Christ our Lord. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. EASTLAND).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., May 14, 1974.

To the Senate:

Being temporarily absent from the Senate on official duties, I appoint Hon. HOWARD M. METZENBAUM, a Senator from the State of Ohio, to perform the duties of the Chair during my absence.

JAMES O. EASTLAND,
President pro tempore.

Mr. METZENBAUM thereupon took the chair as Acting President pro tempore.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Monday, May 13, 1974, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees may be authorized to meet during the session of the Senate today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider nominations on the Executive Calendar.

There being no objection, the Senate proceeded to the consideration of executive business.

The ACTING PRESIDENT pro tempore. The nominations on the Executive Calendar will be stated.

COASTAL PLAINS REGIONAL COMMISSION

The second assistant legislative clerk read the nomination of Russell Jackson Hawke, Jr., of North Carolina, to be Federal Cochairman of the Coastal Plains Regional Commission.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is considered and confirmed.

DEPARTMENT OF JUSTICE

The second assistant legislative clerk read the nominations in the Department of Justice as follows:

John T. Pierpont, Jr., of Missouri, to be U.S. marshall for the western district of Missouri for the term of 4 years.

David G. Trager, of New York, to be U.S. attorney for the eastern district of New York for the term of 4 years.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The ACTING PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be notified of the confirmation of these nominations.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.