The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT

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 12 noon tomorrow.

The motion was agreed to; and at 5:41 p.m., the Senate adjourned until tomorrow, Friday, May 31, 1974, at 12 noon.

NOMINATIONS

Executive nominations received by the Senate, May 30, 1974:

DEPARTMENT OF THE TREASURY

Gerald L. Parsky, of the District of Columbia, to be a Deputy Under Secretary of the Treasury, vice Jack Franklin Bennett, elevated.

U.S. ARMS CONTROL AND DISARMAMENT AGENCY

The following-named persons to be Members of the General Advisory Committee of the U.S. Arms Control and Disarmament Agency:

Harold Melvin Agnew, of New Mexico, vice John J. McCloy, resigned.

Gordon Allott, of Colorado, vice William J. Casey, resigned.

Edward Clark, of Texas, vice Douglas Dillon, resigned.

Lane Kirkland, of Maryland, vice James R. Killian, Jr., resigned.

Carl M. Marcy, of Virginia, vice Lauris Norstad, resigned.

Joseph Martin, Jr., of California, vice Peter G. Peterson, resigned.

John A. McCone, of California, vice J. P. Ruina, resigned.

Gerard C. Smith, of the District of Columbia, vice Cyrus Roberts Vance, resigned.

IN THE U.S. AIR FORCE

The following officer under the provisions of title 10, United States Code, section 8066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 8066, in grade as follows:

To be lieutenant general

Maj. Gen. Lee M. Paschall, [redacted] FR (major general, Regular Air Force), U.S. 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. Gordon T. Gould, Jr., [redacted] (major general, Regular Air Force), U.S. Air Force.

IN THE U.S. ARMY

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

To be lieutenant general

Lt. Gen. James William Sutherland, Jr., [redacted] Army of the United States (major general, U.S. Army).

U.S. RAILWAY ASSOCIATION

The following-named persons to be Members of the Board of Directors of the United States Railway Association for the terms indicated: (new positions)

FOR A TERM OF 2 YEARS

Clifford G. McIntire, of Maine.
William W. Scranton, of Pennsylvania.

FOR A TERM OF 4 YEARS

Gale B. Aydelott, of Colorado.
James E. Burke, of New Jersey.

FOR A TERM OF 6 YEARS

Frank H. Blatz, Jr., of New Jersey.
Samuel B. Payne, of Massachusetts.
W. K. Smith, of Minnesota.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 30, 1974:

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Virginia Y. Trotter, of Nebraska, to be Assistant Secretary for Education in the Department of Health, Education, and Welfare.

ACTION AGENCY

John L. Ganley, of New Jersey, to be Deputy Director of the ACTION Agency.

(The above nominations were approved subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

EXTENSIONS OF REMARKS

THE CONYERS COALITION

HON. EARL F. LANDGREBE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 29, 1974

Mr. LANDGREBE. Mr. Speaker, I wish to call the attention of my colleagues, and especially the members of the Judiciary Committee, to a column by Victor Riesel, whose personal courage is exceeded only by his accuracy in reporting. The subject of Mr. Riesel's column is Representative JOHN CONYERS, whose excusal from the Judiciary Committee Watergate investigation I have called for and again call for. Mr. CONYERS, by his words and deeds, has amply shown that he cares not a wit for constitutional due process and the Constitution itself. I urge my colleague Mr. RODINO to investigate the fitness of Mr. CONYERS for participation in the Judiciary Committee investigation, in view of the chairman's promise of a fair examination of the evidence in the Watergate affair by the Judiciary Committee.

The article follows:

PREFERS COMMUNISTS?—JUDICIARY COMMITTEE'S JOHN CONYERS JOINS COALITION WITH FRIEND ANGELA DAVIS

(By Victor Riesel)

WASHINGTON.—There's nothing flamboyant about the soft-voiced 45-year-old bachelor, Congressman John Conyers, Jr.—except his violent hatred for Dick Nixon and his intense passion for coalition with left-wingers, former Communists and at least one current member of the Central Committee of the Communist Party U.S.A.

Conyers, who would have the House Judiciary Committee, of which he is a member, investigate the U.S. in general and the White House in particular, sets his own rules. If one discusses him, his record, his friends' activities and their Communist records, one is swiftly denounced as a "racist" and oppressor of the working class. To refer to old FBI dossiers on his politicial ally, Detroit Mayor Coleman Young, is to face the Congressman's full fury, oral brimstone and power.

After carefully perusing Congressman Conyer's recent hell-and-fire speeches, many of which sound brutally, chauvinistically anti-white to me, it's evident he would like to impeach President Nixon merely for breathing. Though Conyers is a member of the National Advisory Council of the American Civil Liberties Union (ACLU) he hasn't granted the President of the U.S. an iota of the right to due process which the ACLU has to Nazis, Fascists and Communists.

For years now he has chosen strange alliances—so his pre-conviction of Dick Nixon hardly is surprising. Actually, he's not even very kind to Sens. Hubert Humphrey, Walter Mondale and Ted Kennedy, whom he finds "all confused."

But none of this is as strange as taking the trouble to fly into Detroit May 10 to join a member of the Communist Party U.S.A. Central Committee and others to whip up a typical radical rally. That member is Angela Davis.

Conyers, speaking that day for the National Alliance Against Racism and Political Oppression, called for "a great coalition" against Watergate-ism, racism and oppression.

He averred he would stay the weekend with the coalition leaders to organize a "struggle against the system of racism and repression that spawned Watergate."

Comrade Angela Davis, whose Communist party leaders (Gus Hall et al.) were in Moscow then where they had spent some time conferring with Soviet General Secretary Leonid Brezhnev, did her oratorical thing. She added a fillip by calling for a national black mobilization in Raleigh, N.C., on July 4.

Now Conyers is far too sophisticated to have overlooked the clear implications of what he was saying and of the import of Angela Davis' presence. Conyers is an old trade-union hand. He knows all about infighting between what are called "the commies" inside labor and the anti-Communists. He sure knows the "C.P." record in Detroit and what they tried to do (and did for a while) to the big United Auto Workers.

What, then, are the Congressman's standards? This question cannot be answered by any vituperative riposte from his corner. He has demanded the President's impeachment for such varied reasons as Dick Nixon's opposition to the Office of Economic Opportunity and the bombing of Cambodia.

Yet he joins with a member of the American Communist Party Central Committee—a party locked into Moscow, a party which approved the Soviet military invasion of Czechoslovakia, a party which has denounced American aid to the allies during the years of Nazi assault on Europe and during the Hitlerian blitz of London.

Conyers has been attacking American multinational corporations. But he strides to the same speaker's platform with Angela Davis, whose party is a section of the most brutal multinational operation the world has known and which joined with the Nazis in the very early '40s.

And there is another, equally grave issue. It seems to me John Conyers, who as a member of the House of Representatives should be speaking for all the people, is using Watergate to whip up racial hatred.

He has a safe seat in Michigan's First Congressional District. He could use his soft voice, his place in the Black Caucus to bring the races together. Yet here he is using the Watergate tragedy as a tool for prying white and black people apart.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

He has gone before many black groups with his cookie-cutter cliche attacks on racism. He is using this to push himself in his Democratic party. He has his eye on a Senate seat. He pokes into the United Auto Workers internal politics.

He wants Dick Nixon not only impeached but imprisoned. That's extreme. But one need only note the friends he keeps and the enemies he chooses to understand why.

What this nation needs is an appeal to reason, more unity, not more divisiveness. And certainly less reverse racism.

VENEZUELA DEBATE

HON. BILL GUNTER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 29, 1974

Mr. GUNTER. Mr. Speaker, in an attempt to further informed and enlightened debate on the amendment that will be offered when the U.S. Sugar Act reaches the floor to suspend Venezuela's sugar quota until fair oil prices are restored, I would like to share with my colleagues some thoughtful objections to my amendment raised by a distinguished minority member of the Committee on Foreign Affairs, Mr. THOMSON of Wisconsin.

While obviously I have a different perspective on this matter than does my distinguished colleague, I believe it is not too early to begin debating the merits of the amendment I propose.

Therefore, I am reprinting at this point in the RECORD the text of a thoughtful letter I received from Mr. THOMSON and my own response thereto concerning the Venezuela amendment for the purpose of encouraging broader attention to the basic issues at stake and hopefully promoting similar dialog among my colleagues on an equally thoughtful, concerned, and responsible level.

The texts of the letters follow:

HOUSE OF REPRESENTATIVES,
Washington, D.C., May 20, 1974.

Hon. BILL GUNTER,
Cannon House Office Building,
Washington, D.C.

DEAR BILL: I have before me a copy of your May 23rd "Dear Colleague" letter entitled, "A Message to Venezuela." While I share your frustration over the high price of imported oil and its implications for the American people, I would urge you to reconsider any efforts you may be planning to strike Venezuela's quota from the United States Sugar Act.

Venezuela is one of the few genuine democracies in Latin America. Despite the historical experiencing of a century and a half of one military strongman followed by another, the country has successfully struggled for more than fifteen years to overcome its political past. Today, Venezuela stands as a shining example of the democratic process at work in a Third World setting.

The Congress recognized Venezuela's significant accomplishment by inviting President Rafael Caldera to address us in 1972. That event was our way of recognizing a nation that has furthered the cause of democracy in the Americas and the world. There probably is not a handful of other Third World nations that merit similar treatment.

Venezuela has been vigorously anti-communist and friendly toward the United States. Due to the predisposition of its leadership and the vicious covert efforts of Fidel Castro's Cuba, this democracy has developed strongly anti-communist tendencies. It has verbally chastised the excesses of Fidelismo and offered an alternative course to her Latin American neighbors. In addition, Venezuela was the complainant in a series of events culminating with the isolation of Cuba from most of the hemisphere.

Caracas and Washington have agreed on many of the larger world issues. Yet, Venezuela has never hesitated to express a divergent view or adopt a divergent policy. When differences have arisen, they have not been advertised in newspaper headlines, but discussed in an atmosphere of mutual amity and understanding.

Venezuela has treated American investment fairly. There have been no nationalizations reminiscent of Bolivia in 1952 or Chile in 1972; reasonable, if not generous, returns on invested capital have been permitted. American ownership of Venezuelan oil is now being phased out and while I cannot agree with that policy, it is being conducted over a reasonable period and after the investment has been returned. American interests are now mining large quantities of iron ore and bauxite south of the Orinoco River. As with oil, these investments have been treated in a business-like fashion.

No matter what the intent of striking Venezuela from the Sugar Act, Caracas and probably the rest of Latin America would consider this step a direct slap at Venezuelan independence and pride. Aside from the emnity created, the challenge could not go unmatched. The obvious response would be an embargo on oil which would only exacerbate the American consumers' problem. It is a fact the United States needs to buy oil, iron ore, and bauxite far more than Venezuela needs to sell sugar. Striking the country from the quota system, therefore, is not a credible threat.

Action against Venezuela in the Sugar Act would unquestionably send a message to Caracas. But I fear that it would be read in translation: "Do not ever act against our interests or we will slap you down."

Please consider these thoughts. Thank you for your attention.

With best regards, I am

Sincerely yours,

VERNON W. THOMSON, M.C.

HOUSE OF REPRESENTATIVES,
Washington, D.C., May 30, 1974.

Hon. VERNON W. THOMSON,
Member of Congress,
Washington, D.C.

DEAR VERNON: I appreciate your taking the time to express your views on the Venezuela amendment to the Sugar Act which I and others will be offering on the floor. Unfortunately, I cannot share your views with respect to the appropriate response by the United States in this instance, and hope that you might consider some of the reasons with the same thought and care I hope I have exercised in reflecting on your good letter.

To begin with, it is perhaps useful to emphasize once again, as I have in my recent statements, that the amendment represents a response to a general economic situation which I am persuaded can no longer be ignored—and that it is not a gratuitous singling out of Venezuela per se for condemnation. Indeed, I join in being encouraged by the progress demonstrated by Venezuela toward democratic government over the past fifteen years and applaud their vigorous resistance to attempted communist inroads, particularly by the communist dictatorship in Cuba. My amendment is not intended, nor in all sobriety do I believe there is any evidence to suggest it would have the effect, of altering the basic posture of the country of Venezuela in this regard. For I believe that posture is formulated not as some corollary to the state of Venezuela's relations with the United States at any given moment on a single economic matter, but on their own recognition of self-interest, self-dependence, spirit of nationalist pride and feeling, and philosophical maturity.

If, in fact, that posture of anti-communism rests on maintaining in any given instance the ability to wreak economic havoc in the United States without response from us, then that posture is weak and fragile indeed and Venezuela would seem not to merit the laudatory regard I join in extending to it for its accomplishments and progress the past 15 years after all. I happen to believe, and I think the evidence indicates when viewed dispassionately, that the basic posture of Venezuela viz a vis the communist world rests on stronger bases than you perhaps extend credit to it for so resting.

I also join, quite obviously, in welcoming such signs of friendship towards the United States as have been exhibited on some occasions. In the instance at hand, however, the people of my own State of Florida, particularly those on small fixed incomes, who are confronted with skyrocketing fuel bills because of Venezuela's wholly unjustified and rapacious pricing policies may perhaps be forgiven for feeling that with friends like that, we may not need enemies.

With respect to the mutual amity and understanding you feel has characterized discussions between Venezuela and the United States over differences where they exist, that mutual amity has not served in the past year to relieve the enormous burden placed on American consumers, nor has the State Department yet been able to furnish me any reason for hope that such discussions show any sign of relieving the burden any time in the foreseeable future. Nor have they been able to provide such assurances with respect to the other OPEC countries. Mutual amity and understanding in this instance therefore, I fear, is dependent upon the continued willingness of our country to allow Venezuela to proceed with the rape of American consumers undisturbed. I do not believe it is the responsibility of our government or of the Congress, however, to continue to leave that situation undisturbed. The economic consequences not only to our own country but to all of the world—and most particularly to the poorer nations of the Third World for which Venezuela asserts such concern at the same time it creates such economic havoc—are now too serious in my judgment to permit our continued indifference.

With respect to the posture of reasonableness you indicate Venezuela has generally taken toward foreign business investments compared to some other Latin American countries, my response I'm afraid must be that I am less concerned at the moment with the gentle treatment accorded to multinational oil conglommerates than I am with the genuine and serious hardship being worked on the average-income citizens of my State of Florida, some of whom now experience electric utility bills almost doubled in size over last year at this time.

Venezuela, of course, would have to determine its own response in the event the message my amendment contemplates is sent to it, and indirectly sent to all OPEC countries. But should Venezuela choose to take the route you suggest, I think it is clear that as the only real world agricultural power, the United States is scarcely the helpless and pitiful giant our absent response toward oil price gouging and boycott of the past year has suggested. I earnestly believe it is time to make that abundantly clear to the oil producing nations of the world. I believe we can applaud the achievements of Venezuela long and loudly without feeding the interests of our own deprived consumers and the requirements of our own minimum economic health to the insatiable appetite of Venezuelan foreign economic policy for greater and greater oil profits at our expense.

With respect to the credibility of the threat, which is not a word I have employed, that might attend the suspension of a sugar quota for Venezuela to retain their quota would appear to indicate that action with

respect to that quota carries some degree of credibility. But it is intended that the sending of a measured, limited, restrained message at this time serve the function of placing the oil producing nations on timely notice—and it is intended that the ultimate capacity of our country to assert our own economic self-interested if pressed and forced to do so carry the even more credible and important message.

I appreciate the concern of Venezuela with their own sense of nationalistic pride. It is a virtue I believe we would do well to consider adopting for the ultimate benefit of our own people. But Venezuelan pride, in my view, cannot rest on the right to exploit American consumers without protest if we are to fulfill our own basic obligations to our own constituents. Venezuela must find its pride in more equitable relations with the United States and the rest of the world. My firm belief is that Venezuela knows exactly what it has been doing the past year with respect to its oil gouging price policies. In response to the message my amendment contemplates sending, it may react with unconvincing righteous indignation and appeals to injured innocence—or it can proceed to restore the quota, the means for which are provided in my suspension amendment, by resort to that spirit of amity and understanding they have exhibited on other matters and other occasions.

My personal respect for your position and achievements as a genuinely constructive Member of the Congress might lead me to wish I could agree with your reasoning on this particular matter, but I regret I cannot. But I hope that I might, in closing, adequately communicate my own feeling that in the end this amendment is not the mere response to a feeling of frustration, as you suggest at one point; but is, rather, I believe, a sober and merited response required by the economic realities that now govern the international monetary situation and threaten not only our own country but the worldwide economy. I believe economic stability requires, from a coldly practical standpoint, that countervailing forces be launched which only we can set in motion if there is to be a beginning of movement back toward world economic equilibrium, an equilibrium now in such ominous shape that we in the Congress must all turn our most sober and effective attention toward it and the formulation of an adequate response if real disaster is to be averted.

I hope you will appreciate that this is the basic motivation and nature of my proposed amendment and thinking in general, and that I of course fully respect that others might reach varying conclusions as to what our response should be. But I hope you will agree with me, in any event, that a worthwhile purpose is served by inaugurating debate on this most serious threat to economic stability at home and abroad and finding together as colleagues a remedy that will be strong and effective.

With best regards,

BILL GUNTER,
Member of Congress.

HOMECOMING AT NIH

HON. DAVID R. OBEY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 29, 1974

Mr. OBEY. Mr. Speaker, the May 31 issue of Science carries an item headed, "What NIH Needs Is a Party," which reports the concern of friends of the National Institutes of Health that morale there is slumping, and that something is needed, "to revitalize its dampened spirits."

That something is a party, in the view of NIH alumnus, Sidney Udenfriend, and what he has in mind is a homecoming, scheduled for next spring, "to which the thousands of men and women who have studied and worked at NIH over the years would be invited to honor their alma mater."

I think the Science article gives a good account of why the friends of NIH are concerned—for example, "indications that some of the country's highest-ranking scientists and politicians are wondering whether it might not be perfectly all right to allow NIH to diminish in scope and stature." I should like to insert the article at this point:

WHAT NIH NEEDS IS A PARTY

The NIH needs a shot in the arm, something to revitalize its dampened spirits, according to its friends who, for many months, have been worried about rumors that NIH is going downhill.

There are reports that the intramural program is being financially starved. There are stories that many of NIH's brightest scientists are thinking of leaving because they are not able to recruit new people under the federal government's stringent hiring freeze.

And there are indications that some of the country's highest-ranking scientists and politicians are wondering whether it might not be perfectly all right to allow NIH to diminish in scope and stature. There are those who believe that the money that goes to the intramural program should be spent in private institutions (their own), and that there is no necessity for the government to maintain NIH as a research center of intellectual excellence when there are places on the outside competing for funds. There are those who might be content to see NIH become simply an administrative center, a body without a mind.

It is no surprise that scientists who treasure the special intellectual and research qualities of NIH are outraged by the mere hint of such heresy. It drives them to NIH's defense. "The intramural program sets the scientific tone of the entire extramural program. . . . Should the intramural program in Bethesda be allowed to deteriorate, the whole NIH effort will suffer," declares Sidney Udenfriend, one of NIH's most stalwart supporters.

Udenfriend is director of the Roche Institute of Molecular Biology in Nutley, New Jersey, and an alumnus of NIH where, for many years, he was head of clinical biochemistry at the National Heart Institute. He has decided that what NIH needs is a party. What he has in mind is a homecoming to which the thousands of men and women who have studied and worked at NIH over the years would be invited to honor their alma mater.

Udenfriend has taken steps to arrange such a reunion. With the consent of NIH director Robert Stone and DeWitt Stetten, the deputy director for science, Udenfriend has sent letters to more than 25 NIH alumni asking them to serve on the reunion committee. "I think you will realize how important this event can be to the future of the NIH," he wrote. "The type of homecoming I have in mind will include widespread publicity and participation of leaders in Congress and the press. It should contribute to an improvement in the morale of the staff in Bethesda and emphasize to our national leaders and to the American public the significant training role of this great Institute." No one turned him down.

The homecoming is scheduled for next spring, 19 and 20 April. "We chose that weekend," Udenfriend says, "because it comes at the close of the federation meetings in Atlantic City. We don't intend to make this an expensive affair so we decided to pick a time when a lot of our alumni will be in the area anyway."

The exact format of the reunion has not been decided—Udenfriend welcomes suggestions—but it is likely to emphasize NIH's past scientific accomplishments. [Many of them were catalogued recently by NIH scientists trying to explain to Health, Education, and Welfare Secretary Caspar Weinberger why it would be a bad idea to charge Clinical Center patients, each of whom is a research subject, for hospitalization (*Science*, 23 November 1973)].

Another likely feature of the reunion, designed to save money and promote friendship, is a "take an alumnus home to dinner" program in which present NIH scientists would be encouraged to offer some modest hospitality to their visitors.

As yet, no decision has been made about whether there will be a homecoming king and queen but, if there are, you can bet they will be chosen by peer review.

GOVERNMENT WORKERS: ELITE

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 29, 1974

Mr. FORD. Mr. Speaker, on Sunday, April 28, 1974, several newspapers across the country carried an Associated Press story entitled "Government Workers: Elite." This unsigned article was a vicious attempt at setting the worker in the private sector against his fellows in the public sector for the further benefit of big business.

The Associated Press article included a welter of statistics designed to "prove" that Government employees are "overpaid and overpensioned." This unknown author concluded that—

> Pensions (for government employees) are a major reason for the spiraling taxpayer burden.

At the same time he makes sure to note a U.S. Chamber of Commerce source warning that:

> In the competition for good employees, federal wages drive up private wages, fueling inflation.

It is obvious that this last "warning" is the real thrust and purpose of the article. Big business is naturally concerned about the inflationary effect of a raise in Government salaries—when it might result in a larger wage bill for them as industry workers seek the benefits that Government employees have struggled for.

Vincent L. Connery, national president of the National Treasury Employees Union, has answered these slanderous charges against Government workers in a hard-hitting article in the National Treasury Employees Union Bulletin for May 1–20, 1974. He makes it clear that the rosy picture of a Government "elite" is not a true picture of a labor force that has had to endure promotion restrictions, downgradings and reductions-in-force over the past few years. The collection of half-truths in the Associated

Press article gives a very distorted picture of the real situation and Mr. Connery does a very fine job in pointing this out. I would like to insert at this point a copy of Mr. Connery's "comments" in the RECORD.

PRESIDENT CONNERY COMMENTS

On Sunday, April 28, 1974, numerous newspapers across the country carried an Associated Press article entitled "Government Workers: Elite." The story, which understandably carried only the Associated Press byline and not a specific author, is nothing more than an outrageous slander of Federal employees.

It is impossible in one column to deal adequately with the blatant inaccuracies, misstatements of fact, and complete and utter bias of the article. Rather than presenting a reasonably accurate picture of pay and fringe benefits in the Federal government, the article so distorts and twists the truth that it is impossible for the uninformed reader to distinguish fact from fiction.

To suit its slanderous purpose, the article combines the Federal workforce with state, country, and municipal employees as well as postal workers. Nowhere, for example, is there the slightest indication that Federal employees as a percentage of the total United States population have considerably declined over the past 20 years.

In an effort to mask this fact, since it obviously does not meet with the intentions of those who wrote the article, Federal employees are merged with the fast growing state, county, and municipal workforce. Throughout the article, Federal employees are distinguished from other public sector workers except in this instance when all public employees are lumped together and described as "government workers." In this, the article deliberately mixes apples and oranges so that the authors are able to paint the picture of a government workforce gone wild. Yet, even schoolchildren in classes know that the vast increase in the U.S. population since World War II days demands a corresponding increase in city and municipal employees to service rapidly growing communities.

Once again, by combining postal workers and Federal employees, the authors of the article have consciously chosen to mislead the readers by stating that "Federal salaries rose 12.8 percent in 1973." In fact, as every federal employee is well aware, the October 1973 comparability adjustment for General Schedule employees was an average 4.77 percent. Nowhere is this explained in the article; nor does the article mention the fact that Federal employees have suffered a nearly 4 percent loss in comparability in the past few years and have been forced to endure promotion restrictions, downgradings, and reductions-in-force.

Instead of a full explanation of the cited statistics, the article only confuses the reader by printing half-truths and exaggerated statements such as the totally erroneous example of the Federal government secretary making "$19,246 per year." In reality, of course, any Federal secretary would love to accept a salary of one-half of this amount. Even allowing for this blatant overstatement, it does not go to the basic unfairness of citing one example in a workforce or over 2 million; and even if this example is correct, which it is not, the article violates the most fundamental logical precept of jumping from the particular to the universal.

The Associated Press article then goes on to say: "Many state and local governments have adopted the federal system of paying a retired employee 70 to 80 percent of his average wage the last years on the job. As a result, pensions are a major reason for the spiraling taxpayer burden. Federal pension payments have risen from $1.3 billion in 1964 to $4.6 billion last year, and officials estimate they'll be $12 billion in 1994." This statement is one of the most infuriating distortions of a host within a host of inaccuracies.

A Federal employee retiring after 30 years of service receives 56 percent of the average wage for his last three years on the job. This applies to more than 99 percent of all retirees, flatly and without equivocation. The article cites a considerable increase in what they term "Federal pension payments." This again, obviously, gives the reader the false impression that such payments are made directly to Federal retirees.

In point of fact, these payments are made to a Government trust and the reason for the increase in recent years is only because of a Federal law which mandated that the Government fund the trust; something which it had refused to do during the period 1920–1956 inclusive and for all, save a few years, thereafter well into the 1960s. Thus, the Federal government left this fund in an actuarially bankrupt condition unable to pay the pensions. In other words, the sharp rise in costs was the same that would occur to any householder who had ignored his bills for 36 years and then was forced to make up the differenec on a 10 year installment plan.

According to the Associated Press article, an "average" employee who earned $13,200 a year retires on a $10,560 pension. Once again, rather than "average," the article cites the maximum possible pension that could be paid under the law and only to a person who retires with more than 40 years of government service. The "average" government employee earning $13,200 per year would retire at a maximum pension of $7,425, less a 10 per cent reduction for the husband or wife beneficiary.

There is much in Federal personnel administration that can be decried and there is, perhaps, even more in Federal spending that can be legitimately attacked. But the Federal worker who has been forced time after time to pay for all of the ills of the establishment certainly does not need the Associated Press on his back.

Stories such as the Associated Press diatribe do a vast disservice to all American workers. The article panders to the interests of the American businessman in placing private sector worker-readers against their fellows in the public sector. It toadies to the U.S. Chamber of Commerce, the propaganda arm of American business, in their never ending campaign to distort the wage picture in both the public and private sectors.

The anonymous author of this AP story must have been a White House plumber (expletive deleted).

PROTECTION OF THE WORLD'S WHALES

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 29, 1974

Mr. DINGELL. Mr. Speaker, Mr. GROVER and I are introducing legislation today to amend the Fishermen's Protective Act to increase the ability of the President to ban the importation of products from countries whose nationals are found to be in violation of an international fisheries conservation program.

In 1971, the Congress amended this legislation to enable the President to forbid the importation of fish products from such countries, upon a certification by the Secretary of Commerce that such violations were in fact occurring. As far as I know, this section of the law has never been implemented, although investigations are currently underway by the Secretary of Commerce.

The immediate problem, to which this legislation is particularly addressed, arises from the activities of the Japanese and Soviet whaling fleets. Under the terms of the International Whaling Convention, nations are restricted as to the types and number of whales that they may catch. I will not go into the details of the precise issue which confronts us today other than to say that the Japanese and Soviet Governments have formally notified the International Whaling Commission that they will not be bound by the restrictions approved last June upon certain types of whaling activities and that these actions appear to me clearly to trigger the sanctions provided in the Fishermen's Protective Act.

The unilateral and intransigent positions adopted by the whaling nations require a strong and positive response by this Nation and by the other nations of the world. In some manner, the message must be communicated that this attitude cannot be tolerated and that international conservation agreements must be carefully and responsibly adhered to, lest the resources themselves be destroyed. The bill introduced today serves this purpose.

It is clear that, at least with respect to Japan, the ability of this country to close off our markets to fish products is of considerable significance. This country presently imports over 75 percent of the fish we eat and a very great percentage of this is Japanese in origin. It is clear that the language of the existing law would be of assistance, if the decision were made to impose the sanctions provided in it.

At the same time, however, we must bear in mind the fact that we live in a protein-hungry world, and that other markets can be found for these fishery products, if Japan chooses to develop them: there is a seller's market in world fish products today. Accordingly, it may not be so great a burden to impose the sanctions authorized by present law, and the burden will lessen over time.

The bill increases the power of the President to impose additional sanctions upon countries which choose to violate or ignore international conservation agreements. It steps up our power to increase the prohibition to cover other products than fish products alone. I believe that it will not be viewed with indifference by any of the members of the International Whaling Commission, nor should it. The weapon which it creates is a meaningful one, and should be used with extreme care.

We are watching with great interest the current negotiations which involve the future of the International Whaling Commission. The next meeting of the Commission is scheduled to be held in June and a member of the staff of the Committee on Merchant Marine and Fisheries will be present during that meeting. If my own schedule permits, I will also be present. This meeting may well indicate the direction in which the

Commission is going, and whether or not there is any useful purpose to be served by allowing it to continue. It may also suggest, in stronger form than has yet been done, the need for prompt action by the Congress along the lines of this bill.

The bill H.R. 15039, follows:

H.R. 15039

To amend the Fishermen's Protective Act of 1967 in order to strengthen the import restrictions which may be imposed to deter foreign countries from conducting fishing operations which adversely affect international fishery conservation programs

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 8 of the Fishermen's Protective Act of 1967 (22 U.S.C. 1978) is amended—

(1) by inserting "(1)" immediately after "Sec. 8. (a)";

(2) by inserting immediately before subsection (b) the following new paragraph:

"(2) If the President, after directing the Secretary of the Treasury to impose any prohibition pursuant to paragraph (1), determines that such prohibition is not effective in deterring the offending country from engaging in harmful fishing operations, he may direct the Secretary of the Treasury to prohibit the bringing or the importation into the United States of any or all products which are the growth, produce, or manufacture of the offending country (including any fish products not subject to the prohibition imposed pursuant to paragraph (1)) for such duration as he deems appropriate and to the extent that the prohibition imposed pursuant to this paragraph is sanctioned by the General Agreement on Tariffs and Trade.";

(3) by amending the second sentence of subsection (b) to read as follows: "In the event the President fails to direct the Secretary of the Treasury—

"(1) to prohibit, pursuant to subsection (a)(1), the importation of fish products of the offending country, or if such prohibition does not cover all fish products of the offending country; or

"(2) to prohibit, pursuant to subsection (a)(2), the importation of any product of the offending country after the President determines that the prohibition imposed pursuant to subsection (a)(1) is ineffective the President shall inform the Congress of the reasons therefor."; and

(4) by striking out "fish products" each place it occurs in subsections (c), (d) and (e) and inserting in lieu thereof "products".

THEY GAVE US LOVE—THEY GAVE US STRENGTH

HON. RICHARD F. VANDER VEEN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 29, 1974

Mr. VANDER VEEN. Mr. Speaker, I rise before the House to pay tribute today to two citizens of Grand Rapids, Mich. I have known Dr. Louise Schnute and Dr. Mark Dick for many years. This wonderful husband and wife team of pediatricians have served the inner city in Grand Rapids for almost two-score years.

Dr. Mark and Dr. Louise, after these nearly 40 years of self sacrifice and dedication to the neediest little Americans and their mothers, will be retiring from fulltime practice. Plans are tentatively made for semiretirement in Colorado.

I want to take this opportunity to thank them for the many years of service, and for the many individual acts of compassion and sacrifice, stretching down the years. I also wish them many years of happiness and fulfillment. But, most importantly, I want to try to express what the careers of these remarkable physicians have meant to me and have taught me and my own family. That meaning and that lesson have been what true leadership is all about.

The question of leadership is very much in the public mind today. Americans are struggling to redefine the values that make up leadership worthy of the name. The example of Dr. Mark and Dr. Louise are certainly guideposts that all Americans can look to in our seeking for the substance, and undertaking the effectiveness of true leadership.

Their leadership was example. Whether it was climbing the stairs of a tenement to treat a sick mother, or to bring her child into the world, or to heal the children troubled in body or in soul—all these they did, and did in a quiet, but terribly effective way.

Frankly, Dr. Mark and Dr. Louise are the kind of leaders I personally prefer. They pursued and achieved lives of personal excellence in public service. They feel things and people very deeply. They have loved and suffered much in this striving and this achieving and serving.

Mr. Speaker, it is easy to think that those who live their lives of personal sacrifice and devotion with quiet dignity and public distinction, have an easy time of it. But it takes a strong love and an equally strong will to continue to give yourself—day after day—year after year—decade after decade.

Grand Rapids will miss this remarkable team. Their many, many patients will never forget them. We all have become better able to understand ourselves, and to understand how we too can be of service, all by living alongside Dr. Mark Dick and Dr. Louise Schnute.

Mr. Speaker, I am proud to make this statement before the House. I hope those who read my words in Washington, in Michigan, across the Nation and throughout the world, will also be able to learn from this living example of leadership.

LESLIE ARRIES SPEAKS ABOUT NEW SOURCES OF PERSONAL ENERGY

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 29, 1974

Mr. KEMP. Mr. Speaker, Les Arries, Jr., general manager of Buffalo, N.Y.'s WBEN Inc. and a good friend of mine, was one of the featured speakers during St. Paul's Cathedral Lenten Series, 1974.

In a deeply moving address, Les outlined what he sees as some of the most serious issues facing America—our loss of personal privacy, our inability to face accelerating change, the inbreeding which afflicts American education, and the urgent need to reestablish a proper balance between the executive, legislative, and judicial branches of Government.

Equally important, however, Les Arries talked about the responsibility which rests with each American to contribute to the process of dynamic change which America is in the midst of. As Les Arries said:

It is not enough to live in a free, strong America, taking the good things it has to offer without helping in return to insure its future. Any individual, each and everyone of us, can and should be making a contribution to our country's future.

I commend Les Arries' address to the attention of each of my colleagues. It is an extraordinary document worthy of the serious review of all Americans.

The address follows:

NEW SOURCES OF PERSONAL ENERGY

(By Leslie G. Arries, Jr.)

A plaque hangs just inside the door in my office. It is called "A Broadcaster's Prayer" and it reads: "Dear God: Give me the wisdom to know right from wrong, truth from falsehood, honest opinion from propaganda. Give me the courage to face all issues without fear, with the inherent faith that in fulfilling Thy will I may discharge to the utmost my responsibility as a Broadcaster under God. Give me the strength, strength of body to withstand the rigors and strains of never satiated public demands, as a mediator of conflicting opinions and ideologies, strength of mind to refuse at all costs the temptations to prostitute my services as a Broadcaster to selfish or partisan purposes, strength of spirit to defend at all cost the freedom of the individual as a creature of God. Let me serve mankind with this most powerful force for good in Thy Holy Name. Amen."

That really describes the charter under which I personally operate.

As a broadcaster responsible to the people of this community, it is necessary, particularly if your station or stations editorialize, to have a grasp on many of the problems, concerns, and interests of our society.

I have a lot of concerns as a Broadcaster, as a citizen of Western New York and as an American.

One of my deepest concerns is the extent to which we, as individuals, in this great nation, have lost our personal freedoms. I believe it started with President Franklin Roosevelt. I am sure that Norman Thomas, the outstanding Socialist, died happy even without becoming President of the United States for which he often ran, because before his death he saw this country move far down the road to a socialistic society. He saw that government at all levels, city, state and federal, was making decisions and designing programs for the good of the group rather than the individual. I don't believe most Americans, and particularly the "under 30," realize how much individual freedom has been lost. Let me give you just one example.

The Internal Revenue Service can go to your bank (even though they have no charges against you and you, in no way, have broken the law) and demand and receive all your records and individual checks for as far back as they want. The bank cannot stop their request. The bank cannot inform you it's happening, and you are powerless to act. I asked my bank to sign a form that they would not release any information about me to anyone except bank examiners without first obtaining my permission or at least advising me. No dice! Because they themselves have no way of refusing the IRS demand.

Congressman Jack Kemp has a bill which he hopes to get passed in this session of Congress that will change this, and insure privacy for the individual in many other areas too.

More than two years ago, Gene Pulliam, the

Pulitzer Prize winning editor of the Indianapolis Star, wrote a front page editorial on the subject "Will the Federal Bureaucracy Destroy Individual Freedom in America?" His opening sentence reads:

"The most serious threat to freedom in America today—including freedom of the press—comes from a Federal bureaucracy which seems determined to gain control over every facet of American life."

There are three other quotes from this editorial I would like to read.

"This is not a partisan issue. As a matter of fact, there are now three great parties in America—the Democratic party, the Republican party and the Federal bureaucracy. Of the three, the Federal bureaucracy is the strongest and most powerful because it is the best organized and is protected from political reprisal by civil service."

"Entrenched behind the safety of civil service tenure, the bureaucrats always proclaim that they are acting in the public interest and proceed to issue decree after decree, having the full force and effect of law, whereas not 20 per cent of the bureaucratic rules and regulations and orders are ever voted on by the Congress.

"Most democracies have been destroyed by centralized bureaucracies—or at least by the rule of organized minorities."

I was so impressed with what he had to say that I sent out over 300 copies of this editorial to community leaders in Western New York. I don't know whether or not you have thought about it but I'm sure if you do, you will be able to offer many examples of the loss of personal freedom in our society to the group ideology. You can start with seat belts.

Let's think about something else. Change. Do you realize the rate at which Americans are being asked to assimilate change? How many of you have read Alvin Toffler's book "Future Shock"? It is text book kind of reading but well worth the effort. Americans have always prided themselves in their abilities to handle change, but for the last 10 to 15 years we have been getting it at a rate that we find very hard to handle. When I say "we" I mean the over-35 crowd. Those who were raised by parents who thought and taught that food, clothing and shelter for yourself and your family were the basic goals, and that God, country and the American flag were worth fighting for. As a matter of fact, deep down, most of the 50+ers resent the rate of change and some of the things they are being asked to accept as part of change. That is why, in part, they responded so strongly in support of Agnew when he unleased the "silent majority" a few years back. His target, the media, like the messengers of old, were to be condemned because we showed or told of the changes taking place in our society, or dared to suggest that further changes were necessary. I don't think the rate of change will slow down in the near future but increase if anything.

On February 4th, the Buffalo Evening News on pages 6 and 7 of Section I carried these headlines with supporting stories which clearly show no slow down in government spending or government control of our lives:

1. Nixon Seeking 1.3 Billion Dollars to Upgrade Mass Transit, with Priority for Buses,
2. 1.7 Billion Dollars Aid Asked for College Students,
3. 1.7 Billion Dollars More Sought to Improve the Environment,
4. Income-Security Spending will top 100 Billion Dollars.
5. 3.77 Billion Dollars for Space,
6. Modest Increases in Spending for Arts, Humanities (82 million dollars),
7. 1.6 Billion Dollars Provided for U.S. Energy Hunt,
8. $10,300 Pay Hike Asked for Congress Over Next 3 Years (34 million dollars the 1st year),
9. 85.8 Billion Dollar Budget for Defense Urges New Nuclear Arms Research,
10. U.S. Military Aid to Viets to Double (1.45 billion dollars),
11. Health Budget Stresses Efforts to Aid Areas Needing Medical Care (369 million dollars),
12. Doubling of Funds Proposed for Checks on Food Plants (195 million dollars),
13. 37 Billion Dollar Fiscal Cushion is Hopeful Projection for 1978,
14. 2.8 Million Dollars is Earmarked to Pay for Watergate Probe, and
15. Your Debt Share: $2,380.75 (but by July 1, 1975, the national debt will be 508 billion dollars).

Do you think the American people exercise their proper responsibility to tell their elected representatives and government officials what programs and services they approve of and what programs and services they want modified or discontinued? I don't. How often do you talk to or write your congressmen, mayor, or governor?

Let's change the subject to one which I feel strongly about—our educational system. I am very concerned about the inbreeding that takes place in our educational system. Today's teachers go through high school and college; then they may get a masters or doctors degree; and then they get a job in teaching. They have absolutely no idea of the American free enterprise system or gross national product or what really developed this country and made it the leader of the free world. Such in-breeding with cocker spaniels made the breed nervous and jerky.

Yet, these educators have control of this country's most important resource for the future—the minds of our young people. It is frightening to me. They have been turning out graduates for some ten years now who are anti-business, anti-advertising, and willing to turn over all control of their lives to government as long as they can develop their inter-personal and human relationships.

They have also been programmed, yes I said programmed, for change. There is that word again.

Recently, I visited a new, very modern school system in this area. A typical third grader had no place to hang his hat or coat, no desk, the walls of the classroom were some days arranged in a rectangle, some days in a circle, some days in a square; some days no walls; some days he sat down with his 3rd grade classmates; some days with 4th or 5th graders; if he felt like it, he could do cartwheels in the midst of a group reading session; in other words, he couldn't count on system, he was exposed to very little discipline and he was being given distorted points of view about America and most of our social issues.

I can't help but wonder if some 10 years down the road when the last of the World War II veterans are too old to do anything about it and one of this country's enemies confronts, challenges and attacks us, whether these young people under this kind of educational system will stand and fight. It is hard to see what they believe in except causes—Nader's, the Symbionese, the Vietnam deserters, etc.

If I had my way, no future teacher could engage in that profession without 3 years in business, and existing teachers would have to spend the next 5 summers working in business.

Our company has been active in two areas in an effort to do what we can to correct this situation. First, we support a Junior Achievement Company. The Junior Achievement program is one in which young people of high school age form a company, elect officers, decide upon and produce a product or service, sell it, issue stock, issue an annual statement and hopefully pay a dividend. I have seen young people who have no idea of the free enterprise system become, for the first time, aware of how we have built our economy and nation.

Another step which we have encouraged is to help establish a continuing series of meetings between various businessmen and educators at the high school level. These meetings have provided insights in both directions.

Watergate—The one result I hope will come from Watergate is the re-establishment of balance among the Executive, the Legislative and the Judicial. Starting with FDR and each president since has added to it, the Executive has taken, many times by the default of the Congress, more and more and more control. I think the wiser heads in Washington on Capitol Hill have seen the damage being done to our American system of government, and are willing to set aside party politics and to take the necessary steps to reverse the trend. It is a very difficult trend to turn around and expensive to do, also.

When the government submits its annual budget it is so voluminous that no committee of Congress, or even the full Congress, could possibly begin to exercise proper control and supervision. In the matter of computers, which could be a tremendous help in analysing such information, Congressman Jim Hastings tells me that the administration has 300 to the Congress' 60. But Congress must exercise fiscal responsibility if they are ever to regain proper balance with the Executive branch of government.

Your program this month is about new sources of personal energy. As a committed member of this society with deep concerns, some of which you have just heard, my energy derives from my desires to contribute or help in any way I can to support what I believe in. For me, this is totally separate from my job.

However, my job as a broadcaster does include the responsibility to inform, educate and to bring the news in balance to our audiences as well as to entertain them. Broadcasting, in my opinion, has become the leading social force in our society. Roper and Harris polls indicate more people turn to broadcasting for news and information than to any other source.

That is why WBEN-TV does an hour of local news and why our radio stations have so many 15 minute news programs. Why we have more prime time public affairs programs in radio and television, and why we have such a large news staff. That is why I have no sympathy for "happy talk" or "show biz" news programs, or why I feel "up to 57 minutes of music per hour" is not fulfilling a broadcaster's responsibility to his community.

The fuel for continued efforts on my part came twice recently when the TV station and I received the Abe Lincoln Award as determined by fellow broadcasters and when a development fund drive which I am heading for a local hospital went over the top. I took these opportunities to give special thanks to God, too.

The people have soured on government at all levels and are suspicious of government officials and elected representatives. The mistrust is not without foundation. But the people have been unwilling in the past to make the commitment to change what they didn't like, to make the system work or revise it. In my opinion, it is not enough to live in a free, strong America, taking the good things it has to offer without helping in return to insure its future. Any individual, each and everyone of us, can and should be making a contribution to our country's future.

I want to conclude with some thoughts from Theodore Roosevelt:

"TO THE MAN IN THE ARENA

"It is not the critic who counts, not the man who points out how the strong man stumbled or where the doer of deeds could have done them better. The credit belongs to the man who is actually in the arena; whose face is marred by dust and sweat and blood; who strives valiantly; who errs and comes short again and again; who knows the great enthusiasms, the great devotions, and spends himself in a worthy cause; who, at the best, knows the triumph of high achievement; and who, at the worst, if he fails, at least fails while daring greatly, so that his place shall never be with those cold and timid souls who know neither victory or defeat."

Thank you.

REDS HOPE CONGRESS WILL MOVE TO KILL HISC

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 29, 1974

Mr. ASHBROOK. Mr. Speaker, it is indeed fitting that, during the period when Joseph Cardinal Mindszenty has honored us by his presence here in the United States, I am able to share with my colleagues excerpts from a news release from the Cardinal Mindszenty Foundation of St. Louis, Mo., of April 18, 1974, entitled "Reds Hope Congress Will Move to Kill HISC."

Additionally, I am pleased to offer for the public record a letter of March 11, 1974, to the chairman of the House Committee on Internal Security, Mr. RICHARD ICHORD, from the Bishop Emeritus and chairman of the board of the American Hungarian Federation, the Right Reverend Zoltan Beky, D.D. Bishop Beky's gracious comment about the committee's "pioneering work in exposing revolutionary subversive groups" will not go unnoticed by Mr. ICHORD whose first activity as chairman in 1969 was to fully focus the committee's rights on revolutionary-action organizations. Copies of the letter were sent to many Members of the House.

I welcome, as the committee's ranking minority member, the kind expressions of support from both of these patriotic organizations and wish particularly, on the occasion of the visit of that respected and revered "rebel," the Hungarian Primate, to draw attention to the ironical course of circumstances which found both His Eminence and the Soviet delegation of Deputies of the Supreme Soviet on Capitol Hill at the same time.

One of the members of the Soviet delegation, A. B. Chakovsky, reportedly complained that—

There are some few American politicians who attempt to interfere in Soviet domestic affairs, and we don't like it.

Need I remind the House Members that there were "some few" Soviet armies which "interfered" in the domestic affairs of Hungary, in the mid-forties, capturing that beleaguered nation—symbolized by the inhuman tortures suffered by the Cardinal—for communism, and which again, at the behest of Soviet "politicians" reinvaded Hungary in 1956 when she showed signs of successfully rebelling against the Kremlin's civil and military puppets in Budapest.

The mere physical presence in Washington of Cardinal Mindszenty testifies to the burning spirit of this remarkable man and to his people whose persecution should lend courage to all freedom-loving peoples everywhere. The final chapter in this tragic story has not as yet been written he confidently informed two members of my staff during his reception in a House office building.

The above-mentioned documents follow:

REDS HOPE CONGRESS WILL MOVE TO KILL HISC

When the U.S. Senate voted in 1972 to cut off funds—thereby terminating—the Subversive Activities Control Board, the Communist Daily World cheered in a front-page editorial headlined "The Road to Victory" saying: "We campaigned for that." The Reds will soon be cheering the demise of the House Internal Security subcommittee unless the American public wakes up and protests moves by anti-internal security forces to legislate HISC to death.

The Committee and its predecessor, the House Committee on Un-American Activities, have been prime targets of Communist "abolition" efforts for over 40 years, and no wonder. Recent areas investigated by HISC include Communist influences in the U.S., breaches of internal security and Red agitation and coordination of riots and revolution in the streets.

The many hearings the Committee has held since 1973 are reflected in published HISC reports now available from the Superintendent of Public Documents including such studies as "The Communist Party, U.S.A.—Defender of Soviet Anti-Semitism," "Subservience of Communist Party, USA to Communist Party of the Soviet Union," "Communist Party, USA Attempts to Repenetrate the Trade Union Movement," and "Revolutionary Target: The American Penal System."

The Communists want to see that the excellent work the Committee is doing in an attempt to educate the public about the strategy, tactics and propaganda of Communism against the free world is ended. Chances are 50–50 that their hopes will be realized in 1974.

ABOLITION HISTORY

In 1960 an anti-security lobby was established and funded to campaign for an end to the investigation of Communist activity in the U.S. This organization was originally called "The National Committee to Abolish HUAC" but is now known as the "National Committee Against Repressive Legislation." It has a full-time Washington lobbyist and ample funds and the Communist influence behind the scenes has been well documented. The principal strategy of the anti-HISC group has been to call for the committee's abolishment by transferring its jurisdiction to another committee. The situation today is this: Rep. Richard Bolling (D-Mo.) one of the House of Representatives' staunchest anti-HISC foes—has proposed abolition of the House Committee on Internal Security and the transfer of its jurisdiction, but not its responsibilities or staff, to . . . Government Operations Committee. This move would deal the final death blow to HISC.

CLEVER STRATEGY

Longtime congressional observers say that Bolling's proposal is one of the cleverest bits of legal strategy ever used against HISC (or its predecessor, the House Committee on Un-American Activities). Congressmen who would *never* vote directly against HISC (or now do so and tell their constituents they were only casting their lots to "streamline" congressional committee structure and save taxpayers' money.

In March, 1973 the House vote was 289–101 in favor of giving HISC its small $475,000 budget. The Bolling "efficiency" stratagem pales when held up to, for example, the millions of wasted taxpayers' dollars congress approves for subsidizing U.S.-Communist "Trade" deals.

Nevertheless, over the years anti-security propaganda efforts have succeeded in narrowing congressional support for any HISC-type committee investigating subversive activities in the U.S. Example: In 1973 in California, the most populous U.S. state, 20 out of 43 representatives voted *against* funding HISC which, ironically, is the only governmental agency to date that has done in-depth investigation of the California-based terrorist Symbionese Liberation Army.

* * * * *

Editor-Publisher William Randolph Hearst comments in his March 3 column as follows:

"The all important point is that if the Polling committee recommendation is adopted, it will almost certainly finish the kind of vigorous continuing probe of subversive activity for which the HUAC-HISC has been noted."

* * * * *

LAST DEFENSE

HISC is now conducting extensive public hearings on the many aspects of terrorism and its effect on the American Internal security situation. It is also investigating attempts by anti-security forces to prevent the FBI from collecting intelligence about subversives. It is imperative that this important work continues.

Here is how effective those forces that want to end such investigations have been in the past:

On June 30, 1973, the Subversive Activities Control Board was terminated.

In May, 1973 the Internal Security Division of the Department of Justice was terminated.

The Department of Defense has stopped investigating disruptions by radicals and anti-military activists and destroyed its internal security files.

Anti-security forces have pressured police intelligence units, such as the New York City Police Intelligence department, to curtail investigation of subversives by instigating numerous lawsuits. As a result the courts have ordered many intelligence files to be destroyed.

The Government Loyalty Security Program has been cut back so much that it exists now in name only.

The House Internal Security Committee, under the strong chairmanship of Rep. Richard Ichord (D-Mo.), may well be one of America's last defenses against the kind of Communist-instigated terrorism that is on the increase all over the world. Legislating HISC out of existence would be one of the great tragedies and mistakes in this country's history.

AMERICAN HUNGARIAN FEDERATION,
March 11, 1974.

Hon. RICHARD ICHORD,
Chairman, House Internal Security Committee, Washington, D.C.

DEAR CONGRESSMAN ICHORD: Our organization, representing most American Hungarian churches, organizations, and fraternal societies for the past 67 years, has been recently informed of the plan of the Select Committee on Committees to abolish the HCIS and to merge it with the House Judiciary Committee.

We are very much aware of the basic and excellent work of your Committee in the past in exposing subversive elements and foreign agents in this country and we applaud your pioneering work in exposing revo-

lutionary subversive groups in the United States, most recently by your report on the Symbionese Liberation Army.

It is our opinion in which the great majority of American citizens of Hungarian descent join us, that the HCIS should not be abolished but remain as an independent unit as it performs significant legislative tasks and that attention should be given to a possible enlargement of its budget and jurisdiction in view of resurgent urban guerilla groups and tactics in the U.S.

Please be assured of our continued support for your Committee. We are writing in support of HCIS also to Rep. Richard Bolling.

With best regards, we are

Sincerely yours,

Rt. Rev. ZOLTAN BEKY, D.D.,
Bishop emeritus,
Chairman of the Board.

COMPLAINTS ABOUT QUALITY OF TAPWATER

HON. WILLIAM LEHMAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 29, 1974

Mr. LEHMAN. Mr. Speaker, on a recent walking tour of the Norland-Norwood area of the 13th District, I encountered numerous complaints about the quality of the water being provided to residents there.

Charges have been filed in criminal court against utility companies operating water plants in the north Dade area by the Dade County Pollution Control Office for selling cloudy, discolored, ill-smelling, and ill-tasting water. The office was only recently empowered by the Dade County Board of Commissioners to enforce water quality regulations.

The problem has been further exacerbated by the recent drought. In Carol City, Norland and Norwood, citizens are finding it almost impossible to drink the tapwater.

Carol City utilities is already in criminal court on charges brought by the pollution control office on its inferior water. Sampling is being conducted daily, and a moratorium has been placed on any expansion of the plant until the water quality reaches an acceptable level.

Charges have been filed against North Miami Beach utility and the Broward Water Service. Much of the same conditions have been found in the water these companies are supplying as well.

While the first steps being taken by the office are commendable, the delay in initiating action is inexcusable. A family's health may be seriously imperiled by poor water quality, and the residents in these areas are understandably anxious to see their water quality brought up to a reasonable standard.

I have been advised by the Environmental Protection Agency that authority to clean up the water had been given to the Dade County Pollution Control Office because of the drought. However, despite EPA's delegation of enforcement authority to the office, EPA can reassume its original authority to improve the water quality if the situation becomes a major health problem. I have advised EPA that I will call on them if residents in these areas do not see significant improvement in their water quality in the very near future.

I am inserting into the RECORD the correspondence I have had with Mr. Colin Morrissey, chief enforcement officer of the Dade County Pollution Control Office:

MAY 14, 1974.

Mr. COLIN MORRISSEY,
Chief Enforcement Officer, Dade County Pollution Control Office, Miami, Fla.

DEAR MR. MORRISSEY: I have been receiving very disturbing reports concerning the quality of the water supply in the Carol City, Norland and Norwood areas.

A great many residents of these areas have told me that the water now has a very disagreeable taste and odor. In addition, it contains excessive sediment. It is feared that these may be signs of a problem which could threaten the health of area residents.

I would like to know what Dade County is doing to correct this problem and when the residents of these areas may expect significant improvement in the quality of their water.

I have already been in touch with the Environmental Protection Agency in Washington regarding this matter and I stand ready to help in any way if you should require Federal assistance to solve this problem.

Thank you for your cooperation.

With best wishes, I am,

Sincerely,

WILLIAM LEHMAN,
Member of Congress.

MAY 22, 1974.

Hon. WILLIAM LEHMAN,
Member of Congress, House of Representatives, Washington, D.C.

DEAR MR. LEHMAN: On April 16, 1974, the Board of County Commissioners passed and adopted an emergency ordinance which made Chapter 10D–4, "Water Supplies" a part of Chapter 24, Pollution Control Ordinance, by reference. Said Section known as 24–9 authorizes the Pollution Control Officer to enforce any violations of Chapter 10D–4 of the Division of Health.

Pursuant to said authority under Section 24–9, this department commenced investigating complaints of poor quality water being supplied to consumers by Carol City Utilities, Broward Water Services, Inc., and the City of North Miami Beach Utilities serving the Norwood area. Samples of potable water taken at complainants' homes on April 24, 1974 revealed that the complaints were justified and that the physical properties of the water were in violation of turbidity and color and that the chemical properties of the water revealed excessive quantities of iron.

Predicated on the results of said samples, the Pollution Control Department on May 2, 1974, filed forty-four (44) charges in County Court against said utilities for supplying potable water in violation of 10D–4.03(8)(12) (Potable Water Standards).

As of this time, we have not received a date for arraignment. Engineering inspections conducted by this department on April 29, 1974 revealed that both Carol City Utilities and the City or North Miami Beach Utilities were in active progress to upgrade and expand their facilities.

At the present time the Miami-Dade Water and Sewer Authority, the Dade County Health Department and the Pollution Control Department are working together in a concerted effort to, as expeditiously as possible, guarantee that the quality of potable water delivered to the consumers of Dade County is in compliance with the standards, to wit:

"Building holds are being imposed in service areas where the quality and water pressure are found to be below standards. Said building permit holds remain in effect until the utilities effected correct their problems.

"The Pollution Control Department has initiated a continual sampling program and has set up a potable water section composed of water engineers to evaluate the water utilities. Predicated on the results of our samplings and our engineering evaluations violations will be issued to be followed by court actions in all those cases where it is found the administrative means to obtain compliance are not accomplishing their purposes."

We are of the opinion that our enforcement program now in progress will quickly put the water utilities on the road to compliance.

Very truly yours,

COLIN MORRISSEY,
Director, Dade County Pollution Control.

HARRY McDONOUGH

HON. JOE MOAKLEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 29, 1974

Mr. MOAKLEY. Mr. Speaker, the development of youth in our society today has to be one of our highest priorities. Constantly bombarded by the social, technological, and political changes which occur with such frequency nowadays, our Nation's young people need means of developing their physical and mental capabilities to keep up with these rapidly changing times.

With this pressing need for assistance to the younger generation, it is always heartening to see interest developed and effectively carried out.

Harry McDonough, a good neighbor in South Boston and a close friend, is a man who has devoted much of his own time and effort into the type of program which will help to fulfill this need.

Harry has combined his intense desire to help youngsters with his exceptional talents as a sailor to institute a program of sailing instruction for Boston area school-age children.

A supervisor inspector with the U.S. Customs Service, Harry has been active for many years running the Pleasure Bay sailing program in South Boston, and has implemented such innovative ideas as a sailing program for the blind, and a program of instruction through South Boston High School—certainly an unusual but exciting part of the high school curriculum.

Such devotion to youth welfare, at his own expense and time, has not gone unnoticed. Harry has been lauded by many organizations for his work, and his programs have frequently been outlined in the media. Last year, he was recognized as "Yachting's Man of the Year" by Yacht Racing Union of Massachusetts Bay.

I would like to bring to the attention of my colleagues in the House the full story of the efforts of Harry McDonough on behalf of young people. Three articles have appeared recently in the Boston press citing his work. I would like to insert these now in the RECORD for inspection by my colleagues and the American people.

The second article capsulizes the work Harry has done, and describes accurately the character of this fine man and public servant.

The first article, which appeared in the spring 1973 edition of Customs Today, a publication of the U.S. Customs Service, clearly points out the hard work of this energetic man in assisting our young people.

The articles follow:

HARRY J. MCDONOUGH KEEPS YOUNGSTERS AFLOAT

"A youngster is better off in a sailboat than on a street corner," says Harry J. McDonough, a supervisory inspector in the Boston District. An avid sailor himself, McDonough is so convinced of this, he spends his offduty time managing a South Boston area program that teaches gradeschool youngsters how to handle sailboats in Boston harbor.

McDonough joined Customs as a messenger in 1953, but sailing has been his lifelong hobby. "My father had a 100-foot schooner called the 'Harvard'. He used to take a lot of other youngsters for a sail every time he could. I guess I'm continuing his efforts on a larger scale."

The youth-oriented Boston inspector remembers how much he enjoyed sailing with his father. He also recalls how much the other youngsters liked it too. In 1964 he decided to start a boating program that would enable South Boston area children to learn and enjoy his favorite hobby.

"I started contacting everybody I thought could help," McDonough says. "I'm from South Boston. I know there are families there that can't afford sailing lessons. So I convinced businessmen, city officials, and boat enthusiasts to do something for them.

"The more time kids spend in boats in the company of adults who care about them, the better off they'll be. Sailing sure beats hanging around a drugstore.

"At first all we had was a few boys and girls being invited for rides in my friends' boats. Now, after eight years' work by a lot of people, we have a full-fledged training program going with 600 kids enrolled," McDonough says.

"The first time I saw a boy climb into a sailboat with his eyes wide open in anticipation it was worth all the work."

The Boston inspector had done this kind of work before when he started the South Boston Youth Hockey Program. At present 500 young people, aged five to 16, participate in the program at the Murphy skating rink, just across the street from the sailing club.

Besides McDonough, the seamanship program has a few other experienced volunteer instructors. "As for equipment, if it hadn't been for some kind-hearted businessmen we wouldn't have any at all," McDonough says.

"We have had rafts, life-jackets, and even a headquarters building donated. Most important are the boats: 30 new 12-foot-long Kingfish' class boats. They're seldom idle."

Although he doesn't talk much about it, McDonough has received several awards for his work. One, presented to him last fall, was the "Yachting's Man of the Year" award. It came from the Yacht Racing Union of Massachusetts Bay.

Introducing grade schoolers to boating provides more benefits than just fresh air and exercise, according to McDonough.

"It's easy for a youngster to get off to a bad start in any urban area—and South Boston is no exception.

"When you get kids interested in sports being taught by adults interested in their becoming good citizens, you're making a good investment in their future—and your city's too.

"Part of a youngster's development is influenced by his or her associates, and you can't find a nicer group of people anywhere than sailboat enthusiasts. They're the greatest," McDonough says.

MCDONOUGH FAMILY RISES TO SAILING PROMINENCE

(By Arthur Sullivan)

There have been some famous old names in the sailing circles of Massachusetts but today we are talking of a new family making nautical history, the McDonoughs of South Boston.

Harry, the Hurricane of the gridiron, and his daughter, Barbara, a 22-year-old beauty, who has been climbing the ladder of sailing since she was a tyke, are the newcomers.

First time we saw Harry in action was at the old Braves field. He was ripping holes in high school lines and only just beginning to take a serious interest in sailing and sailboats. South Boston High was his fighting ground and then he went down to the Bay for his fun and action.

He found sailing stimulating, challenging as football, and knew it took plenty of courage to whip a foe and wind. But he soon outdistanced most around him until his combative soul sought other challenges.

He found a big one seven years ago and he and his daughter, Barbara, who works in D.A. Garry Burns office as a secretary, teamed up to fulfill this growing ambition.

Harry puts it this way. "I have always been obsessed with the idea that kids should have an opportunity to do something that would get them off the doorsteps and street corners.

"I wasn't just thinking of developing Olympic sailors but there is nothing wrong with that, I was just thinking of giving some fun to youngsters who could not otherwise find the opportunity.

Pretty Barbara, ruling as Queen of the New England Boat Show which opened Saturday at the Commonwealth Pier, then piped up, "my dad and the rest of the family were always interested in sailing. I found a liking for it early when I was just about four-years-old and have been at it since.

"When Dad first talked about helping kids to learn to sail I volunteered to help and he was glad. I started racing when I was 11 mainly in the 210 and 110 classes." Then she sighed a big sigh as she looked over her shoulder at the New England Show to gaze on 150 sailing craft and continued:

"But it was a sport I thoroughly enjoyed and knew I could communicate with the kids whom dad might recruit."

So Harry and Barbara went to work and started to give classes and soon the kids began to flock to his classes on the waterfront across the street from where he had started a hockey program earlier.

Today there are some 500 kids in the program boasts Barbara and she hopes more will come when classes reopen.

But the McDonoughs now have another dream. They hope with the help they have been getting from the M.D.C. and Rep. Gerald O'Leary, that a sports complex can be developed where year round classes in sailing or any other phase of sport can go on.

His idea is stirring interest on many fronts and not only children but adults have already signed for the new sailing classes.

In the plan each person who joins the class will have to pass a swimming test.

Harry with a wide grin of approval of his darling daughter went on, "we plan to start with kids ten years old at first and later hopefully lower the age limit to six if they can pass the swimming test."

Then Harry had a pat on the back for Simon Fireman, who is showing his marine hardwares at the New England Show telling how the Atlantic Avenue businessman donated 100 life jackets to the program.

He heaped praise on Gerry O'Leary and Commissioner Sears for their part and emphasized that the sailing program is not just for South Boston folk. "Anyone can join," said the energetic Customs man.

Another goal of the McDonoughs is to get to the State Dept. of Education and ask it to start a sailing team at each school. "We can take care of 30 teams in South Boston," he added as he talked about the hopes for the future.

In the training fleet the McDonoughs use, there are 30 Kingfisher boats, 12 feet long and he gets help from a faculty that includes Marty McDonough, no relation to Harry and Pam O'Day, daughter of George, the Olympic Gold Medalist.

So when you visit the New England Boat Show don't be surprised if you see Harry on the prowl looking for students and supplies.

This third article speaks of the innovation found in much of Harry's work, outlining the programs he has instituted for sailing instruction for the blind, as well as detailing his latest ideas in youth development areas:

MDC MAKES IT CLEAR SAILING FOR BLIND

(By Pamela Constable)

It is a hot, sticky afternoon at Castle Island. Beach blankets clutter the sand, radios blare, children catcall from the piers and step in melted popsicles.

Silently streaking across Pleasure Bay, away from the clammy din, is a sleek, 20-foot sailboat. Its skipper listens attentively for the flapping sound of luffing sails, delicately balanced between a 60-degree heel and capsizing.

The skipper feels the hot sun beating down on his head, but he does not see the clouds, nor the puffed out mainsail, nor the tiller he is grasping. He is blind.

An implausible scene? Up until this May, yes. But not since Harry McDonough decided that even blind children should have the chance to learn a sport which he has loved for over 45 years.

McDonough runs the Metropolitan District Commission's summer sailing program, which began late last August after a nine-year struggle to secure funding and has been growing by leaps and bounds ever since.

"It was a question of stick-to-it-wity." McDonough, a grizzled salt in battered khakis, straddled the prow of his pet 21-foot sailboat, Cherokee Lady, describing his efforts at politically maneuvering his lifetime dream of a free sailing program into reality.

Nine years and many connections since he began the fight, he now has everything he wanted: a fleet of 30 (soon to be 40) fiberglass "Kingfishers," four larger boats donated for instruction, a clubhouse, two Boston Whalers for rescue, and over 200 applicants for the junior program alone.

"Anyone who can swim 75 yards will be admitted to the program," said McDonough, and he means it. The youngest child in his afternoon class is eight, and the oldest member of his senior citizens' class in his 60s.

In fact the senior citizens' class boasts a quite distinguished honorary member, McDonough's longtime sailing companion ex-House speaker John W. McCormack, who is 81.

* * * * *

when McDonough noticed a woman on the dock describing to her blind son what the sailing class was doing.

"It hit me like a sledgehammer," McDonough recounted, "that the way my father taught me to sail was by blindfolding me."

"Blind people's affliction makes them better sailors," said McDonough, pausing from splicing a mainsheet. "They have much better sensitivity to balance and feel, which are the basics of sailing. They also have no concept of fear, which is the stumbling block of many seeing would-be sailors."

McDonough's blind students are now able to skipper a boat with only one other person aboard to warn them of approaching obstacles. A regatta is planned for them in September, for which McDonough has con-

cocted buoys with cowbells to direct the sailors audibly.

Perhaps his most ambitious plan is a program for mentally retarded children, which he has arranged with several institutions in the Boston area. "It's going to be difficult," he admits, "but in this country everyone should have the opportunity to learn how to have fun."

Much of his program's success is the result of friends' donations. Along with the fiberglas fleet, four larger racing boats have been given to the program, as have 300 life preservers, by sympathetic residents. Even Senator Edward Kennedy has offered the use of his yacht for a day of sailing by the junior class.

"You find many people are just waiting to give," McDonough, the eternal optimist, explains. "Only no one ever asks them."

His prime concern is safety. "This is no hockey rink," he says grimly. "That's death out there, and we've gone too far to have it ruined by tragedy." His "handpicked" staff includes his son John, 20. Boston teacher Marty McDonough (no relation), John Foley, and Fred Ahearn.

So far, over 200 youngsters have applied to the program alone, and McDonough expects more applications during the summer. "It's no great mystery," he said. "Word of mouth has spread this thing like wildfire."

Now there are over 200 kids enrolled in the program and they get plenty of time in the dinghies McDonough was able to get. Next summer he figures there will be more than 300 youngsters learning to sail and that's 300 kids off the streets, 300 kids learning something great.

"We've been given a couple of 210s for the program," Harry said, "and we got them because the members are changing the rig again. It's getting so the average man cannot keep up with the cost of this and rather than go through it all again, they give the boats away.

"Let them keep it up and ruin the class. We'll own all the boats if they want to stay that foolish."

Harry also pleaded with the big boat men—Ted Hood, Buzz Schofield, Norm Cressy and the others—to spend one day afloat with the kids.

"It would be the biggest thing that ever happened to some of those kids," McDonough said.

"They never would forget sailing on a 45 or 50-footer and it would prove to them that despite their backgrounds and financial conditions, they also can make it to the top. It would give them incentive. It would give them a goal in life. Little things like this help make better Americans."

Finally, this fourth article from the Boston Globe, provides a record of Harry's greatest recognition, that of the presentation to him of the "Yachting's Man of the Year Award" by the Yacht Racing Union of Massachusetts Bay. This certainly is the ultimate reward for such a dedicated man as Harry, and its inclusion here in the RECORD is well deserved:

YACHTING AWARDS PRESENTED: HARRY MCDONOUGH, "MAN OF THE YEAR"

(By John Ahern)

There's a wonderful trophy awarded each year by the Yacht Racing Union of Massachusetts Bay and for men who take part in the sailing game the winning of it comes only second to a free pass to heaven.

It's called the Distinguished Yachtsman Award or Yachting's Man of the Year and the identity of the winner isn't known until the moment he or she is asked to come to the rostrum.

The other night at Pier Four, Harry McDonough nearly went over the side when King Durant, the outgoing president of the group, asked him to step forward and say a few words. After getting the prize, of course.

Now it's a rare day when Harry isn't quick to react and it's even rarer when he doesn't have something to say, especially about the junior program he has been getting off the ground for a lot of years. But he recovered in time and was the hit of the great night as he explained how his program, under MDC auspices, at Pleasure Bay (that's at Castle Island if you don't know the territory) is progressing and he had a few words for the 210 Class skipper as well, hot words at that.

"I had no idea why I was there and I was getting kind of itchy," Harry explained. "I wanted to get home and do some planning on the project but John Murphy talked me into coming and he talked me into staying. And then when King called me to the head table, I couldn't move. I never dreamed never once, that I might be the winner. I've had some thrills and this has to be the biggest one."

Years ago Harry got the idea that kids with no money would profit by learning to sail. He cajoled people to take these youngsters from the city streets out for a sail. He talked the MDC into thinking of a sailing program at Castle Island.

Harry rang every bell of every politician he could find, selling his idea. It took seven years and it was worth it.

U.S. RESPONSE TO OIL GOUGING

HON. BILL GUNTER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 29, 1974

Mr. GUNTER. Mr. Speaker, in connection with the amendment to be offered to suspend Venezuela's sugar quota until such time as fair oil prices are restored, I recently placed in the RECORD the general views of respected economist Eliot Janeway with regard to the need to fashion an overall response to the oil pricing policies of the OPEC countries.

At this time I would like to place in the RECORD the views of economic writer Hobart Rowen along the same lines as his column appeared in a local newspaper on May 23, 1974.

In particular, I would like to call the attention of my colleagues to Mr. Rowen's timely reference to the OPEC countries "for the special and sudden burden they have placed on the rest of the world, notably on poor countries, by a fourfold increase in the price of oil within a year's time."

Mr. Rowen also observes:

If the United States decided to price wheat the way OPEC prices oil, it has enough leverage on the market to get $20 a bushel.

The point is that the United States has no desire to reap such returns at the expense of our neighbors. But neither, Mr. Speaker, do we wish—nor can our own consumers afford—to furnish financial bonanzas to oil rich countries who have made it abundantly clear they are only too delighted to reap such returns at the expense of the United States and their other neighbors.

Eliot Janeway argued with insight and understanding, I believe, that until the United States begins asserting its own economic leverage again, equilibrium will not be restored to the world marketplace.

The amendment I will be offering with other colleagues to the Sugar Act to suspend Venezuela's quota until such time as it returns to fair and equitable oil pricing policies for the United States can serve as a clear signal that the Congress is determined to do what is necessary to restore world economic stability.

The text of Mr. Rowen's column follows:

[From the Washington Post, May 23, 1974]

THE OIL CARTEL AND DEVELOPMENT AID

(By Hobart Rowen)

Despite the noble efforts of IMF Managing Director H. Johannes Witteveen, the oil cartel countries have been willing to cough up only small amounts of money to help the oil-importing countries meet the outrageous prices that the cartel itself has set.

The defense offered by the Organization of Petroleum Exporting Countries (OPEC) is a mixture of clever rhetoric and sheer arrogance. In essence, they argue that the cartel countries have not become truly rich like the industrialized West, but merely more "liquid"; that oil prices are still below the level that should be achieved to balance off inflation in other commodities; and that the West—notably the United States and Canada—are soaking the poor countries by extortionate prices for food.

Dr. Abderrahman Khene, the Secretary-General of OPEC, made the rounds here recently, delivering this pitch. He argues that the industrial nations have been raising the prices of their manufactured goods and food, and that the problem of the poor countries thus didn't start with OPEC.

Agriculture policy in this country, of course, has stupidly contributed to inflation. But as Dr. Khene knows, the price of wheat bears a close relationship to weather and crop yields—a matter quite different from a half-dozen oil sheikhs sitting down in Teheran, arbitrarily deciding on a price for oil that costs 10 to 30 cents a barrel to produce—a cost that hasn't varied.

If the United States decided to price wheat the way OPEC prices oil, it has enough leverage on the market to get $20 a bushel.

But there is little doubt that the major countries of the world, especially the United States, must be faulted for lack of generosity in development aid. Far from meeting the recommended goal of 1 per cent of total Gross National Product, U.S. development aid is about one-fourth of that figure, ranking 15th in a list of 16 wealthy countries.

That does not excuse the OPEC countries for the special and sudden burden they have placed on the rest of the world, notably on the poor countries, by a four-fold increase in the price of oil within a year's time.

When Dr. Khene talks of OPEC's "moderation" and "wisdom" in "limiting" the price of oil to provide a government-take of $7 a barrel, he is talking economic nonsense. The abrupt shift of $50 to $60 billion of resources from the oil-consuming countries to OPEC (even if some of the burden is postponed by financing schemes) is beginning to raise havoc in industrial as well as less developed nations.

"In thinking about the effects of the sharply higher oil price," Federal Reserve adviser Robert Solomon said in a thoughtful speech the other day, "I have found it useful to view it as a sales tax on consumption. The imposition of this 'tax' has raised the price of petroleum products."

Solomon, vice chairman of the Committee of Twenty Deputies, points out that the OPEC countries "must lend their enlarged revenues" back to those who are paying through the nose for their oil.

But not much is coming back. Against the $52 billion increase in OPEC surpluses this year alone projected by Witteveen (to a total of $65 billion), the total amount pledged

for a special IMF "facility" is some $2.8 billion.

Much has been made of some sales of oil at concessional terms to India. But the concessions don't seem overly generous—and in total, are a drop in the bucket. For example, India will get about $100 million worth of oil from Iraq and a similar amount from Iran in special deals. Against that, India's extra cost for oil this year is more than $1 billion.

The need to get cash into the hands of the hardest-hit countries is so desperate that the World Bank is scraping together about $150 million by diverting some of the International Development Agency (IDA) funds—pitifully small to begin with—to the poorest countries on the list.

International agencies calculate that higher oil, food, fertilizer, and capital goods costs to the poor nations this year will run about $6 billion more than what they will recover in higher export prices.

Assistance by the IMF and other international agencies, plus a reduction of reserves will cover $4 billion, leaving a minimum of $2 billion in new assistance needed by the poor countries. Projections are that this minimum "gap" will increase to $2.5 billion in 1975, and run to $4 or $5 billion a year from 1976 to 1980.

In the immediate and desperate period ahead, the United Nations is trying to get contributions—in any form—that would work out to roughly a 50–50 share between the industrialized world and OPEC.

But the industrialized world, even if it comes through with contributions this year equal to OPEC's, is likely to resist carrying an equal share into the future.

The strong view of the United States, as it sees new OPECs over the horizon for bauxite and other commodities, is that the biggest part of the burden ought to fall on those who create the problem.

PASSING OF THOMAS R. HAY

HON. ANGELO D. RONCALLO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 29, 1974

Mr. RONCALLO of New York. Mr. Speaker, Long Island has lost a distinguished member of its community with the passing of Thomas R. Hay, a historian and electrical engineer who died Sunday at Glen Cove Community Hospital. Hay, a Locust Valley resident since 1941, edited and wrote for various electrical engineering trade magazines. However, his daughter, Edith Hay Wyckoff, publisher of the weekly Locust Valley Leader, said:

History was the whole thing. He just did the engineering to put food on the table.

A specialist on the South's role in the Civil War, Hay wrote a number of books on Southern generals, including James Longstreet and John Bell Hood. He was working on a biography of Gen. John Bankhead Magruder when he died. Hay contributed to various historical journals and encyclopedias and had a 1,000-volume historical research library in his home.

While we mourn his passing and share his family's grief and loss, we are heartened by the fact that his works will remain among us long after we are all gone.

TRIBUTE TO REV. ANTHONY H. ABATE

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 29, 1974

Mr. BIAGGI. Mr. Speaker, on Saturday June 1, Mrs. Biaggi and I will join hundreds of our friends and neighbors from the Bronx in paying tribute to Rev. Anthony H. Abate, O.F.M., associate pastor of the Church of Our Lady of Pity. Father Abate will be celebrating the joyous occasion of his 25th year of service to our Lord as a priest and teacher. It is only fitting that as Father Abate reaches this milestone, we, his friends and parishioners, take time to congratulate him, and cite some of the many accomplishments he has made to the communities he has worked.

While Father Abate's quarter century of service has brought him to several different localities, he likes to refer to the Bronx as his home. Father Anthony H. Abate was born in Brooklyn, and completed much of his early education here, including his days in preparation for the priesthood. He received his degree from St. Bonaventure College in 1955, and was ordained into the priesthood on June 24, 1956.

Father Abate donated the majority of the next 10 years to the teaching of young men, first in Boston, and then in the Bronx at Cardinal Hayes High School. The young men who attended Cardinal Hayes from 1962–67 remain grateful today for the dedication and guidance which Father Abate provided them during those years.

Following his happy years in teaching, Father Abate embarked upon an equally meaningful career at the Church of Our Lady of Pity where he has been since 1967. Father Abate in his years at Our Lady of Pity has represented the epitome of what the modern day priest should be in our present-day society. He has combined a respect for the traditions of the past with a keen realization of the needs of the present. He has demonstrated in both word and deed that the concept of today's priest is based as much on work done outside the church as inside.

An example of Father Abate's work on behalf of the South Bronx community has been his work as chairman of the Morris Cortlandt Neighborhood Association. This organization was formed to rehabilitate some of the ravaged areas of the South Bronx which had fallen victim to incomplete urban "progress." Father Abate, when he arrived at Our Lady of Pity, was alarmed at the lack of housing units for poor citizens. The association, made up of representatives of the archdiocese of New York, as well as from the city and State governments, has as their primary objective to provide hundreds of new housing units for the elderly and handicapped residents of this community.

Father Abate's seemingly tireless work on behalf of the association has gained him the respect and acclaim of thousands of New Yorkers, and has brought him that much closer to the people he serves in the South Bronx.

Father Abate and I have had numerous contacts in his years at Our Lady of Pity. I have seen and heard of his sensitivity for people and overriding desire to provide whatever assistance necessary. He and I had the pleasure of working together in 1972 on behalf of a young man from Italy, Patricio Vitrello, who was seeking to come to the United States for treatment of a grave kidney disease. While I was fortunate in my efforts to secure his admission to this country, it was Father Abate who took personal supervision of the welfare of this young boy. He was able to acquire the services of one of the foremost kidney specialists in this Nation, Dr. Samuel Kountz, who performed the kidney transplant which was needed to save the boy's life. The transplant was initially successful, but complications set in after young Vitrello returned to Europe. Father Abate did not abandon his commitment, but instead brought the young man back for further treatments and as a result of his dedicated efforts, the young man today is a happy and growing individual with a promising future.

In addition to his previously mentioned duties, Father Abate still finds time to serve as the chaplain for the Anchor Clubs of America, Branch 52, as well as the director of the Third Order of St. Francis.

Personally, Father Abate is a man who relishes his life as a priest. He sees his role in today's society to be based on providing people with spiritual leadership and moral guidance. He is a man who is not content to see the world as it is, but rather seeks to change that which he considers unjust or wrong. He is a man whose perseverance allows him to succeed in these efforts.

Mr. Speaker, it is a rare privilege and honor to pay tribute to a man of the caliber of Father Anthony H. Abate. There are many words of praise which could be dedicated to Father Abate, but he for one would feel uncomfortable receiving them.

Rather let us follow the adage, actions speak louder than words, for it would be far more appropriate if we were to carry on our lives in the same traditions of Christian love and brotherhood which has characterized the life of this great servant of God, Father Anthony H. Abate.

MEL LAIRD WRITES ABOUT THE USE OF THE VETO

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 29, 1974

Mr. KEMP. Mr. Speaker, before the concept of a veto-proof Congress is ac-

corded inordinate praise by the members of the majority, I recommend they read a recent article appearing in Reader's Digest, written by our former colleague, Presidential adviser, and Secretary of Defense, the Honorable Mel Laird. Entitled "The Veto: Key to Effective Government," the article points out that the veto is indeed one of a President's primary weapons in the continuing process of enacting legislation which meets the criteria of both the executive and the Congress.

Mel Laird argues convincingly that it is a weapon which is neither outmoded nor often ill-used. In fact, the veto has a solid record of accomplishment in preserving a proper balance between the executive and the legislative branches, especially as it relates to keeping the Federal budget from growing out of sight.

I recommend the article highly.

The article follows:

[From the Reader's Digest, June 1974]

THE VETO: KEY TO EFFECTIVE GOVERNMENT

(By Melvin R. Laird)

Soon after the 93rd Congress convened in January 1973, a classic difference of opinion arose between the executive and legislative branches of our government. President Nixon sent to Capitol Hill a new vocational rehabilitation program for handicapped persons, requesting $700 million a year—or 90 percent *increase* over the amount in the budget when he first took office. Whereupon Congress authorized $1.166 billion, nearly double the President's request. Convinced not only that the figure was dangerously inflationary, but that such a huge sum could not be spent effectively, the President vetoed the bill.

When Congress failed to muster the support necessary to override the veto and there was the consequent possibility of no new help for the handicapped, I met with House and Senate leaders to hammer out a compromise. Result: the vocational rehabilitation program was enacted at a spending level ($725 million) that the President could approve—and taxpayers could credit the veto with a savings of $441 million.

Critics liken the veto to executive tyranny, "thwarting the will of the majority." Efforts are being made by some special-interest groups to elect in November what is called a "veto-proof" Congress. Such scare terminology does a real disservice to public understanding of the veto power. Indeed, after more than 20 years' service in Congress and with the executive branch, I am convinced that the much-maligned veto is actually crucial to the effective operation of our government.

The veto procedure—spelled out in Article I, Section 7, of the Constitution—is simple. Each bill passed by both the House and the Senate is sent to the President. If he signs it, the bill becomes law. However, he may "veto" (Latin for "I forbid") the bill by returning it to Congress with a statement of his objections.* The President's disapproval may then be overridden by a two-thirds vote of both Houses of Congress.

Thus, the veto allows the President to intervene in the legislative process, blocking bills he considers unwise and forcing others to be rewritten. While a negative action, it becomes in practice a positive force, usually leading to reasonable compromises between Congress and the President. Most important, the veto is never absolute. Congress always has the final word through its ability to override. (In fact, the Founding Fathers wrote the veto provision into the Constitution mainly out of a fear that Congress would otherwise run roughshod over the President.)

In my view, the veto is therefore the sole constitutional power a President has to prevent hasty or ill-considered laws. The correct response to excessive spending programs enacted by Congress is the veto—not the impoundment, of appropriated funds. Accordingly, I agree with recent court decisions that struck down several attempts by the Nixon Administration not to carry out programs passed by Congress and signed into law.

Over the years, the veto has evolved from a little-used device for expressing purely constitutional objections to legislation into a broad weapon of Presidential leadership. Washington exercised the power twice, Adams and Jefferson not at all. It was Andrew Jackson who paved the way for future activist Presidents with numerous vetoes designed to push his concept of "popular sovereignty." In four terms Franklin D. Roosevelt rejected 635 bills. He used vetoes and the threat of vetoes to influence important national programs including farm bills, highways and labor relations. In all our Presidents have cast 2292 vetoes with President Nixon using the veto comparatively sparingly. (See box).

I have seen firsthand how the veto power has often contributed to good legislation and responsible government. Used properly the veto can mean:

TAX DOLLARS SAVED

The President's budget last year called for a record $31.6-billion appropriation for the departments of Labor and Health, Education and Welfare. Despite this the Senate voted to increase the figure by $1.8 billion! Acting for the Administration, I passed the word that the higher figure was clearly excessive. Nevertheless when the appropriation bill emerged from a House-Senate conference the spending level was still nearly $1.3 billion over the President's budget.

Seeking to avert an impasse, I met separately with House and Senate leaders, advising them that unless at least $400 million was cut from the Labor-HEW bill, I would recommend that the President veto it. I didn't threaten. I simply said, "You can override if you want; but the President can't be responsible to the taxpayers for the larger amount."

The prospect of a veto led to a sound compromise. The House voted to recommit the bill to conference, and Congress eventually voted to cut the additional $400 million. Thus, the bargaining power of the veto led Congress to lop close to $1 billion from the amount it would otherwise have appropriated.

Congressmen sometimes vote for an excessive appropriation because of inordinate pressure exerted on them by groups in their particular districts. It is fortunate for the country that a President, presumably trying to serve the best interests of all the people, has the power to veto such a measure. Many of the Congressmen may recognize the merit of a veto and hence have no disposition to override it.

UNWISE LEGISLATION CURBED

For years, the Democratic majority in Congress had differed with the Nixon Administration over the role of manpower-training programs, Congress, prodded by organized labor, demanded that such programs include vast sums to place unemployed on the public payroll. The President insisted that "WPA-type jobs" had no place in a training program, and vetoed two bills containing public-employment provisions.

Last summer, soon after I became a domestic adviser to the President, I dropped in on AFL–CIO president George Meany—a long-time, valued friend—and told him that the manpower bill then before Congress would be vetoed if it included an unrestricted public-employment program. "Let's work out a compromise," I suggested; he agreed. By the end of 1973, Meany and labor's many supporters in Congress accepted a "triggering" provision whereby public-service jobs would be confined to areas of the country with substantial (6.5 percent) unemployment.

A LEADERSHIP WEAPON PROVIDED

Historian Edward S. Corwin has accurately described the veto as a "weapon" of Presidential leadership. I agree, but would add that, like any weapon, it can be abused. For example, Andrew Jackson vetoed several pieces of legislation primarily because of his bitterness against Sen. Henry Clay, leader of Jackson's opposition in Congress. James Buchanan was accused of vetoing a bill to dredge a channel in Michigan only because that state had supported his opponent.

The vast power of the veto, with rare exceptions, should be directed only toward major national or constitutional issues, regardless of what positions differing sides may take. I recall that in 1960, Congress, under extreme pressure from federal-employe unions whose members converged on Washington by the thousands, passed a 7.5-percent pay raise for government workers—at a cost of nearly a billion dollars for the first year alone. President Eisenhower, worried about the adverse effect on the economy, called the pay boost "fiscal and legislative irresponsibility" and vetoed it, despite tremendous election-year pressure not to. Congress overrode the veto. To my mind, his veto stands as one of the most courageous Presidential acts in recent history.

Another classic executive-legislative confrontation took place last year when the Senate and House overrode President Nixon's veto to enact the War Powers Bill. Once again, the veto served as the Founding Fathers intended. From his viewpoint, the Chief Executive had every right to feel that the bill restricting his war-making powers was "both unconstitutional and dangerous" and cast his veto accordingly. On the other hand, Congress, reflecting a strong conviction that under the Constitution it and not the President must raise troops and declare war, acted properly in overriding the veto.

The American constitutional system has existed longer than any other democratic government in the world today. This system, in which both members of Congress and the President hold fixed terms, and have independent powers and responsibilities, has given the United States stable, responsive government for nearly 200 years. At a time when the institutions of government face severe attack, it is vital that we remember the solid record of accomplishment that our form of government—including the veto power—has achieved.

Presidential vetoes in office and average per year

	Vetoes	Average
Theodore Roosevelt	82	10.9
William Howard Taft	39	9.8
Woodrow Wilson	44	5.5
Warren Harding	6	2.5
Calvin Coolidge	50	8.9
Herbert Hoover	37	9.3
Franklin Roosevelt	635	52.5
Harry Truman	250	32.1
Dwight Eisenhower	181	22.6
John Kennedy	21	7.5
Lyndon Johnson	30	5.8
Richard Nixon	42	8.0

* The Constitution provides that the President has ten days (excepting Sundays) to veto a bill. If Congress adjourns before the ten days are up the President may kill the bill simply by failing to sign it. This is known as a "pocket" veto.

ADDRESS BY HON. L. J. ANDOLSEK

HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 29, 1974

Mr. DORN. Mr. Speaker, on May 1 of this year the District of Columbia Department of the Veterans of Foreign Wars conferred its Loyalty Award upon a distinguished American, U.S. Civil Service Commissioner Ludwig J. "Lud" Andolsek. Commander David C. Hungate, Loyalty Day Chairman A. Leo Anderson, and Ladies Auxiliary President Mrs. Margaret Donesa, are to be commended for their efforts in focusing attention on "loyalty"—an attribute so vital to the continued well being of this great Nation.

I have long respected Lud Andolsek for the diligent and successful effort he made in rising from the hearth of a iron miner's cabin in Minnesota to high office in our national Government, for his outstanding military service in wartime, and for his superb service as a member of the Civil Service Commission.

His acceptance remarks upon receiving the esteemed Loyalty Award are themselves indicative of the man who was honored, and of the wisdom of the VFW in selecting its winner. As chairman of the House Committee on Veterans' Affairs I include his remarks in the RECORD so that they may be shared by my colleagues and our fellow Americans:

WORKING FOR PATRIOTISM

(By Commissioner L. J. Andolsek)

Everyone in this room has already proved his willingness to serve his country in foreign fields. I wonder if you are now willing to work for your country at home.

I say that without any real doubt. But our country is in a strange mood. We are waiting for the other shoe to drop. And many of the things we hold dear seem to be slipping away as we wait.

It is not always popular to talk about patriotism. I'm glad this is a place where it is popular. But sadly enough, the number of places like this is growing steadily smaller.

Old ideas and assumptions, which once made our great institutions legitimate and confident, are fast eroding. They are challenged by different ideas, different assumptions, which are as yet ill-formed, contradictory, and shocking.

It is hard for politicians, for managers, for leaders of all kinds to operate in an environment where established ideas no longer seem to work. We need to stand back and look at these ideas, and we must either get rid of them or accommodate them. And if you are a realist, as I am, you will not give odds on our getting rid of them anytime soon.

What, for example, is your idea of patriotism? Is it "my country right or wrong"? Is it—whatever my country asks, I will do? Is it—whether my country asks or not, I will work always for the best for the United States of America?

I don't ask those questions in order to praise one answer over another, or to criticize anyone's idea of patriotism. I ask them so you will ask yourself.

In today's world it is not enough for patriotism to be merely a kind of emotional glow, with a mental picture of the flag waving on high and everybody full of high-minded enthusiasm. That reaction is great in its place, but it isn't enough.

I used to know a young lad, seven or eight years old, whose family always had a United States flag on a handsome standard in their front hall. I always thought this was an inspiring kind of symbol for him to grow up with.

But his mother told me that about the only time the boy noticed the flag was when he had been caught red-handed in some crime. When his father would advance on him with a stick in his hand to administer discipline, the youngster would run for the front hall and wrap himself in the flag.

Well, there are plenty of people in all walks of life in this world whose patriotism doesn't go any deeper than that. They wrap themselves in the flag on every occasion.

Yet reverence for the flag is certainly an important part of patriotism. And I think you would have to say that real patriotism consists of the entire attitude of a life. It comes from a willingness to put the welfare of the nation above the welfare of self.

There is a great difference in the attitude of different people when they salute the flag, for example. When the people in this room salute the flag, which they have served, and which they have followed under conditions of stress in a foreign land, I sense that it is almost a religious experience.

But sometime, watch the perfunctory way in which the flag salute is handled in some schools, and watch the faces of some of the youngsters as they go through it. There is nothing here that suggests religion.

In Indianapolis one of the newspapers has a column called the "Thanks Tank." The other day a woman wrote in to say that her newspaper carrier, Tony Smith, in delivering the paper, found $3 on the front steps. He knocked on the door, but she didn't hear. So Tony carefully folder the money inside the paper and left. As the lady wrote, this act was possible only because he had the right kind of training at home.

It's a matter of attitude—a built-in morality that cannot be obtained any other way. Similarly, it seems to me that patriotism—like respect for any of our institutions—is built on the foundation of a strong family.

Then consider what the polls tell us about the way in which institutions of all kinds are respected in America today. As we near the 200th anniversary of this nation, isn't it ironic that the Congress, and the judiciary, the executive branch of our government, the Presidency—even business—not one of those institutions can get a vote of confidence from as many as one out of three Americans.

And if all our institutions are so disrespected, how can we expect patriotism that is anything but a hollow shell?

I don't actually feel that the picture is as bad as this seems. Mingling with the members of this organization gives me a great deal of hope, for I sense here a great, sincere love of country—a real respect for our great institutions that goes beyond the momentary misdeeds of a few.

But I do not believe the road back will be easy. When you look at our history, America is built on the hard, steady, enthusiastic work of her citizens. Right now the so-called "work ethic" is greatly downgraded, and scorned by many.

Yet work is the four-letter word that made this country great. We are seeing hard-working Japanese and hard-working Germans and hard-working, well-motivated people all over the globe edging past us in productivity.

I think American ingenuity will find a way to motivate our own people, and once again we will become the productive, inventive, victorious people we have been in the past.

This will not be easy. We may have to raise and properly train a whole new generation before the job will be done.

Maybe we'll have to listen to Dr. Spock again—except that this time he's right. Did you hear that he admitted he was wrong before? He admits he contributed to the making of a whole generation of parents who were not parents—and now he favors more discipline in the home. Looks like we've made at least one convert!

Discipline and work—two things we'd just as soon not face—but they build men, and families—and nations!

I'm calling on this audience, and on all patriotic Americans, to work for their country. Whether your job is "enriched" or not, whether somebody goes out of his way to supply you with interesting or inspiring work, you can gain inspiration from doing your job well, whatever it is.

And I'll tell you this, with the present state of craftsmanship, if you do your job really well—in any field—you'll be so unusual that crowds may gather to watch you perform.

I said in the beginning, "I wonder if you are willing to work for your country at home."

I now know the answer. I know you are willing . . . and I hope by your actions you will inspire others to do the same. The Civil Service Commission started a long time ago to study and improve productivity among Federal workers through all the techniques of job enrichment and better motivation we can find.

Many private firms are bending every effort to make work meaningful and hence more productive. Institutions of all types are taking whatever steps they can to regain the confidence of the people.

Here in the VFW, ceremonies like Loyalty Day serve to remind us that loyalty is vital to our national life—and real patriotism is the ultimate expression of loyalty.

Maybe with your help we can build a new and better attitude throughout our population, which will do much to build a new and better nation . . . one better fitted to the difficult tasks at hand.

I know I can count on you, because it is your patriotic duty.

KENNETH CHRISTOPHER—THE COMPLETE PHOTOGRAPHER

HON. RON DE LUGO

OF THE VIRGIN ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 29, 1974

Mr. DE LUGO. Mr. Speaker, I wish to acknowledge the artistic achievements of a talented photographer, Mr. Kenneth Christopher. A native Virgin Islander, Mr. Christopher should soon be nationally recognized for his fine work.

Two recent events are bringing Kenneth's talent to a larger audience. A collection of his photographs was recently featured in a 1-week exhibit at Riise's Art Gallery in St. Thomas. In March 1974, "Remember When," a poetry book by Winnie "Oyoko" Loving, was published with Mr. Christopher's photographs as illustrations. These opportunities are a significant broadening to an already successful photojournalistic career: His pictures have been published in both the local and national press. To Virgin Islanders, though, Mr. Christopher's most memorable work will remain his annual collection of photographs printed in the St. Thomas Carnival booklet.

I am sure that we will be hearing more about Kenneth Christopher as he continues to expand his areas of creative expression. His ability to capture the fleeting mood, the subtle flick of emotion in a two-dimensional print, marks him as the truly unique photographer.

At this time, I would like to present for my colleagues' attention the following detailed profile of Mr. Christopher's career:

[From the Virgin Islands Post, May 16, 1974]

KENNETH CHRISTOPHER—THE COMPLETE PHOTOGRAPHER

A man equipped with a camera has often been humorously described as "double trouble" if the man doesn't capture you, his camera certainly will!

Kenneth Christopher is a photographer, a serious one. His photography represents the local life, the local people, their hopes and dreams, the art of island existence. Utilizing his multi-faceted camera techniques, K.C. feels out the heartbeat, the pulse of the Virgin Islands and captures the expressions, mood and the personality of his subjects and develops them to perfection. His one-man show opens at Riise's Art Gallery on Tuesday, May 21st, and will run through Tuesday, May 28.

For many years, the impact and significance of K.C.'s picture-taking was usually exemplified on the front page, sports page, or center-fold of the local newspapers. A fine newsman, printer, reporter, R.C. often told his story pictorially with just a short caption to make the reader think. His on-the-spot coverage of hot news, accidents and fires put him a class by himself among communications media personnel on the island of St. Thomas.

His style is unique outstanding. He's fast, but manages to accurately convey the mood of his subject as well as the physical black and white picture itself.

As an artist, K.C. is shy, quiet, almost boyish, and extremely sensitive. Astrologically speaking, his cordial Cancerian smile has assisted him in bringing relaxed smiles to unwilling models, fretting babies, nervous brides, and bashful and irate old-timers. He has a special knack with children who seem to be drawn to him naturally.

St. Thomas born and bred, Kenneth Christopher earned his nickname of K.C. when there were too many Kenneths in his class at school. He began taking pictures during that time.

It's no easy task to operate an instrument as skillfully as K.C. maneuvers his cameras. He's been at it for over fourteen years. Basically, self-motivated and self taught, K.C. has taken courses from, and is a member of, the New York Photography Institute.

Many of his pictures have appeared in Ebony Magazine, national newspapers, and all of the local newspapers. Some of his more famous photos are the ones of the St. Thomas Carnival which have appeared in the Carnival booklet year after year. The Department of Public Safety has called on K.C. on numerous occasions to shoot pictures of newsworthy scenes.

In March 1974, K.C. illustrated a poetry book that was written by Winnie "Oyoko" Loving, a poet from Boston, who is residing in St. Croix. The book will undoubtedly give K.C. national prominence as a photographer in the States as the book gets recognition for the tremendous black and white photos he took. It's entitled "Remember When."

K.C.'s favorite camera is his Hasselblad, his reason being, "it is difficult to operate. It has a good many check points that must be correct before the picture will come out," he explains.

"Although I got interested in photography on my own," he states, "Basil Ottley was very nice to me when I first began taking pictures. He gave me lots of hints and tips plus a full course in photography in just four hours." K.C. says that his favorite subjects are anything that moves. Even trees move."

In recent months K.C.'s photography has entered a refreshing new era, one that has developed him spiritually as well as technically. Instead of the characteristic newspaper photos and portraits, he is now focusing on candid shots that speak about life and its meaning photos that depict the depth of human to human feeling.

"I try to make my pictures alive so that anyone looking at them, whether next week or next year or a hundred years from now, will feel that they were right there on the scene. Photography is a fascinating way to see the rest of the world . . ." he explains.

Kenneth Christopher's eyes see a living and complete world through the lens of his camera. Come to Rise's Art Gallery from Tuesday, May 21 through Tuesday, May 28, and see the work of Kenneth Christropher . . . the complete photographer.

AMNESTY ENDORSED BY FATHER HESBURGH

HON. ROBERT F. DRINAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 29, 1974

Mr. DRINAN. Mr. Speaker, I bring to the attention of my colleagues the moving words of the distinguished president of the University of Notre Dame, Father Theodore M. Hesburgh.

Father Hesburgh's endorsement of amnesty is accompanied by a statement made with Father Hesburgh's characteristic clarity and forcefulness.

This article entitled "To Be Really a Noble Nation: Amnesty" is taken from the Boston Globe of Monday, May 27, 1974.

The article follows:

TO BE REALLY A NOBLE NATION: AMNESTY

Amnesty is a dirty word for many Americans. They identify it with traitors, deserters, kooks, hirsute hippies, and unconscientious objectors.

What they don't think about is what started us thinking about amnesty; the moral dilemma of the Vietnam War, in which more than a million civilians were murdered on each side, hundreds of thousands of soldiers were killed, a war that left 50,000 Americans dead, and a quarter of a million wounded.

There were other moral aberrations, too: destruction beyond comprehension, secret bombings in Cambodia authorized by the President, tiger cages for government torture, orphans without number—all of this and more without anyone having a good explanation of why we were there, what was really accomplished.

And after a year of peace with honor, both sides have had more killed in a year than we did in all the years we were there.

Who is able to make any sense out of this moral morass? Who will sit in judgment on the motives of many young people who decided in conscience that they would have no part of this senseless killing, violence and destruction—even if it meant going to jail for years, going underground away from home, family and friends, or, if it were the only alternative, leaving their country?

Granting that some did these things from base or selfish motives, who is going to play God at this late date? The horrible moral mess that was Vietnam is now being prolonged in the lives of those youngsters who were caught up in all the ambiguities it brought.

Where are the elders, the best and the brightest who escalated the original mistake, the generals, the colonels, the high officials involved in My Lai, and all the other massacres that never really came to light? They go scot-free. One lone army officer who was put on house arrest with unlimited visiting privileges for his girl friend is now free from even that slap on the wrist. Meanwhile, thousands of youngsters languish in jail, underground, out of the country, victims for better or for worse in a no-win situation.

I used to think that maybe it could be sorted out, some way, selectively—if someone had the time, the patience, and, especially, the wisdom to study each case and pass judgment individually. I guess what really pushed me over the line into the position favoring unconditional amnesty for all was the sight of one of the greatest war hawks of them all, the strong talker about the bad apples spoiling the other good apples fighting the war, our Vice President Spiro Agnew who was super-anti-amnesty until he was caught doing something really bad—and, what does he do? He wheels and deals with all his might to achieve amnesty for himself, and he gets it, quickly and effectively. Other distinguished, mature public servants are also copping pleas for amnesty.

All this leads our country into impossible, almost obscene contradictions. While some agents of government were trapping and jailing a young man who left his Canadian sanctuary to attend the funeral of his father, other agents were guarding the former Vice President who was enjoying his amnesty, playing golf. Two questions emerge: Who was more guilty of dereliction of duty, more worthy of amnesty? And second: Should Canada be more understanding of young Americans than America?

At this point, I say let's wash out the residue of Vietnam. We have more present poisons to concern us. Even if some of those still outside or beyond the law did not have the highest motives—though many did—these petty young miscreants, alongside their distinguished elders in Watergate, etc., are pikers.

I, for one, can more easily forget what the youngsters did than what their elders did. And that is all amnesty really means, forgetting. If we want to be really noble as a nation, amnesty also means forgiving, but that's hard to come by if you happen to be young, poor, powerless, and often despised by those who are older, affluent, powerful, and the creators or perpetrators of the moral morass in the first place.

For them to forgive would be to admit they were wrong. That's another reason amnesty is a dirty word, whether it is taken to mean forgetting or forgiving.

MATERNAL AND CHILD HEALTH PROGRAMS

HON. EDWARD I. KOCH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 29, 1974

Mr. KOCH. Mr. Speaker, Dr. Frederick Tunick, director of a children and youth project at the Jewish Hospital of Brooklyn, testified before the House Ways and Means Committee on May 17 on the importance of maternal and child health programs being included in a national health insurance system

I would like to append for the information of our colleagues the excellent statement he submitted for the RECORD. The statement follows:

TESTIMONY BEFORE THE COMMITTEE ON WAYS AND MEANS, U.S. HOUSE OF REPRESENTATIVES

Mr. Chairman and Members of the Committee on Ways and Means: I am Frederick L. Tunick, M.D., F.A.A.P., Director of Children and Youth Project #628, Brooklyn, New

York and I represent the National Association of Children and Youth Project Directors.

I am here to testify in support of H.R. 13870 and especially those principles within the bill, such as Title IV Section 401 which "assure through programs of Federal Assistance that health services covered under Title V, XVIII, and XX of the Social Security Act are accessible to every American.

I am speaking for the 68 Children and Youth Projects throughout our country. These projects, established under Title V of the 1965 Social Security Act, are currently providing comprehensive health care for more than half a million children of preschool and school age. Comprehensive health care, according to Children and Youth philosophy, includes a broad program of preventive health, sickness care, public health nursing, mental health, dental care, speech and hearing, nutritional services, and social services. It has long been recognized that "good health" for children is not merely the absence of disease; good health is the ability of the child to perform up to his optimal level in all fields of endeavor. Any factors which might interfere with this ability have been of vital concern to the Children and Youth Projects. To this end, we have set up multi-professional teams to care for our young registrants.

I do not have to document the achievements of the Children and Youth Program over the past seven (7) or eight (8) years. It is the only Nation-Wide Ambulatory Care Service that has been continuously monitored since its inception by means of a national statistical reporting system. These facts are well known to members of this com- ittee who have supported the extension of Title V for the past two (2) years.

The authors of H.R. 13870, in their wisdom, have stated in paragraph (2) of Section 401, "prior to the effective date of the health insurance benefits authorized by amendments made by this Act to the Social Security Act, to accelerate and broaden Federal Programs designed to strengthen the nation's resources of health personnel, facilities, and services and its system of delivery of health services, in order to enable the providers of health services better to meet the demands on them when such benefits become available. . . ." It is because of this far-sighted planning that I enthusiastically support this bill.

I must add one criticism, however, or I would be remiss in my dedication to preventive health services. It is my understanding that under the provisions of both H.R. 13870 and H.R. 12684 (The Comprehensive Health Insurance Plan endorsed by the Administration) there would be a 25% co-insurance payment required for pre-natal visits, and preventive health for children. The concept of availing oneself of preventive medical services is not one that is readily acceptible to families in the poverty stricken areas of our nation. Health care does not have a high priority among the necessities of life in a poor family until some crisis occurs. The Maternal and Infant Care and Children and Youth Projects have concentrated their efforts, through health education, and have succeeded to a considerable extent in gaining acceptance of Preventive Health principles among our patients. This is evident from the documented lowering of pre-natal morbidity and mortality in the M.I.C. Projects and the dramatic decrease in the rate of hospitalization and shortening of the length of hospital stay among children enrolled in the C & Y Projects.

I urge the members of this committee to eliminate the co-insurance payment required in both bills for pre-natal and preventive health service visits. This would remove a major stumbling block in the way of reaching our goal: A nation of healthy mothers and healthy children.

Thank you for allowing me to testify.

TAX RELIEF

HON. IKE F. ANDREWS

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 29, 1974

Mr. ANDREWS of North Carolina. Mr. Speaker, on April 25, 1974, I introduced a bill to provide tax relief for hundreds of thousands of educational loan recipients in the United States who recently received retroactive tax-due notices from the Internal Revenue Service, and I would like to share with my esteemed colleagues my views on the necessity for the legislation.

The bill, H.R. 14392, presently before the Ways and Means Committee, is designed to offset the retroactive portion of an IRS ruling that student loans with a "forgiveness" provision are taxable income.

Those who have received the tax-due notice include students and graduates who received loans to prepare for careers in nursing, medicine, teaching, dentistry, pharmacy, medical technology, physical therapy, optometry, and other critical professions. Their loans, obtained through various State and Federal scholarship programs, included the "foregiveness" provision, under which students agreed to repay their loans after graduation by working for a specified period in an area where there was a personnel shortage in their profession.

The ruling, which results in individual tax payments of hundreds, and in some cases thousands, of dollars, is retroactive. This means that Federal taxes are being charged on loans which were canceled as far back as 1971. The year 1971 is as far back as is allowable under the statute of limitations. However, the loans are charged to the taxable year in which the loan was repaid by service, rather than the year the money was actually used. As a result, one pharmacist residing in North Carolina's Fourth Congressional District, received a $300 tax bill, payable in 15 days, on a loan he made in 1968–69.

The decision to make taxes payable retroactively on such loans is, in my estimation, grossly unfair to the thousands of students who obtained the loans in good faith and without any knowledge that the IRS intended for them to pay such taxes. It is my understanding that neither the loan recipients nor the administering agencies knew that the IRS would expect the payment of taxes on these loans containing the forgiveness provision.

I would like to share with my colleagues an editorial comment that appeared in the May 14, 1974 edition of the Raleigh News and Observer. In reading it, I would like to remind my colleagues that the bill I have introduced deals specifically with the retroactivity of the Revenue ruling. The editorial, entitled "Taxing Education Loans Unfair" reads as follows:

TAXING EDUCATION LOANS UNFAIR

The effort to collect federal taxes on special incentive loans to college students is the kind of legal correctness that smacks of arbitrariness and invites reform.

The loans have been given to thousands of young North Carolinians and other Americans for years. The notes contain a "forgiveness" agreement whereby the borrower, if he or she pursues a certain vocation or locates in a certain area of the country, is excused from paying back the money.

For example, when there was a shortage of teachers during the 1960s, National Defense Education Act loans encouraged college students to become educators by releasing them from the note payments if they became teachers. For every year of teaching, the borrower's note was reduced by a year's tuition.

The idea is used by private scholarship donors such as local medical societies as well as state and federal governments. It is an idea that works.

It is now threatened by a 1973 interpretation of the law that allows the Internal Revenue Service to collect taxes on income received from incentive loans. The IRS may be technically correct in seeing the "forgiveness" loan as income. But, as stories in The News and Observer make clear, recipients were not told the money was taxable nor, until this year, was onyone asked to pay taxes on such income. Worse, the IRS has applied the interpretation retroactively and is collecting back taxes from surprised, past recipients. A young pharmacist in Durham, for example, was given a $300 back tax bill this year for a loan made in 1968–69.

Rep. Ike Andrews of the Fourth District has introduced a bill in Congress that would prohibit such collections. Andrews' bill would revise the Internal Revenue Code so that student "forgiveness" loans, upon discharge, would not be considered part of an individual's gross income. The bill deserves support not only from affected college graduates but from the public as well. The legislation would correct the present situation in which the IRS seems to be penalizing with one hand what the government is encouraging with the other.

I hope that my colleagues will agree with me about the importance of the bill, H.R. 14392, and will join me in cosponsoring the measure.

CORRECTING MISINFORMATION ABOUT H.R. 11500

HON. MORRIS K. UDALL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 29, 1974

Mr. UDALL. Mr. Speaker, on May 15 the Wall Street Journal erroneously reported that the Surface Mining Control and Reclamation Act of 1974, reported by the Interior Committee on the previous day, would ban mining on slopes of 20 degrees or more. There were other factual errors in the article.

There has been a great deal of misinformation vociferously and widely disseminated about the legislation. H.R. 11500 does not ban mining on steep slopes nor do the environmental safeguards contained in the bill amount to a ban.

Following is the correction printed by the Wall Street Journal on May 29 to their previous story:

Coal strip-mining bill recently approved by the House Interior Committee would impose certain requirements on mining on slopes steeper than 20 degrees. The most important of these is a prohibition against throwing excavated material, or "spoil," down the slope except where necessary to gain access to a coal seam. The same bill

would impose a fee of 1.23 cents per million British thermal units, or BTUs, of heat content on all mined and imported coal, mostly for reclamation of abandoned strip mines. A BTU is the amount of heat required to raise the temperature of a pound of water one degree Fahrenheit at near 39.2 degrees. Thus, the fee would range from around 14 cents a ton for low-BTU Western coals to 38.4 cents for high-BTU Appalachian coals. In an earlier edition, it was incorrectly reported that the fee was 30 cents a ton and that the bill would bar mining slopes greater than 20 degrees.

WOMEN IN SPORTS

HON. PATSY T. MINK

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 29, 1974

Mrs. MINK. Mr. Speaker, in light of the growing controversy on equal participation for women and girls in educational institution-sponsored sports programs, especially on the collegiate level, I am submitting portions of an exceptional and comprehensive article, "What Constitutes Equality for Women in Sport?", which was written by Ms. Margaret C. Dunkle, associate of the project on the status and education of women of the Association of American Colleges. This article is a valuable contribution to the discussion on women and sports and is well worth our close attention as we focus on the Education Amendments Act of 1972 proposed regulations on title IX requiring educational institutions to provide equal opportunities to all persons participating in or benefiting from any educational program or activity receiving Federal financial assistance:

WHAT CONSTITUTES EQUALITY FOR WOMEN IN SPORT?—FEDERAL LAW PUTS WOMEN IN THE RUNNING

Colleges across the country are reviewing their sports and athletic programs to determine if they provide equal opportunity to their female students. Federal law now mandates that institutions eliminate policies or practices which discriminate against students, as well as employees, on the basis of sex. In addition, enthusiasm for women's athletics is increasing rapidly.

There is a growing recognition that women's athletics, especially women's intercollegiate athletics, is likely to change dramatically in the next decade. A report to the American Council on Education on intercollegiate athletics found that:

"The most important and far-reaching recent development on the college sports scene has been the movement to achieve equal treatment for women in the conduct of intercollegiate athletics."

Some institutions have been reluctant to change policies and practices mandated by athletic conference or association rules, even though they have a discriminatory impact. Such regulations, however, *do not* alter the obligation of an institution to provide equal opportunity to women and men under federal law. It is becoming increasingly likely that, because of pressure on institutions to have nondiscriminatory policies, athletic association and conferences will be forced to change their rules and regulations.

Legally it does not matter whether or not an institution provides any given service or opportunity. What does matter is that the services and opportunities it does provide not discriminate on the basis of sex.

Although the prospect of coeducational teams has attracted the most attention, there are a variety of issues which must be considered in evaluating opportunities for women in sport. Some issues and remedies are relatively clear cut; others are not.

This paper outlines some of the issues related to equal opportunity for women in sport, gives examples of some situations that might have to be reassessed, and discusses some of the alternatives that are being proposed.

THE EDUCATIONAL VALUE OF SPORT

Most people believe, to some extent at least, that there is a complementary relationship between a healthy mind and a healthy body. Throughout the ages many philosophers have maintained that vigorous physical activity builds character and develops citizenship, as well as contributing to physical well-being. But, according to *Sports Illustrated*, this reasoning has not been applied equally for women and men:

"Sports may be good for people, but they are considered a lot gooder [sic] for male people than for female people."

The Victorian image of women as physically weak led most early educators to downplay physical activity for women. It was the women's colleges—Vassar, Wellesley, Goucher—which first encouraged women to engage in vigorous exercise, apparently on the theory that women could do their best mental work only if it were balanced by physical activity. Also, the founders of these colleges felt that it was necessary to disprove claims that women did not have the physical ability or stamina needed for a college education.

Sport and athletic programs for women have traditionally focused on instruction and lifetime sports. In general, competitive athletic programs have grown out of physical education programs. Much of the tradition for men in sport and athletic programs, however, has been tied to competitive athletic programs. Although these two traditions are not necessarily contradictory, they have oftentimes led to the development of programs for women and men which are strikingly different. This paper attempts to address issues of concern to people interested in sport, no matter what their specific orientation.

ATTITUDES TOWARD WOMEN IN SPORT

Athletics is a sensitive issue for many people. Because athletics reflect cultural norms, they have tended to perpetuate sex stereotypes and myths about what is "right" for men and what is "right" for women. Men are "supposed to be" strong and aggressive, both physically and emotionally, while women are "supposed to be" weak and passive. Women have not been encouraged to participate in athletics at least partly because the traits associated with athletic excellence—achievement, self-confidence, aggressiveness, leadership, strength, swiftness—are often seen as being in "contradiction" with the role of women. As a Connecticut judge stated in a 1971 decision that denied women the right to participate on a cross country team:

"The present generation of our younger male population has not become so decadent that boys will experience a thrill in defeating girls in running contests, whether the girls be members of their own team or an adversary team . . . Athletic competition builds character in our boys. We do not need that kind of character in our girls, the women of tomorrow. . . ."

Jack Scott, former Athletic Director at Oberlin College, commented on the attitude towards women in athletic circles:

"As any male athlete knows, there is nothing worse than being called 'feminine' when he makes a mistake in athletics, especially in a contact sport. . . . [M]ale athletes from 12-year old kids to 36-year old professional football players have had tears brought to their eyes by that kind of 'condemnation.'"

In contrast, comparing a female athlete to a man is seen by many as the highest compliment. When the coach Micki King, one of the finest divers in the world, wanted to compliment her:

"[He] . . . made the remark that she dives like a *man*. . . . So quite clearly, what Micki King did was dive correctly; and this was labled the 'masculine way.'"

Attitudes such as these are difficult to overcome. Sometimes women compare the discrimination that they have faced in sport to the discrimination that blacks have faced. Although these two types of discrimination are obviously not identical, there are some similarities. Just as men's teams have refused to compete with women, white teams once refused to compete with blacks.

Myths die slowly. Although some societies have encouraged women in sports more than others, there have always been vigorous women. The great bull-leaping acrobats of the Minoan culture were women. Etruscan and Spartan women and men trained together. Egyptian and Greek legends credit women with the invention of ball games. Henry VII complained of the expense of keeping Anne Boleyn in archery equipment.

The attitudes that people have about women in sport influence the total athletic opportunities that are available to women—the funding of their programs, the adequacy of their facilities and equipment, the employment conditions of their teachers and coaches, etc.

THE LEGAL MANDATE FOR EQUALITY FOR WOMEN STUDENTS IN SPORT

The legal mandate for equal athletic opportunity regardless of sex comes from Title IX of the Education Amendments of 1972. The key section of Title IX, which became effective on July 1, 1972, reads:

"No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving Federal financial assistance."

All educational institutions which receive any federal money are covered by the anti-discrimination provisions of Title IX. Virtually every college and university receives some form of federal financial assistance. Although there are some exemptions from non-discriminatory *admissions*, Title IX requires all educational institutions to provide equal opportunities to their students regardless of sex once they are admitted.

The implications of Title IX for the issue of equality in sport (as well as for a variety of other issues) are considerable. Interestingly, although the Education Amendments Act was hailed as landmark education legislation, the sex discrimination prohibitions were generally ignored by the press and little noted by the educational community.

Title IX empowers the government to withdraw funds, debar institutions from eligibility for future funds and to bring suit against institutions which discriminate against students or employees on the basis of sex. The enforcement provisions of Title IX are patterned after those of Title VI of the 1964 Civil Rights Act, which prohibits discrimination against the beneficiaries of federal monies (students) on the basis of race, color or national origin. Title IX (like Title VI) is enforced by the Office for Civil Rights of the Department of Health, Education, and Welfare. Charges of discrimination may be brought by writing to the HEW Secretary, specifying the nature of the discrimination.

Although (as of April 1974) the implementing regulations were not issued, Title IX has been in effect since July 1972. HEW's Office for Civil Rights, which has jurisdictional power over Title IX, had not fully decided (as of April 1974) exactly how Title IX would

apply to some aspects of sports and athletic programs. Despite this, a number of complaints of sex discrimination in sports and other areas have already been filed. For example, women students have filed complaints of sex discrimination against the University of Michigan and the University of Wisconsin concerning the athletic and sports programs.

Prior to the enactment of Title IX, charges of discrimination in sports programs could only be brought under the Equal Protection Clause of the Fourteenth Amendment to the Constitution. Perhaps the most common challenge under the Fourteenth Amendment has been by women who were prohibited from participating on "male" teams by the rules or regulations of an athletic conference or association. In most instances, there were no parallel female teams. In all probability many future complaints of sex discrimination in sports will be brought under both Title IX and the Fourteenth Amendment.

The existence of state laws, or rules and regulations of an athletic association, which permit or require different treatment based on sex is not a defense to charges brought either under Title IX or the Fourteenth Amendment. In accordance with the concept of federal supremacy, the obligation to comply with federal law supersedes the obligation to comply with state law or regulations of private associations (such as athletic associations or conferences).

Federal law does not presume to dictate what specific philosophy or practices an institution must follow concerning sports. This is an educational decision which belongs to those who formulate educational policy at an institution. *Federal law does require, however, that once a philosophy or practice is determined, it be applied equally regardless of sex and that it not have a disproportionate impact on one sex.*

It would be equally legal, for example, for a college to have no competitive athletic program whatsoever or to have an extensive competitive athletic program, so long as the policies were applied equally regardless of sex.

Many aspects of sports at the college level—especially male competitive athletics—are coming under increasing scrutiny and criticism. For example, the American Council on Education has recently sponsored a preliminary study of the educational, economic, legal, moral, political, and sociological aspects of intercollegiate athletics in an effort to identify problem areas and formulate recommendations to alleviate these problems. Challenges and questions to the philosophy and operations of college athletic programs are coming from a variety of sources and can be expected to lead to significant changes. Certainly some of these changes will be caused by an effort to eliminate discrimination against women in sports.

WHAT CONSTITUTES EQUALITY FOR WOMEN IN NON-COMPETITIVE PROGRAMS?

Non-competitive and instructional programs in general include programs in which participation is not based on skill. This would, for example, include all physical education and instructional classes, recreational opportunities and most intramural and club sports.

Discrimination in non-competitive (as well as competitive) programs is widespread. To some extent at least, this is a potential problem area on virtually every coeducational campus in the country. To illustrate the pervasiveness of the problem, each of the following sections begins with actual examples of how discrimination might manifest itself on campus. Although the examples are real-life, the institutions at which they occurred are not named.

Instructional opportunities and mixed physical education classes

At a prestigious private institution the women's and men's physical education departments were separate and the instructional courses available to female and male students varied considerably. For example, women could not take wrestling and men could not take self defense or volleyball.

At a southern state university female students could not take coaching courses for credit, with the result that they were not "qualified" to coach teams.

Many physical educators and women's groups argue that there is no justification for single-sex non-competitive or instructional programs. Under Title IX, the lack of duplicate facilities (such as locker rooms and bathrooms) could not be used as a reason for excluding one sex or the other. Bathroom and locker room space may have to be reallocated, but in any event Title IX would *not* require women and men to undress in front of one another or to share the same bathroom at the same time.

Because of different interest patterns between women and men, it is likely that some instructional classes will continue to be made up primarily of members of one sex. However, women's groups are urging institutions to take care to assure that classes which are primarily male not receive preference over classes which are primarily female in such areas as facilities and equipment, scheduling of classes, or teacher competence.

Many college physical education majors are preparing to become elementary or secondary school physical education instructors and/or coaches. In some institutions the credentials that women can acquire in college for this job are more limited than those a male can acquire. For example, women may be prohibited from taking coaching courses either at all or for academic credit. Or a semester of a "male" sport (such as flag football) may be required as a prerequisite for a coaching course. The result is that, upon graduation, she is not "qualified" to coach teams and is effectively barred from a common career ladder—that from physical education instructor, to coach, to head of the athletic department, to mid-level administrator, to principal. Policies which prohibit one sex from taking courses which develop their skills would have the lingering effect of limiting future job opportunities and would be a violation of Title IX.

Some women's groups are stressing that institutions be on guard not to offer courses which might have the effect of discriminating against women. For example, if an institution offered coaching instruction only for predominately male sports, it might leave itself vulnerable to criticism and charges from women's groups.

Sex-based requirements for physical education majors

At an Ohio liberal arts college women majoring in physical education must take a service course each term. There is no similar requirement for men.

Some institutions have different requirements for majors in physical education for their female and male students. A different number of courses may be required of female and male students, a different grade point average may be required for graduation or graduation with honors, the selection of courses required or offered may be different, etc. Whatever the difference, it seems clear that such sex based differentiations violate Title IX.

Requirement for graduation

At a Pennsylvania college women must show proficiency in two sports in order to graduate. Men need only to show proficiency in one sport.

Different requirements for graduation for female and male students may take a variety of forms.

Men, but not women, may be able to exempt required physical education courses by taking a skills test.

Male, but not female, varsity athletes may be exempted from physical education classes.

Men, but not women, may receive academic credit for participating in intercollegiate athletics.

Women, but not men, may be able to fulfill their physical education requirement by taking such courses as square dancing, bowling or archery.

Whatever the form of the difference, it is clear that such sex-based differences are a violation of Title IX.

Institutions which allow students to exempt their physical education requirements by excelling on a fitness test may well be faced with a dilemma. For reasons of physiology and training it is likely that male students will in general score higher on these tests than female students. A test which failed a disproportionately large number of women might be found discriminatory under Title IX.

Intramural programs

At a major state university, women were prohibited from participating in any of the five team sports in the "All Campus Division Program." They could only compete in the individual or dual sports.

It is common for intramural programs to provide more opportunities for men than women, regardless of the interest of women in participating. Many women's groups stress that strong intramural programs for women can serve an "affirmative action" function—that is, they can provide women with the opportunity to develop athletic skills that they did not develop earlier because of lack of facilities, training or encouragement.

Recreational opportunities

At one Ohio institution a woman could not use the handball courts unless a male signed up for her.

At a large midwestern university, this intramural pool was specifically reserved for "Faculty, Administrative Staff and Male Students" for approximately two hours each day. That is, this was a time for men only.

Providing different or greater recreational or leisure sport activities for members of one sex might prompt charges of sex discrimination. Students might challenge this under Title IX, while employees might challenge the practice as a discriminatory fringe benefit under employment legislation.

WHAT CONSTITUTES EQUALITY FOR WOMEN IN COMPETITIVE ATHLETICS?

The disparities between opportunities for women and men in competitive athletics are often even more pronounced than the disparities in non-competitive athletics. Although these differences exist for a variety of reasons, it appears that they will be closely examined in determining if an institution is complying with the requirements of Title IX.

In general "competitive athletics" refers to athletic teams for which selection is based on competitive skill. This might include programs at the varsity, junior varsity, freshman, or (in some instances) the intramural and club level. As used in this paper, the term competitive athletics includes the activities that are commonly referred to as intercollegiate athletics.

Physiological differences between the sexes

It has sometimes been argued that vigorous physical activity renders women sterile or otherwise damages them. This belief, as well as a number of more subtle myths, has certainly been disproven. These myths include the following:

MYTH. Participation in athletics might damage a woman's reproductive organs. In fact, many gynecologists believe that vigorous activity improves the muscular support in the pelvic area. The uterus is one of the most shock resistant internal organs and considerably more protected than male genitalia.

MYTH. Athletic activity causes menstrual problems and impedes menstrual regularity. In fact, the reverse appears to be true.

MYTH. Women can't reach peak performance during menstruation. In fact, although there is a great deal of variability among women, women Olympic athletes have won competitions and broken records during all stages of their menstrual cycles.

MYTH. Female bones are more fragile than male bones. In fact, they are on the average smaller, not more fragile.

MYTH. Women are more likely to be injured in sports. In fact, the injury rate per participant is lower for girls than boys in both contact and non-contact sports.

MYTH. Females should not play contact sports because they might damage their breasts. In fact, medical and athletic authorities argue that breast protectors could be designed for women, just as various protective equipment has been designed for men's organs.

MYTH. Women who engage in strenuous athletics develop bulging muscles. In fact, given the same amount of exercise, the development of bulging muscles depends primarily on the amount of male hormone a person has.

Before puberty, males and females are nearly identical in their physical abilities. Tests of strength, muscular endurance, cardiovascular endurance and motor performance show few differences between the sexes up to this age. Beyond that age, however, the male becomes considerably stronger, possesses greater muscular and cardiovascular endurance and is more proficient in almost all motor skills. These differences increase in magnitude with time, and the female tends to plateau between the ages of ten and fourteen. According to Dr. Jack Wilmore, however:

"Recent evidence . . . indicates that these differences may be more of an artifact of social or cultural restrictions imposed on the female either at or just prior to the outset of menarche, than a result of true biological differences in performance potential between the sexes."

A major physiological difference between adult women and men is that men on the average are larger and heavier than women. The average woman, on the other hand, is more flexible and has better balance. Women in sport point out that most sports emphasize and reward traits in which men tend to excel.

Averages can be misleading. Although a superbly fit adult female may be at a real disadvantage competing with a superbly fit adult male in athletic contests which depend primarily on speed and strength, she might well outperform an average male. In the words of Dr. Thomas E. Shaffer:

"While there are very significant sex-related differences between males and females, it should be borne in mind that there are undoubtedly greater differences between the third and the 97th percentile in each sex than there are differences between the average female and the average male in terms of physical performance."

In other words, *all* men are not superior to *all* women in *all* athletic skills. There is a good deal of overlap in ability between the sexes, so that a sizable number of women outperform a number of men.

Facilities and equipment

At an Ivy League college the women's crew team was given inferior equipment because the coach of the men's team did not believe that women could handle the newer, better shells. At another eastern college, the crew coach authorized the use of funds designated for *both* the female and male teams to purchase a shell designed for men only, rather than for a shell both sexes could readily use.

When the new gym was built, the old gym was "retired" to the women.

Generally there are great differences between the facilities and equipment available for women's and men's competitive athletics, even for the same sports. For example:

The women's teams may get the "left over" equipment from the men's teams or they may get the old equipment when the men's teams get new equipment.

Uniforms may be provided for the male team only, or the uniforms for the male team may be more elaborate.

The women may have inferior gym or locker room facilities.

The equipment for the male team may be of a higher quality or they may have more "backup" or practice equipment.

Equipment (such as practice uniforms, tennis rackets) may be provided for male, but not female, teams.

All of these practices are likely to be challenged under Title IX. Many institutions are beginning to evaluate the equipment and facilities to assure that there is no disparity based on sex.

Provision of medical and training facilities and services

The university health service provides team doctors for varsity athletics for men, but not women.

At a private eastern university, members of the male football team ate at a "training table" which featured high protein food. No similar provisions were made for any female athlete.

At a west coast state university, certain insurance programs are available to men athletes only.

A woman athlete who injured her knee could not use the ultrasonic machine available for therapy of male athletes.

An institution which provided such differential services (including insurance coverage) to male, but not female, athletes would leave itself vulnerable to charges of sex discrimination under Title IX.

Scheduling of games and practice times

The women's varsity basketball team at an ex-women's college had difficulty practicing because they were allowed to use the gym only when the men's teams did not want to use it.

The women's swimming team at one elite eastern school had to practice on week nights after dinner because no other time was made available for the women to practice.

Routinely giving priority to teams of one sex in scheduling of games or practices might well be considered a violation of Title IX. For example, all of the following may be called into question under the law:

Assigning male teams to the most desirable seasons of the year and times of day to compete and/or practice.

Allowing male teams longer practice sessions, at the expense of practice sessions for female teams.

Giving varsity teams priority use of facilities if there are substantially more men than women that compete at the varsity level.

To resolve these problems, female and male teams could, for example, alternate days (with the women using the facilities on Monday and Wednesday, the men on Tuesday and Thursday and both on Friday and Saturday). Likewise, they could alternate "desirable" and "undesirable" times (so that, for example, neither team always played on a weeknight or a weekend).

Availability of funds for travel and per diem allowances

In order to pay for travel to athletic events, the members of the women's teams had to sell candy bars and hold bake sales, while the men's teams traveled by chartered bus at the university's expense.

The women's teams had to pay for their own transportation and meals, while the university footed the bill for first class air fare for the men's football team.

Often, in part because of strikingly different funding mechanisms and levels for women's and men's sports, there are wide discrepancies in the opportunities that female and male teams have for travel. Often the per diem allowances for men are considerably higher than those for women. Indeed, in some institutions, the women have no per diem allowance.

Using different standards and providing different opportunities and amounts of travel money for female and male teams is coming under increasing challenge. Some people are proposing that all (or predominately) male teams and all (or predominately) female teams travel together, and compete at the same institutions on the same days so that travel costs are simultaneously shared and minimized.

Athletic scholarships

If a woman accepted an athletic scholarship, she was automatically banned from many competitive intercollegiate athletics.

Until the spring of 1973, the Association for Intercollegiate Athletics for Women (AIAW) had a strict policy forbidding female competitors in intercollegiate athletics from accepting *any* financial aid that was based in whole or part on athletic ability. This policy grew out of a concern that the provision of scholarships or other financial assistance specifically designated for athletes created a strong potential for abuses which could be detrimental to both the student and the quality of the institution's athletic program for women. Women saw the problems with athletic scholarships for men and tried to avoid the same problems in women's intercollegiate athletics by banning scholarships entirely. The different positions of the women's and men's athletic associations on the issue of scholarships are illustrative of the different approaches and traditions in women's and men's athletics. The AIAW policy was changed largely in response to a suit (*Kellmeyer, et al. v. NEA et al.*) brought by female tennis players at Marymount College (Florida) who protested being denied the right to participate in the prestigious AIAW-sponsored intercollegiate competition because they were recipients of athletic scholarships. Now the AIAW no longer prohibits female athletes from accepting athletic scholarships. In large part because this prohibition has been lifted, a number of institutions now offer women athletic scholarships.

Athletic scholarships may come from a variety of sources; the impact of Title IX *may* vary according to the source of income. For example, it seems clear that scholarships which come from general university funds, student activity fees, etc. must be awarded in a nondiscriminatory manner. That is, they could not provide different amounts or types of aid, limit eligibility, apply different criteria or otherwise discriminate on the basis of sex. These scholarships would have to reflect the interest and capabilities of the student-athletes, regardless of sex. Although the Title IX regulations are not yet out (as of April 1974), they might allow an institution to offer single-sex scholarships for "affirmative action" purposes—that is, in an effort to overcome the effects of past discrimination. However, scholarships which are administered by a group outside the institution and which the university in no way

endorses, approves, lists or perpetuates can be limited to one sex.

A related issue to that of scholarships is the availability of student employment. Providing different employment opportunities or options for female and male athletes or referring them differently to jobs on the basis of sex would undoubtedly be deemed a violation of Title IX, as well as of other legislation prohibiting sex discrimination in employment.

Recruiting athletes

The regulations of the Association for Intercollegiate Athletics for Women state that some "recruitment practices may be contrary to educational objectives" and clearly forbid subsidizing campus visits of prospective student athletes. The regulations of the National Collegiate Athletic Association, on the other hand, permit the institution to subsidize recruiting athletes in a variety of ways.

A SALUTE TO MSGR. STANLEY A. KULPINSKI FOR HIS 40 YEARS OF SERVICE TO GOD AND COUNTRY

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 29, 1974

Mr. KEMP. Mr. Speaker, the Right Reverend Monsignor Stanley A. Kulpinski, pastor of Queen of Martyrs Church of Cheektowaga, N.Y., celebrated the 40th anniversary of his ordination to the priesthood on Sunday, May 26, 1974.

To those of us in western New York who are aware of his work for God and country and his commitment to our community, this milestone must not go unheeded.

Monsignor Kulpinski's many contributions are too numerous to completely list. Among others they include his work as administrator of St. Stanislaus Church, Buffalo, pastor of St. Mary's Church, East Eden, spiritual director of the Miraculous Shrines of Canada, and pastor of Queen of Martyrs Church in Cheektowaga.

Beyond that, his work as an arbitrator for jursidictional disputes, grievances, wages, et cetera, has received recognition throughout the State of New York. He served as chairman of the National Catholic Industrial Conference, 1955–60, diocesan director for the Buffalo Labor Management College and 10 district schools and chaplain and religious celebrant for 23 years at Westinghouse Corp.

On May 16, 1974, the Cheektowaga Times paid tribute to Monsignor Kulpinski. I commend the article to the attention of my colleagues and to the public. We are proud of Monsignor Kulpinski in our community and express our thanks to him for his devotion to those ideals upon which a better America must be built.

The article follows:

MONSIGNOR KULPINSKI TO MARK 40TH YEAR IN PRIESTHOOD

Rt. Rev. Msgr. Stanley A. Kulpinski, pastor of Queen of Martyrs Church, 180 George Urban Blvd., since 1955, will be honored Sunday on the 40th anniversary of his ordination to the priesthood.

The celebration will include a noon Mass in the church, a 1:15 p.m. play by the school children in the auditorium and a 2:45 p.m. open house in the auditorium.

Msgr. Kulpinski received his B.A. and M.A. degree from Canisius College and St. Bonaventure University, respectively; studied theology at Christ the King Seminary in Allegany, and attended Catholic University for his post-graduate work.

He became administrator for St. Stanislaus Church, Buffalo, in 1945 and was pastor of St. Mary's Church, East Eden, from 1953–1955.

Msgr. Kulpinski, who as spiritual director to the Miraculous Shrines of Canada has given special services for 20 years to the chronically ill and wheelchair patients, has since 1939 been a professor of social philosophy, "Ethics of Industrial Relations," and the Papal Social Encyclicals.

Since 1946, he has been an arbitrator for jurisdictional disputes, grievances, wages, etc.

He served as chairman of the National Catholic Industrial Conference (1955–1960), diocesan director for the Buffalo Labor Management College and 10 district schools and chaplain and religious celebrant for 23 years at Westinghouse Corp.

He has participated in and conducted numerous industrial seminars and workshops, been a frequent guest lecturer and served as consultant for various labor unions in a number of states.

Msgr. Kulpinski, co-founder and charter member of St. Rita's Home in Getzville, lists countless professional affiliations and memberships as well as tenures as chaplain for industrial organizations, the Erie County Penitentiary, Erie County Home and Infirmary and St. Rita's Ladies Guild Auxiliary.

His memberships include the American Arbitration Ass'n, Buffalo Chamber of Commerce, American Sociological Ass'n, Gov. Rockefeller Committee for the Erection of the Ashford Nuclear Project and the Public Employees Relations Board for the City of Buffalo.

Msgr. Kulpinski, commentator for WWOL radio's "Church in the News" program which now is in its 10th year, is listed in "Who's Who—The Catholic Clergy of the Nation."

He was the 1972 recipient of the Toastmasters International Communication and Leadership Award, twice received a Buffalo Bison from Buffalo Mayors Frank A. Sedita and Stanley M. Makowski and also received the Key to the City from Mayor Sedita.

The Adam Plewacki American Legion Post presented him the Americanization Award for his accomplishments on behalf of the war effort during World War II.

THE NEED FOR MORE OPEN COMMITTEE SESSIONS IN THE HOUSE

HON. CLARENCE J. BROWN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 29, 1974

Mr. BROWN of Ohio. Mr. Speaker, over the past several weeks, the Honorable BILL GUNTER of Florida and I have invited cosponsorship of an amendment that we will offer on the House floor when the Bolling committee's proposal for reorganizing the House committee structure comes up for House action.

The amendment would provide that meetings of the House committees and subcommittees would be required to be open, except in narrowly defined circumstances relating to national security or when open meetings might definitely compromise the public interest or the legal rights of individuals.

As of today we have been joined by 43 members of the House as cosponsors to our proposed amendment, and are pleased that they are representative of a very wide range of the political spectrum of the House—liberal, moderate, and conservative. Additional Members have indicated interest in also joining this effort for more open committees and subcommittees.

Several weeks ago, Mr. GUNTER addressed a meeting of Young Democrats in Clearwater, Fla., and spoke on the subject of our proposed amendment and the Bolling committee's reorganization plan. The speech was an excellent analysis of the Brown-Gunter open committees amendment, which I wish to place in the RECORD for the benefit of my colleagues:

REMARKS OF HON. BILL GUNTER

It's a real pleasure to share this occasion with you.

And I'm particularly glad to be able to be with you tonight because it gives me the opportunity to report to you on the most recent developments in Washington, and particularly in Congress, with respect to some of the matters on which you and I share a very real concern.

This has been a really frantic and hectic week in Washington. They all are, of course. But this week produced what I believe is the first sign of some real and hopeful progress towards a goal that has been one of my prime objectives in the Congress—and that is the reform of Congress itself.

I know the public attention is understandably focused most of all right now on the Presidency and all the unfolding developments relating to impeachment.

But while that goes on, there are some critical and important battles taking place behind the scenes in Congress that will in my judgment play an equal role in determining the future of this country. They are not, unfortunately, getting the kind of widespread public attention they deserve. True congressional reform, in fact, will require that the public generally be aware of the stakes involved for the future welfare of the country. That is why I think it is important to keep you posted on these developments and informed—so that they can bring your own influence to bear.

On two days this past week, the Democrats in the House held a special caucus to consider a plan to totally restructure the committee system of the House and rearrange their jurisdictions. The plan, which is known as the Bolling reorganization plan, in effect attempts to set new priorities for the conduct of public business by the House. It attempts to modernize and streamline its operations and make it more capable of dealing with the flood of urgent modern problems that all too often now just seem to overwhelm the Congress.

It is a reform that is long overdue. And it is a reform that is by no means assured of taking place now.

On going into the caucus, I have to say that I was somewhat pessimistic. The special interests and other forces arrayed against this badly-needed and long-overdue reform are well-established and deeply entrenched. They are powerful. They are not embarrassed to show their muscle. And they are interested not in the welfare of the country or the capacity of Congress to deal responsively with modern problems and to meet the needs of our people—but in only one thing, their own narrow, special interest.

I can say that after those two days in which the special House Democratic Caucus

met, however, I emerge somewhat more hopeful. I believe now that the Bolling reorganization plan has a fighting chance to succeed—provided a real demand can be generated for reform from the public at large. The opponents of the plan, fortunately, are not organized among themselves. Each special interest is attempting to take care of its own particular interest only. And this makes it possible, I think, for those of us who are fighting for basic and genuine reform to succeed.

There is still another critical reason, however, why you and others should be pushing strongly for enactment of the reorganization plan. That is because if we can move that plan out of committee and onto the House Floor for action, then I think we have an excellent chance to get an amendment passed to put an end to secret, closed-door meetings of the House committees and subcommittees and apply the "Government in the Sunshine" principle such as we adopted in Florida to the House of Representatives in the conduct of national business.

Also last week, I joined with a respected Republican Congressman from Ohio, Clarence Brown, to head a bipartisan drive in the House for an amendment to the Bolling plan if it reaches the floor that would effectively end congressional secrecy.

The response was just beginning to come into my office when I left to come down here to Florida to a letter Clarence Brown and I sent to all of our colleagues in the House asking for their support for this amendment.

You would be surprised, I think, if you could go over the list, to see the broad-based and bipartisan support this amendment is picking up—and from every area of the country.

On the basis of this response, I'm willing to predict that if we can just get the Bolling plan out onto the House Floor, we will be able to pass my amendment to open up all House committees and subcommittees to the public, with the few limited, narrowly-defined areas where the national security or such things as the legal rights of individuals might be involved.

Even in this instance, the amendment being offered by Clarence Brown and myself would require that a majority of a committee vote to close a meeting each time one is closed—and that a transcript of anything said in the closed session having nothing to do with national security or the other limited exceptions be made public.

Ending congressional secrecy is not only an idea long-overdue but one I believe whose time has come—and that it will come if enough of the public understand the importance of what is at stake.

And it is, I think, not merely important—but critical.

Congress, I'm sad to observe, is no longer a functioning institution for all practical purposes. It may pass bills and appear on the surface to be tending to business. But the recent energy crisis, among many other indications, clearly demonstrated, I think, that it is unable to respond quickly, comprehensively and successfully to deal with urgent problems.

As serious as this is, it is even more critical in my view that strong and effective action be taken to restore public faith in Congress as an institution, however—and faith in the men who are elected to serve in Congress.

Only last January a poll showed that only 21 per cent of the people had faith in Congress and approved of the way it was doing its job.

As concerned as we may be with Watergate, or as preoccupied as we may be with the unfolding tragedy related to the impeachment question, we must be equally concerned with the growing loss of confidence in Congress as an institution—and indeed with a growing inability of Congress to respond to the needs and problems that exist in the country for our people.

When nearly 80 per cent of the people indicate indifference to, or lack of knowledge of, or lack of respect for, the conduct of the Congress which is most truly supposed to represent them, then something is fundamentally wrong.

I believe there are two fundamental and overriding needs to be met. One is to open the secret corners of Congress to the public light of day, and to scrutinize the commitment of those who now serve or would serve in Congress to total honesty—personal, financial and intellectual.

The second is the absolute need, now, to bring Congress as an institution into the 20th Century—to modernize and reform it in order to deal with modern problems and human needs.

Passage of the Gunter-Brown open committee meeting amendment can accomplish the first. It is real and substantive reform. It proposes not to simply stand outside the closed committee room door and demand the doors be opened—but to actually open them.

And passage of the reorganization plan drafted by my colleague Dick Bolling of Missouri can move us well down the road towards accomplishing the second.

So this is the fight that is going on right now in the House and that you need to know about so that you can make your own influence felt. Because it is your Government—your House of Representatives—conducting your business—and your interests and the interests of the country as a whole are what is at stake in the outcome of this fight to bring "Government in the Sunshine" to the House of Representatives, and to make the House of Representatives a modern institution capable of responding to your needs.

I hope you will find ways to express your support for the effort to reform the House. And with the help of you and others like you, we will make Congress the kind of institution that merits and has public faith again.

Thank you.

A STRONG CASE FOR NATIONAL HEALTH INSURANCE

HON. WILLIAM LEHMAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 29, 1974

Mr. LEHMAN. Mr. Speaker, the last few years have seen a great deal of discussion of national health insurance. There are still some who insist that our present methods of health coverage are adequate, and it is to these people I address these remarks.

Recently, an acquaintance of mine was hospitalized for a month. Upon her release, she was presented with a bill for $9,757.31. Of this, $198 was charged for the surgical operation and placement in a recovery room, $1,922 was charged for a semi-private room. The remaining portion of the bill, $7,637.31, accounted for innumerable tests, medications, and other services. There is even included a charge of 50 cents for a box of Kleenex.

While her group plan health insurance will cover the major part of the bill, the other members of the group will also have their premiums raised as a result.

With her permission, I am inserting the itemized bill into the RECORD. Not only does this particular case present an exceptionally strong argument for national health insurance, but as well, shows the great necessity for the inclusion of cost-accounting procedures in any such program.

The information follows:

INTERNAL REVENUE SERVICE NO. 59-1402842, BLUE CROSS HOSPITAL NO. 275, MEDICARE PROVIDER NO. 10-0210

Date	Description of services		Service amount
Mar. 26	Liver imaging multi	27783513	144.00
	Radioisotopes	27	144.00
Mar. 26	Esophscpy/gastrscopy	35000405	55.00
	Gastrointestinal	35	55.00
Mar. 26	E.O.R. physician fee	50000009	25.00
Apr. 5	Injections intravens	50000207	10.00
	Professional services	50	35.00
	Total charges		9,757.31
	Net total		9,757.31
April 23	02 Hum w/can mk dail	15511017	6.00
April 23	02 Hum w/can mk dail	15511017	6.00
April 23	02 from piped sys/hr	15511058	16.00
April 23	02 from piped sys/hr	15511058	2.00
April 23	Ultsonic Rx pr treat	15511140	8.00
April 23	Ultsonic Rx pr treat	15511140	16.00
April 23	Chest physio fl rout	15513435	20.00
April 23	IPPB Rx Inc medction	15514086	28.00
April 23	IPPB Rx Inc medction	15514086	14.00
	Oxygen	15	2,417.00
April 10	Monitoring	16000606	25.00
April 10	Electrocardiogram	16000804	25.00
	Electrocardiograms	16	50.00
March 27	Serv chge blood	20010815	20.00
March 27	Serv chge blood	20010815	20.00
March 27	Serv chge blood	20010815	20.00
March 27	Serv chge blood	20010815	20.00
April 19	Serv chge blood	20010815	20.00
April 19	Serv chge blood	20010815	20.00
	Transfusion set-up/serv	20	120.00
March 27	Whole blood	21010616	37.50
March 27	Whole blood	21010616	37.50
March 27	Whole blood	21010616	37.50
March 27	Packed cells	21010632	37.50
April 19	Packed cells	21010632	37.50
April 19	Packed cells	21010632	37.50
	Whole blood/packed cells	21	225.00
March 26	Emergency room	23000102	10.00
	Emergency service	23	10.00

Date	Description of services		Service amount
Apr. 12	02 from piped sys/hr	15511058	16.00
Apr. 12	Ultsonic Rx pr treat	15511140	24.00
Apr. 12	IPPB Rx inc medction	15514086	42.00
Apr. 13	02 Hum W/can mk dail	15511017	6.00
Apr. 13	02 from piped sys/hr	15511058	32.00
Apr. 13	Ultsonic Rx pr treat	15511140	24.00
Apr. 13	IPPB Rx inc medction	15514086	42.00
Apr. 14	02 hum W/can mk dail	15511017	6.00
Apr. 14	02 from piped sys/hr	15511058	32.00
Apr. 14	Ultsonic Rx pr treat	15511140	32.00
Apr. 14	IPPB Rx inc medction	15514086	42.00
Apr. 15	02 hum W/can mk dail	15511017	6.00
Apr. 15	Ultsonic Rx pr treat	15511140	24.00
Apr. 15	IPPB Rx inc medction	15514086	42.00
Apr. 16	02 hum W/can mk dail	15511017	6.00
Apr. 16	02 from piped sys/hr	15511058	16.00
Apr. 16	Ultsonic Rx pr treat	15511140	24.00
Apr. 16	IPPB Rx inc medction	15514086	28.00
Apr. 17	02 hum W/can mk dail	15511017	6.00
Apr. 17	Ultsonic Rx pr treat	15511140	16.00
Apr. 17	IPPB Rx inc medction	15514086	14.00
Apr. 19	02 hum W/can mk dail	15511017	6.00
Apr. 19	02 from piped sys/hr	15511058	16.00
Apr. 19	Ultsonic Rx pr treat	15511140	24.00
Apr. 19	Chest physio fl rout	15513435	20.00
Apr. 19	IPPB Rx inc medction	15514086	28.00
Apr. 21	02 hum W/can mk dail	15511017	6.00
Apr. 21	02 hum W/can mk dail	15511017	6.00
Apr. 21	02 from piped sys/hr	15511058	8.00
Apr. 21	Ultsonic Rx pr treat	15511140	16.00
Apr. 21	Ultsonic Rx pr treat	15511140	24.00
Apr. 21	Chest physio fl rout	15513435	10.00
Apr. 21	IPPB Rx inc medction	15514086	28.00
Apr. 21	IPPB Rx inc medction	15514086	28.00
Apr. 22	02 hum W/can mk dail	15511017	6.00
Apr. 22	Ultsonic Rx pr treat	15511140	16.00
Apr. 22	Chest physio fl rout	15513435	20.00
Apr. 22	IPPB Rx inc medction	15514086	28.00
Apr. 4	02 from piped sys/hr	15511058	16.00
Apr. 4	Chest physio fl rout	15513435	20.00
Apr. 4	IPPB Rx inc medction	15514086	28.00
Apr. 5	Aerosol Rx per treat	15510613	32.00
Apr. 5	02 Hum w/can mk dail	15511017	6.00
Apr. 5	02 from piped sys/hr	15511058	16.00
Apr. 5	Chest physio fl rout	15513435	30.00
Apr. 5	IPPS Rx Inc medction	15514086	56.00
Apr. 6	Aerosol Rx per treat	15510613	8.00
Apr. 6	02 Hum w/can mk dail	15511017	6.00
Apr. 6	02 from piped sys/hr	15511058	32.00
Apr. 6	Chest physio fl rout	15513435	40.00
Apr. 6	IPPB Rx Inc medction	15514086	56.00
Apr. 7	Aerosol Rx per treat	15510613	32.00
Apr. 7	02 hum w/can mk dail	15511017	6.00
Apr. 7	02 from piped sys/hr	15511058	32.00
Apr. 7	Chest physio fl rout	15513435	20.00
Apr. 7	IPPB Rx Inc medction	15514086	56.00
Apr. 9	Aerosol Rx per treat	15510613	24.00
Apr. 9	02 Hum w/can mk dail	15511017	6.00
Apr. 9	Chest physio fl rout	15513435	30.00
Apr. 9	IPPB Rx Inc medction	15514086	42.00
Apr. 10	Aerosol Rx per treat	15510613	24.00
Apr. 10	02 Hum w/can mk dail	15511017	6.00
Apr. 10	02 from piped sys/hr	15511058	48.00
Apr. 10	Chest physio fl rout	15513435	10.00
Apr. 10	IPPB Rx Inc medction	15514086	42.00
Apr. 11	02 Hum w/can mk dail	15511017	6.00
Apr. 11	02 Hum w/can mk dail	15511017	6.00
Apr. 11	02 from piped sys/hr	15511058	32.00
Apr. 11	02 from piped sys/hr	15511058	32.00
Apr. 11	Ultsonic Rx per treat	15511140	8.00
Apr. 11	Ultsonic Rx per treat	15511140	32.00
Apr. 11	USN Tx initial	15511157	14.00
Apr. 11	IPPB Rx Inc medction	15514086	28.00
Apr. 11	IPPB Rx Inc medction	15514086	42.00
Apr. 11	Arter B1 gas anal in	15514102	50.00
Apr. 12	02 Hum w/can mk dail	15511017	6.00
Apr. 16	Linen savers, dozen	13069000	1.50
Apr. 16	Linen savers dozen	13069000	1.50
Apr. 16	Thorcntesis try disp	13114509	12.00
Apr. 17	Basic biopsy tray	13014006	12.00
Apr. 17	Miscellaneous csr	1307450	3.00
Apr. 17	Miscellaneous csr	13074505	3.00
Apr. 20	Linen savers, ½ doz	13069505	.75
	Central supplies	13	102.66
Apr. 10	Bronchial asp tube	14224026	5.60
Apr. 10	Disposable suction	14900906	5.00
Apr. 10	Disposable pack	14900914	25.45
	Surg. supplies	14	36.05
Mar. 23	Vacuum inter install	15514060	25.00
Mar. 24	Vacuum inter daily	15514078	10.00
Mar. 28	IPPB Rx Inc medction	15514086	14.00
Mar. 28	IPPN Rx int pt instr	15514094	16.00
Mar. 29	IPPB Rx inc medction	15514086	42.00
Mar. 31	IPPB Rx inc medction	15514086	42.00
Apr. 1	02 hum w/can mk cath	15511009	10.00
Apr. 1	02 from piped sys/hr	15511058	8.00
Apr. 1	IPPB Rx inc medction	15514086	42.00
Apr. 1	IPPB Rx inc medction	15514086	42.00
Apr. 2	02 hum w/can mk dail	15511017	6.00
Apr. 2	02 from piped sys/hr	15511058	48.00
Apr. 2	IPPB Rx inc medction	15514086	42.00
Apr. 3	Aerosol Rx initial	15510605	14.00
Apr. 3	Aerosol Rx per treat	15510613	16.00
Apr. 3	02 hum w/can mk dail	15511017	6.00
Apr. 3	02 from piped sys/hr	15511058	16.00

Date	Description of services		Service amount
Apr. 3	Chest physio fl rout	15513435	30.00
Apr. 3	IPPB Rx inc medction	15514086	42.00
Apr. 3	Arter bi gas anal in	15514102	50.00
Apr. 4	Aerosol Rx per treat	15510613	24.00
Apr. 4	02 hum w/can mk dail	15511017	6.00
Apr. 3	Medication	10000107	160.55
Apr. 4	IV Sol, 1,000, 500 cc	10000123	13.50
Apr. 5	IV Sol, 1,000, 500 cc	10000123	13.50
Apr. 9	Medication	10000107	2.80
Apr. 9	Medication	10000107	5.50
Apr. 9	Medication	10000107	(CR) 11.50
Apr. 9	IV Sol, 1,000, 500 cc	10000123	19.95
Apr. 9	IV Sol, 1,000, 500 cc	10000123	42.50
Apr. 9	IV Sol, 1,000, 500 cc	10000123	13.50
Apr. 9	IV Sol, 1,000, 500 cc	10000123	13.50
Apr. 10	Medication	10000107	5.25
Apr. 13	IV Sol, 1,000, 500 cc	10000123	13.50
Apr. 19	Medication	10000107	391.50
Apr. 19	IV Sol, 1,000, 500 cc	10000123	13.50
Apr. 21	Medication	10000107	271.50
Apr. 24	Medication	10000107	522.85
	Drugs	10	2,004.90
Mar. 22	Admission kit	13009501	5.00
Mar. 26	Angiocath each	13008008	3.00
Mar. 26	Irrigating set disp	13063508	4.00
Mar. 26	Levine tube	13068507	3.00
Mar. 26	Miscellaneous csr	13074505	1.00
Mar. 27	Miscellaneous csr	13074505	3.00
Mar. 27	Sputum collect sys	13095013	6.00
Mar. 27	Kleenex bx	13140009	.50
Mar. 28	Midstream catch kit	13074000	2.00
Mar. 30	Sml vein infsion set	13093000	2.00
Apr. 3	Thorcntesis try disp	13114509	12.00
Apr. 5	Angiocath each	13008008	3.00
Apr. 5	Kling 3 inch-ptready	13066006	.75
Apr. 5	Miscellaneous csr	13074505	.14
Apr. 9	Midstream catch kit	13074000	2.00
Apr. 9	Midstream catch kit	13074000	2.00
Apr. 9	Sputum collect sys	13095013	3.00
Apr. 10	Normal saline 1,000 cc	13077508	5.00
Apr. 12	Miscellaneous csr	13074505	11.52
Apr. 19	Gross micro 1-5 slds	07715196	15.00
	Pathology	07	15.00
Mar. 23	Gastro with k b	08742413	72.00
Mar. 26	Chest single view	08710105	16.00
Mar. 26	Abd men complete	08740201	32.00
Mar. 27	Chest two views	08710204	24.00
Mar. 2	Chest single view	08710105	16.00
Apr. 3	Chest two views	08710204	24.00
Apr. 4	Chest complete	08710303	32.00
Apr. 6	Chest complete	08710303	32.00
Apr. 7	Chest two views	08710204	24.00
Apr. 11	Chest two views	08710204	24.00
Apr. 12	Chest two views	08710204	24.00
Apr. 18	Chest two views	08710204	24.00
Apr. 23	Chest two views	08710204	24.00
	X ray-diagnostic	08	368.00
Mar. 26	Medication	10000107	3.35
Mar. 26	IV sol, 1,000, 500 cc	10000123	13.50
Mar. 26	IV sol 250, 150, 100, 50 cc	10000206	3.50
Mar. 26	IV sol 250, 150, 100, 50 cc	10000206	3.50
Mar. 27	Medication	10000107	4.00
Mar. 27	Medication	10000107	4.00
Mar. 27	Medication	10000107	4.00
Mar. 27	Medication	10000107	4.00
Mar. 27	Medication	10000107	4.00
Mar. 27	IV sol 250, 150, 100, 50 cc	10000206	3.50
Mar. 28	Medication	10000107	4.00
Mar. 28	IV sol 250, 150, 100, 50 cc	10000206	3.50
Mar. 29	Medication	10000107	4.00
Mar. 29	Medication	10000107	4.00
Mar. 29	IV sol, 1,000, 500 cc	10000123	418.95
Mar. 30	Medication	10000107	4.00
Mar. 30	Medication	10000107	4.00
Mar. 30	IV sol, 1,000, 500 cc	10000123	23.20
Apr. 12	Glucose blood or uri	06011175	10.00
Apr. 12	Profile 15 chem	06012173	58.00
Apr. 12	Protein total	06012215	8.00
Apr. 12	CBC with diff	06110530	12.00
Apr. 12	Platelet count	06112098	10.00
Apr. 12	Culture routine othr	06210835	16.00
Apr. 12	Culture routine othr	06210835	16.00
Apr. 12	Culture sensitivity	06210876	15.00
Apr. 12	Prothrombin time	06312243	8.00
Apr. 12	Lab misc	06910004	10.00
Apr. 14	Platelet count	06112098	10.00
Apr. 14	A.F.B. smear	06210025	6.00
Apr. 14	Culture routine othr	06210835	16.00
Apr. 14	Culture routine othr	06210835	16.00
Apr. 14	Culture sensitivity	06210876	15.00
Apr. 14	Partial thromboplast	06311997	12.00
Apr. 14	Prothrombin time	06312243	8.00
Apr. 15	Profile 12 chem	06012165	30.00
Apr. 15	Platelet count	06112098	10.00
Apr. 16	Stat charge	06912778	2.00
Apr. 20	Bilirubin total only	06010367	11.00
Apr. 20	Co²	06010482	10.00
Apr. 20	Chloride bld ur csf	06010581	10.00
Apr. 20	Creatinine bl or uri	06010771	10.00
Apr. 20	Potassium bld urine	06012124	9.00
Apr. 20	Sodium	06012413	9.00
Apr. 20	CBC with diff	06110530	12.00
Apr. 20	Prothrombin time	06312243	8.00
Apr. 21	A.F.B. smear	06210025	6.00

INTERNAL REVENUE SERVICE NO. 59-1402842, BLUE CROSS HOSPITAL NO. 275, MEDICARE PROVIDER NO. 10-0210—Continued

Date	Description of services		Service amount
Apr. 21	Blood culture	06210819	20.00
Apr. 21	Blood culture	06210819	20.00
Apr. 21	Culture routine othr	06210835	16.00
Apr. 21	Culture sensitivity	06210876	15.00
Apr. 24	Alph 1 antitrypsin	06610158	20.00
Apr. 24	Protein electro	06612238	24.00
	Laboratory	06	2,125.00
Apr. 5	Bilirubin total only	06010367	11.00
Apr. 5	Lipase bld or urine	06011712	16.00
Apr. 5	Reticulocyte count	06112304	7.00
Apr. 5	Sedimentation rate	06112353	7.00
Apr. 5	Blood culture	06210819	20.00
Apr. 5	Blood culture	06210819	20.00
Apr. 5	Blood culture	06210819	20.00
Apr. 5	Culture routine othr	06210835	16.00
Apr. 5	Culture routine othr	06210835	16.00
Apr. 5	Culture sensitivity	06210876	15.00
Apr. 5	Culture sensitivity	06210876	15.00
Apr. 5	Febrile agglutinins	06211031	15.00
Apr. 5	Urinalysis rout	06412639	7.00
Apr. 5	Coombs direct	06710701	10.00
Apr. 5	Coombs indirect	06710719	10.00
Apr. 6	Profile 12 chem	06012165	30.00
Apr. 6	CBC with diff	06110530	12.00
Apr. 6	Prothrombin time	06312243	8.00
Apr. 7	A.F.B. smear	06210025	6.00
Apr. 7	Culture routine othr	06210835	16.00
Apr. 7	Culture routine othr	06210835	16.00
Apr. 7	Culture quant urine	06210843	20.00
Apr. 7	Culture sensitivity	06210876	15.00
Apr. 7	Culture sensitivity	06210876	15.00
Apr. 7	Gram stain	06211254	7.00
Apr 9	Chloride bld ur CSF	06010581	10.00
Apr. 9	Potassium bld urine	06012124	9.00
Apr. 9	Profile 12 chem	06012165	30.00
Apr. 9	Sodium	06012413	9.00
Apr. 9	CBC with diff	06110530	12.00
Apr. 9	Culture stool	06210827	20.00
Apr. 9	Culture routine othr	06210835	16.00
Apr. 9	Culture sensitivity	06210876	13.00
Apr. 9	Partial thromboplast	06311997	12.00
Apr. 9	Prothrombin time	06312243	8.00
Apr. 9	Urinalysis rout	06412639	7.00
Apr. 12	Amonia blood	06010185	15.00
Apr. 12	Amylase blood	06010201	13.00
Mar. 27	Blood culture	06210819	20.00
Mar. 27	Blood culture	06210819	20.00
Mar. 27	Blood culture	06210819	20.00
Mar. 27	Prothrombin time	06312243	8.00
Mar. 27	Prothrombin time	06312243	8.00
Mar. 27	Occult bld feces gas	06411912	4.00
Mar. 27	ANA	06510218	24.00
Mar. 27	Lipoprotein electro	06611735	30.00
Mar. 27	Protein electro	06612238	24.00
Mar. 27	Blood type X match	06712509	20.00
Mar. 27	Blood type X Match	06712509	20.00
Mar. 27	Lab misc	06915003	15.00
Mar. 27	Lab misc	06935001	35.00
Mar. 27	Lab misc	06935001	35.00
Mar. 27	Lab misc	06935001	35.00
Mar. 27	Lab misc	06935001	35.00
Mar. 27	Lab misc	06935001	35.00
Mar. 27	Lab misc	06935001	35.00
Mar. 28	Culture quant urine	06210843	20.00
Mar. 28	Culture sensitivity	06210876	30.00
Mar. 29	CBC without diff	06110548	8.00
Mar. 29	CBC without diff	06110548	8.00
Mar. 29	A.F.B. culture	06210033	22.00
Mar. 31	Profile 15 chem	06012173	58.00
Mar. 31	CBC with diff	06110530	12.00
Mar. 31	CBC without diff	06110548	8.00
Mar. 31	Platelet count	06112098	10.00
Mar. 31	Culture routine othr	06210835	16.00
Mar. 31	Culture sensitivity	06210876	30.00
Mar. 31	Gram stain	06211254	7.00
Apr. 1	CBC without diff	06110548	8.00
Apr. 2	Bilirubin direct	06010359	11.00
Apr. 2	CBC with diff	06110530	12.00
Apr. 3	Creatinine bl or uri	06010771	10.00
Apr. 3	Profile 12 chem	06012165	30.00
Apr. 3	Prothrombin time	06312243	8.00
Apr. 5	Amylase blood	06010201	13.00
Apr 5	Bilirubin direct	0601031	11.00
Apr. 10	Anes supp TM 0-60	05111505	20.00
Apr. 10	Anesthesia circuit	05613005	8.70
	Anesthesia supplies	05	28.70
Mar. 22	CBC with diff	06110530	12.00
Mar. 22	Prothrombin time	06312243	8.00
Mar. 22	Urinalysis rout	06412639	7.00
Mar. 22	Vdrl screen(rpr)	06512693	8.00
Mar. 22	Stat charge	06912778	2.00
Mar. 23	CBC without diff	06110548	8.00
Mar. 24	CBC without diff	06110548	8.00
Mar. 25	Bilirubin direct	06010359	11.00
Mar. 25	Profile 12 chem	06012165	30.00
Mar. 25	CBC without diff	06110548	8.00
Mar. 25	CBC without diff	06110548	8.00
Mar. 25	CBC without diff	06110548	8.00
Mar. 25	Prothrombin time	06312243	8.00
Mar. 25	Coombs direct	06710701	10.00
Mar. 25	Coombs indirect	06710719	10.00
Mar. 27	Australian antigen	06010268	25.00
Mar. 27	Australian antigen	06010268	25.00
Mar. 27	Cephalin chol floc	06010557	12.00
Mar. 27	Cholesterol	06010599	12.00
Mar. 27	Thymol turbidity	06012520	10.00
Mar. 27	Triglycerides	06012595	16.00
Mar. 27	CBC with diff	06110530	12.00
Mar. 27	CBC without diff	06110548	8.00
Mar. 27	CBC without diff	06110548	8.00
Mar. 27	CBC without diff	06110548	8.00
Mar. 27	CBC without diff	06110548	8.00
Mar. 27	CBC without diff	06110548	8.00
Mar. 27	CBC without diff	06110548	8.00
Mar. 27	CBC without diff	06110548	8.00
Mar. 27	LE prep	06111702	16.00
Mar. 27	Platelet count	06112098	10.00
Mar. 27	Platelet count	06112098	10.00
Mar. 27	A.F.B. smear	06210025	6.00
Mar. 22	R-0309 semiprivate		62.00
Mar. 23	R-0309 semiprivate		62.00
Mar. 24	R-0309 semiprivate		62.00
Mar. 25	R-0309 semiprivate		62.00
Mar. 26	R-0309 semiprivate		62.00
Mar. 27	R-0309 semiprivate		62.00
Mar. 28	R-0309 semiprivate		62.00
Mar. 29	R-0309 semiprivate		62.00
Mar. 30	R-0309 semiprivate		62.00
Mar. 31	R-0309 semiprivate		62.00
Apr. 1	R-0309 semiprivate		62.00
Apr. 2	R-0309 semiprivate		62.00
Apr. 3	R-0309 semiprivate		62.00
Apr. 4	R-3009 semiprivate		62.00
Apr. 5	R-0309 semiprivate		62.00
Apr. 6	R-0309 semiprivate		62.00
Apr. 7	R-0309 semiprivate		62.00
Apr. 8	R-0309 semiprivate		62.00
Apr. 9	R-0304 semiprivate		62.00
Apr. 10	R-0304 semiprivate		62.00
Mar. 11	R-0304 semiprivate		62.00
Apr. 12	R-0304 semiprivate		62.00
Apr. 13	R-0304 semiprivate		62.00
Apr. 14	R-0304 semiprivate		62.00
Apr. 15	R-0304 semiprivate		62.00
Apr. 16	R-0304 semiprivate		62.00
Apr. 17	R-0304 semiprivate		62.00
Apr. 18	R-0304 semiprivate		62.00
Apr. 19	R-0304 semiprivate		62.00
Apr. 20	R-0304 semiprivate		62.00
Apr. 21	R-0304 semiprivate		62.00
	Daily hospital service	01	1,922.00
Apr. 10	Surgery, ½ hr	02000206	82.00
Apr. 10	IP recovery, 1 hr	02600104	17.00
	Operating/recovery rooms	02	99.00

THE REVEREND WALTER E. SCHMIDT, S.J., RECEIVES BROTHERHOOD AWARD

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 29, 1974

Mr. EDWARDS of California. Mr. Speaker, I would like to pause for a minute to recognize the achievement of Father Walter E. Schmidt, senior vice president of the University of Santa Clara, who will receive this year's brotherhood award from the National Conference of Christians and Jews June 19 in San Jose.

Father Schmidt deserves this honor as few others do. He is a man who has dedicated his life to the children of Santa Clara County. Not only has he served long and well in the University of Santa Clara, but he is the founder and moving force behind the Santa Clara Valley Youth Village.

Father Schmidt founded the village in 1944, when a group of 20 eager teenagers came to him and urged that there was nothing to do and no place to go in the midst of World War II in Santa Clara, Calif. I wonder if Father Schmidt had any idea that that little youth center would become an enduring service in Santa Clara and that he would dedicate major portions of time and energy to the project for the next 30 years when he agreed to open the center, "but just for the summer"?

I am pleased that Father Schmidt has been chosen for this brotherhood award, but I know that no award or recognition can possibly mean as much to him as the knowledge that he has been able to help so many youngsters to find themslves. He has succeeded in helping countless thousands of young people to find their way to responsible adulthood with a concern for their fellow man. Nevertheless, it is

fitting that Father Schmidt should be so honored.

We could not do wrong to use his life as a measure of what decent men and women can do to live what must be a fulfilling and profoundly satisfying life.

OIL DEVELOPMENT OFF THE COAST OF MASSACHUSETTS

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 29, 1974

Mr. HARRINGTON. Mr. Speaker, Massachusetts faces the surprising prospect of being the locale for one of America's "oil rushes" of the 1970's. Petroleum and natural gas reserves have been identified off our coast.

Frankly, Mr. Speaker, the citizens of Massachusetts, and their elected leaders, do not quite know what to make of this challenge. We need additional sources of secure, domestic energy, but we fear for the beauty of our coastlines and the stability of our way of life. We need additional sources of jobs, but we have a long-standing—and justified—suspicion of the major oil companies who ordinarily dominate development of fossil fuel resources.

Journalist Jack Thomas of the Boston Globe has captured the complexities of the offshore oil issue in a portrait of Morgan City, La.—a quiet southern community turned into a boom town by drilling in the Gulf of Mexico. Thomas records the perceptions of Morgan City residents, and offers his own. He outlines the undeniable economic benefits development has brought, but also describes the main highway through Morgan City, "crowded on both sides with hundreds of ugly, one-story, predominantly prefabricated pizza huts, bars, shopping centers, fast food restaurants, and industrial firms which seem to be the unavoidable penalty in American boom towns."

Mr. Thomas' article is the most provocative I have read on the implications of offshore oil for New England, because, concerned as it is with an issue on which many people have defined hard-line positions for or against development, he takes an even-handed and balanced approach. We would do well to keep in mind an observation made to Mr. Thomas by a Louisiana environmentalist:

In Massachusetts, you have time to develop this thing carefully. You don't have to develop it our way.

Mr. Speaker, at this point I insert Mr. Thomas' articles into the RECORD:

[From the Boston Globe, May 19, 1974]

OIL AND FISHING A THRIVING MIX FOR LOUISIANA

(By Jack Thomas)

MORGAN CITY, LA.—Lee Vaccari was a struggling engineer for an oil company in Texas, and the future looked promising until the boss told him the bad news that they were transferring him to Morgan City to work on off-shore drilling.

The news was so demoralizing that Vaccari remembers the date. "It was Jan. 2, 1950," he said, "and my first reaction was, 'Where the hell is Morgan City'?"

His wife, Marian, did not rhapsodize over the prospect of life in a sleepy Louisiana town on the banks of the Atchafalaya River, and their day-long ride from Texas was depressing.

"I cried all the way," she said.

But that's all changed.

Today, thanks to off-shore drilling, Vaccari is a millionaire who owns 13 businesses which employ 500 people with a payroll of $3 million a year. He lives lavishly in a $150,000, seven-bedroom home with a swimming pool in his yard, a Mercedes Benz in his driveway and a Rolls Royce in his garage.

NOW A BOOM TOWN

And Morgan City, thanks to off-shore drilling, has been transformed from a languid fishing village with a few thousand residents into a thriving industrial center with 18,000 residents, a strong economic base, a healthy employment rate, skyrocketing land values, and a profusion of new homes, new businesses, new schools, new highways, a new hospital, a new civic center and a substantial appreciation for what off-shore drilling has done for Morgan City.

Louisiana's 397-mile coastline is a rich blend of bayous, bays, lakes and levees decorated with moss-draped swamp trees, salty, grassy marshes and an everchanging wilderness with native iris, ferns, palmettoes, gum trees and the now-rare cypress trees which take 100 years to grow.

From Texas to Mississippi, the coast is dotted with dozens of communities, like Morgan City, whose character, life-style and natural beauty have been changed by the state's $300 million off-shore petroleum industry.

Preliminary exploration indicates the Atlantic Continental Shelf, from Nova Scotia to Florida, may contain at least a 20-year supply of crude oil and a 35-year supply of natural gas. The most promising areas are Georges Bank off New England, Baltimore Canyon off Maryland, and Blake Plateau off northern Florida.

PROSPECT CHILLS NORTHEAST

In recent years, the discovery of domestic petroleum has not kept pace with demand and, as a result, the Federal government may decide soon to grant oil companies the right to drill off the Atlantic Coast.

The Federal government continues to conduct feasibility studies, although drilling could not be done till late in this decade. But in anticipation of leasing rights, a consortium of 48 oil companies will spend $3 million this summer for seismic studies in search of oil off Long Island and Cape Cod.

Offshore drilling, principally in the Gulf of Mexico off Louisiana, produces 16 percent of the free world's oil, and 6 percent of its natural gas.

For many New Englanders, the prospect of the Northeast as a major oil producing region is culturally alien.

Would it destroy the beauty of the New England coast? Would it harm the fishing industry, the shellfish industry, or the multi-million Cape Cod tourist business? Would it help communities like Fall River and New Bedford, which are plagued by chronic unemployment?

Morgan City was headquarters for Louisiana's famous shrimp industry, when, in 1947, for the first time, oil was discovered out of sight of land about 43 miles south of Morgan City.

Life here has not been the same since.

"This is a boom town," said Michael Hopkins, manager of the new municipal auditorium. "I've lived in six boom towns in my life, and I can guarantee what will happen if there is drilling offshore in Massachusetts. It's unbelievable. What happens is that people get rich. Millions are made instantly. Of course, it's going to destroy a certain amount of local flavor."

As he talked, he drove along US Route 90, the main highway through town, which was crowded on both sides with hundreds of ugly, one-story, predominantly prefabricated pizza huts, bars, shopping centers, fast food restaurants, and industrial firms which seem to be an unavoidable penalty in American boom towns.

In the center of the divided highway was a 40-foot model of an offshore oil rig described as the eternal flame of Morgan City. It was dedicated 18 months ago as "an inspiration and reminder of the heroism of pioneers who brought in the first oil well in 1947." A permanent gas flame burns from the top.

A few feet away, also in the center of the highway, is a life-size shrimp trawler entitled The Spirit of Morgan City. Two mannekins in foul-weather gear peer from the cabin.

"This is what you should emphasize," said Hopkins. "Tell the people to plan for this thing. One oil company means another 20 to 30 businesses will be established. In a way, it's like they're parasites. Don't let them string out their bars and businesses. You will get a lot of roughnecks and lower class. But the landowners are going to make a lot of money, unbelievable money. Everybody will profit."

S. J. "Slick" Morrell, who has been city manager for 26 years, was showing a visitor some yellowed pictures of Morgan City before World War II.

"Without the oil industry? Hell, Morgan City would be nothing but a ghost town. People here are definitely favorably disposed to the oil industry."

The Louisiana petroleum industry provides jobs for 100,000 people, about 10,000 of them in the Morgan City area.

The largest employer is J. Ray McDermott Co., which manufactures $25 million offshore drilling rigs.

"What do we contribute to Morgan City?" repeated Robert Matchin, head of McDermott's Morgan City office. "We furnish the people with the money to buy their groceries. We employ 2200 people, about 95 percent of them from within a 45-mile area. We have a big backlog of work, and business looks good for another 10 years, at least."

Many people in Louisiana are puzzled and resentful that New England demands oil and gas from Louisiana, but is reluctant to drill off the New England coast.

"If there's oil or gas there," said millionaire Vaccari, "sooner or later the country's got to have it."

NORTH IMPRACTICAL

Sitting in a leather chair in his living room, sipping a martini, he answered the next question carefully.

"There is a feeling among Louisiana people that we have gambled on an idea when it was not refined and we have done real well. Why should we give our resources to New Englanders who don't want to take a gamble on oil now, when there's no risk? But they don't mind depleting our resources."

His wife, Marian, asked her guest why northern people insisted on leaving their thermostats at 80 degress during the Winter.

"It doesn't seem fair," Vaccari pressed, "that we can't get fuel here for our cars because we ship it north, and the people in the north won't drill for oil. People up there worry about being compromised? Well, I'd rather be compromised and warm than uncompromised and cold."

Do the drilling rigs damage the esthetics of the seaside?

"No," said Marian Vaccari. "At night they are all lit up like Christmas trees."

"Isn't that ugly?" asked the guest.

"Are lighthouses ugly?" answered Vaccari.

"No," said the guest. "They're pretty."

"Well that's what these rigs look like."

Louisiana's coastline is mostly marsh and the state has fewer beaches to worry about than Massachusetts.

"Shoot," said Vaccari, "the way they operate the rigs today, the problem of spillage is way overplayed."

Coast Guard figures support his contention. In 1971, there were 2.6 million gallons of oil spilled from tankers in United States waters. About 30 percent of that, or 700,000 gallons were spilled in New England. That's six times the total of oil pollution for all offshore drilling operations during the same year, according to Shell Oil Co.

Vaccari is proud of his wealth. "When I came here," he said, "there were two millionaires in Morgan City. Do you know how many there are now? About 50."

A few blocks away, Catherine Delsaver, the city historian, who is completing three years' research on Morgan City, sat in her living room in front of a coffee table with a model oil rig in the center, and demonstrated some animosity for Northerners.

"If it weren't for us, New York City and Boston couldn't function. They'd better get on the ball and find whatever oil or gas is in the Atlantic. Don't forget, these Northern cities use a hell of a lot of fuel. They don't seem to realize that they need it more than we do. These Louisiana wells have been running full blast for 25 years, and they could run out."

FISHING PROSPEROUS

City Manager Morrell described the community's economic health. "Before oil, people struggled along on $35 a week, and now the same people are making more than $200 a week. And that's faster than the cost of living has gone up. A plot of land that cost $300 in 1940 sells today for $10,000 to $15,000," said Morrell.

"Resistance? At first there was some resistance from the shrimp and fishing industry, but after they discovered they weren't hurting, there was no more trouble."

Indeed, the major social event of the year was the annual Shrimp Festival on Labor Day weekend. In 1968, the festival was renamed the Shrimp and Petroleum Festival, and now a king is chosen to represent the oil industry and a queen to represent the shrimp industry.

There is no evidence the shellfish or fishing industry has been harmed by the oil industry. Louisiana produces 91 million pounds of shrimp a year, and about 1.2 billion pounds of commercial fish, which is more than 20 percent of the US total.

The oil industry has settled into the eastern part of Morgan City, along the river and U.S. Route 90, leaving the downtown area, which used to be the center of activity with the post office, city hall and five and dime store, pretty much intact.

The older part of Morgan City looks like any other small southern community with few changes since the Forties and Fifties. It belies the frenetic activity on the other side of town.

It is, almost, as if time in that part of Morgan City had stood still. Telephone calls are five cents, people still sit on the park benches, and when the city hall clock struck 12 at 1:17 in the afternoon a few days ago, nobody seemed to mind.

MASSACHUSETTS COULD LEARN FROM US, SAYS LOUISIANA SCIENTIST

(By Jack Thomas)

NEW ORLEANS, LA.—Dr. Lyle St. Amant dipped the wing of his four-passenger plane over the Gulf, and pointed past the bright white egret, the oyster boat chugging to shore and a $25 million oil rig, and said, "There's your rainbow oil slick."

As assistant director of the Louisiana Wildlife and Fisheries Commission, Dr. St. Amant is responsible for approving offshore petroleum operations.

A biologist, zoologist, entomologist and authority on Louisiana marine life, Dr. St. Amant is convinced that with careful management, the petroleum industry can exploit Louisiana's mineral wealth without discord or undue damage to the ecology or estuarine areas.

"Oil slicks and spillages are unsightly, costly to clean and totally unacceptable from an esthetic standpoint," he said, "but they seem to be one of the least toxic industrial effluents entering our waters".

Later, in his office in New Orleans' French Quarter, Dr. St. Amant described his 28 years of dealing with the petroleum and marine interests in the Gulf of Mexico.

"Anybody contemplating oil production off the coast could well spend some time here and see what to do and what not to do. We don't know all the answers, but we do know the problems."

The petroleum industry is the largest capital investor in Louisiana. More than $8 billion has been invested in offshore drilling. Of that, $1.8 billion has been paid in royalties and production taxes and nearly $3 billion in lease bonuses and rentals for about 3.4 million offshore acres.

"The ocean has great resiliency," Dr. St. Amant said. "In Louisiana, we have seven million acres producing some of the best shellfish in the world—70 to 100 million pounds of shrimp a year. We produce from 800 million to 1.2 billion pounds of commercial fish a year, which is 20 to 23 percent of the total U.S. production. And more than 14,000 wells have been drilled in our state-owned waters, and another 8,000 wells in Federal waters off Louisiana.

"We cannot detect any harmful effects on fish," he said. "The ocean is a hell of a big place."

Dr. St. Amant sat behind his desk, took off his glasses and rubbed his eyes.

"This may startle you," he said, "but I think there's way too much relative significance given to the probability or possibility of fish and bird mortality from oil spills.

"Look, animals die all the time. We kill them all the time. Every year, 1.2 million pounds of good fish are killed needlessly because for every pound of shrimp, five to 10 pounds of fish are killed. That's 500 million fish thrown back into the sea dead because it's economically unsound to bring them in.

"Overnight, red tide kills a million pounds of fish. That's not our major worry, though. The big concern is the permanent effect on nursery grounds, and whether the drilling has changed the ecology.

"Birds? In my tenure on this job—28 years, I've seen between 3000 and 4000 birds oiled up. Compare that to the fact that we kill a million birds a year hunting.

"How many birds do we lose naturally, in, say, a hurricane. The number of birds lost in an intermittent oil spill is negligible. The crucial thing is to find, identify and protect breeding grounds."

"In Massachusetts, you have time to develop this thing carefully," he said. "You don't have to develop it our way."

SECRETARY OF THE INTERIOR SAYS STRIP MINING BILL WILL BE VETOED IN PRESENT FORM AND SAYS WHY

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 29, 1974

Mr. HOSMER. Mr. Speaker, there are many values in the American society, respect for which has helped make us a great Nation. The environmental ethic is one of them and another is the energy ethic.

In the past we got strip mined coal for energy purposes by neglecting the environment. Now, to correct that situation members of the Interior and Insular Affairs Committee have overreacted and produced the bill H.R. 11500 which is overweighted on the environmental side and drastically underweighted on the energy side. We can respect both values and I am proposing H.R. 12898 as a substitute for H.R. 11500. H.R. 12898 does, in fact, respect both values.

Meanwhile, the Secretary of the Interior in a letter to the chairman of the Interior and Insular Affairs Committee has specified why H.R. 11500 is unacceptable from the standpoint of the coal production losses it would involve. The letter follows:

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., May 29, 1974.

Hon. JAMES A. HALEY,
Chairman, Committee of Interior and Insular Affairs, Washington, D.C.

DEAR MR. CHAIRMAN: We have undertaken a thorough review of H.R. 11500 which, on May 14, 1974, was ordered reported by your Committee. We have concluded that the bill has several objectionable features which must be changed in order to strike the right balance between our need for environmental protection and our energy requirements. The Administration feels very strongly that the bill is unacceptable in its present form.

We have made a study of the effects of the bill on coal production and, while there are significant factual and interpretive uncertainties with any study of this kind, I am led to conclude that the bill will involve unacceptable coal production losses.

Enclosed is a table giving summary estimates of the possible and minimum expected effect of certain provisions of the bill on coal production. The "possible" effects assume strict interpretation and implementation of the bill. The "minimum expected" effects assume a much less stringent interpretation and application of those features of the bill. Under both assumptions, however, costs of mining will rise significantly in many cases. The total effects of the bill *cannot* be obtained by adding the individual ones; they are not cumulative. We are preparing a more detailed analysis of H.R. 11500 as it relates to coal production and expect it to be available in the near future.

For 1975 coal losses would probably range from 31 to 187 million tons of needed coal. These losses are attributable to certain selected features of the bill. Other features could add to this loss depending upon interpretation and application. These figures assume that in the first three years of the Act's effectiveness the more liberal interim standards will apply and that certain existing practices will continue. After the first three years, more stringent standards become effective and we expect they will be more stringently applied. On this basis, the potential loss beyond 1977 is projected to be 33 to 271 million tons by 1980 and the latter projection assumes significantly (perhaps 50%) higher production costs in many cases.

Throughout your Committee's work on H.R. 11500, the Administration has consistently pointed out that unless major changes were made in the bill, its implementation could seriously damage the Nation's energy position with respect to coal production. Regrettably, H.R. 11500, as reported by the Committee still has many of the deficiencies we have previously addressed. I urge very strongly that amendments be adopted to make this a workable bill. My principal concerns are:

1. *Interim Program.* In the bill, as amended, the interim compliance sections would present some very severe problems in terms of administerability. This is important because it can adversely affect short-term supplies of needed coal. Among other matters, the timing of the program is unworkable. It would go into effect immediately for new mines and after 120 days for existing mines. Compliance with these deadlines by the coal industry will be almost impossible. Until State requirements and permits are issued, industry will be unable to determine how the bill's requirements apply to its own operations. As to new operations, we think not less than 90 days should be allowed before the bill's requirements come into play with a requirement that the State regulatory agencies act within 30 days on interim permit applications. For existing operations, the state regulatory agency should be required to specify within 60 days how the interim requirements apply to operations and each operator should then have 120 days to comply.

Additionally, the bill should be amended to make it clear that during an interim program, the Federal Government will not be issuing permits where a State fails to act and the Federal role will consist of monitoring and limited enforcement.

2. *Designating Lands Unsuitable for Mining.* The bill's provisions for designating lands on which surface mining cannot take place have several deficiencies. Section 206(a)(2) appears to create a general presumption that all lands are unsuitable for mining unless it is established through the administrative procedures required by the bill (including notice, hearing and formal decision) that surface mining is both physically and economically possible. The procedural effect of this could be a nationwide moratorium on surface mining, something clearly not intended by the Committee. Surface mining presently accounts for 50% of all coal mining or roughly 300 million tons, based on 1973 figures. At the least, the burden of establishing unsuitability should be shifted so that the bill would provide that an area *must* be designated unsuitable only if it is shown that it is not physically possible to reclaim. In this connection the Administration has on several occasions expressed the view that it is inappropriate to classify lands as unsuitable based on economic criteria, and I want to reiterate our strong opposition to this provision.

Finally, we think the procedure for designation of lands unsuitable should be improved and the bill should be amended to allow permit-by-permit approval of surface mining even in areas designated as unsuitable, where the State finds that in the particular circumstances reclamation subject to the bill's overall requirements will in fact occur.

3. *Surface Subsidence from Underground Mining.* Our consistent position has been that measures taken to control land surface subsidence, resulting from underground mining are proper. We note that two major improvements were made in Committee markup on H.R. 11500 to allow postponement of subsidence control until study of surface subsidence and underground mining is completed and to grant the Secretary of the Interior authority to modify permitting requirements for minimizing surface subsidence effects from underground mining. H.R. 11500, as amended, does not adequately cover the overall subject of applicable underground mining technology to minimize the problem of surface subsidence. Section 212(b)(1) leaves unclear the intent of "to *prevent* subsidence to the extent technologically and economically feasible." This provision if interpreted to prohibit induced subsidence in a controlled manner where possible and appropriate, could result in serious production losses. The coal losses in 1975 from adopting such an interpretation could amount to 17 to 117 million tons, could result in costs higher than present costs and could result lower overall resource recovery. We urge you to have your committee study this provision in detail for it may have the profound effect of disallowing recovery of vitally needed coal in certain areas by either surface or underground mining methods.

4. *Exclusion of Surface Mining in National Forests.* We oppose the legislative prohibition against surface mining of coal in national forests. National forests should be left open for coal development under multiple use principles. As I have previously expressed, our opposition to prohibiting mining in National Parks, Refuges, Wildernesses and Wild and Scenic Rivers specified in section 209(d)(9) is based on our concern with legislative taking of existing private rights. It has been our policy to prohibit new surface mining in the areas named in the bill, other than national forests, and we expect this policy to continue.

5. *Performance Criteria.* Even after the Committee's markup, some of the bill's performance criteria will result in unacceptable coal production losses.

The permanent requirements relating to hydrology may well preclude mining of vast coal areas, particularly in the west. Beyond this, we simply do not have sufficient information of the effects on hydrology and the pro's and con's of various specific provisions which are in the bill.

The prohibition against the placement of spoil on the downslope in steep slope areas alone could involve substantial production losses in the range of 3 to 16 million tons in 1975 and 18 to 105 million tons in 1980. I am also concerned with the short-range impact of the bill's interim requirements relating to mining on steep slopes. While I generally agree with the desirability of these provisions, a broader equipment variance should be allowed than that now provided by section 201(b)(7), since we anticipate that during the 2-year interim period equipment shortages will be a real constraining factor on coal production.

Further, the bill should be explicit in Section 211 in providing language to identify further what constitutes "approximate original contour," and to accept the newer land restoration methods presently being employed such as head-of-hollow fill and spoil haulback. These may be disallowed as the bill is now worded. The overall effect of the bill's provisions mandating return to original contour (including provisions relating to mountain top mining, thick seams and spoil on the downslope) would likely range from 4 to 59 million tons of coal lost from production on 1975. This assumes for the interim program that some mountain top mining will continue and variances will permit spoil on the downslope. In 1980 the original contour requirement might be met through the haulback method but at significantly higher cost.

6. *Non-coal mine environmental impact control.* While the Committee restricted the original provisions of Title VI of H.R. 11500 so that they apply only to Federal lands, we continue to believe they are undesirable. To the extent that the Interior Department already has authority to control use of Federal lands, the provisions are unnecessary. Beyond this, the procedure for designating lands unsuitable for non-coal mining is inappropriate and should be undertaken only in conjunction with a full non-coal regulatory program.

7. *Surface owner protection.* The Administration has stated on several occasions its opposition to the bill's surface owner consent provisions on the ground that they constitute unwarranted Federal shifting of rights which are more properly a matter of state law. More particularly, section 709 of the Committee reported bill is objectionable because it requires (i) surface *owner* consent for surface mining Federally owned coal and (ii) either consent of or a bond for the benefit of Federal *permit and lease holders* before Federal coal can be surface mined. A bonding alternative must be provided to protect the *owners* of tangible surface rights affected by surface mining. We also believe it is wholly inappropriate to give *permit and lease holders* a new right to veto the use of Federal coal. We also object to the needless inclusion of consent or bond requirements for the benefit of those whose use of water might be affected by mining. This provision appears so uncertain as to be unworkable and the appropriate objectives would be achieved through the bill's basic reclamation requirement.

8. *Mining and Mineral Research Centers.* Inclusion of Title VIII which among other things authorizes the establishment of mining and mineral research centers, is unacceptable. The President vetoed a bill containing similar provisions passed by the 92nd Congress (S. 635) because it would have fragmented and undermined the priorities of our current research efforts and because it would have created an inflexible program precluding the best use of available research talents of the nation regardless of location. Adequate authority already exists for support of needed mineral research programs.

Attached is an Addendum setting forth additional modifications which should be made in the bill.

The Administration will continue to work with the Congress to produce good surface mining legislation. I cannot emphasize too strongly, however, that there remain serious objectionable features in the bill, which must be changed to strike the right balance between our need for environmental protection and our energy requirements.

Sincerely yours,

ROGERS C. B. MORTON,
Secretary of the Interior.

ADDENDUM

LETTER TO CONGRESSMAN HALEY CONCERNING H.R. 11500

(a) *Judicial review; procedure.* Actions implementing H.R. 11500 should be subject to review only by United States Courts of Appeals rather than by U.S. District Courts and Federal regulations of program-wide import (those issued pursuant to sections 202, 211 and 212) should be reviewed only in the United States Court of Appeals for the District of Columbia on a petition to review filed within 90 days of the issuance of the regulations. In addition, we believe the language of section 222 permitting judicial review of Secretarial disapproval of State plans should be eliminated. This would be consistent with other environmental laws which preclude review of such decisions. We are also opposed to permitting citizen intervention in criminal proceedings as section 223 would now apparently permit. This section should also be modified to delete the provision under which expenses of litigation may be awarded against the government.

(b) *Abandoned mine reclamation.* Title IV of the reported bill would create an Abandoned Mine Reclamation Fund with fees and other receipts on a revolving basis and would establish a program for reclaiming privately owned land which has already been surface mined. Primary funding of the program would be derived from a 1.23¢ per million BTU tax on coal mined. This amounts to approximately 15¢ to 35¢ per ton on coal mined in the United States. We agree that reclaiming our "orphan lands", victims of past mining damage, is a serious problem. The rural land reclamation provision set forth in section 405 could provide substantial windfall property benefits to private landowners. In

view of the magnitude of the problem and the amount of dollars available at this time, we cannot support the kind of massive outlay which would be necessary to make any significant progress in the restoration of these lands. The first priority in mined area protection must be to arrest ongoing damage presently being inflicted on the land and all needed funding should be devoted to a regulatory program to achieve this objective. Moreover, a large percentage of previously mined areas contain coal which is presently of commercial value or will become so as technology advances. This means that second generation mining activities will bring new opportunities for reclamation. The Administration proposed surface mining legislation contained provisions to encourage the reworking of past mined areas by methods which will promote reclamation of the entire area. This would not require Federal expenditures and should result in significant rehabilitation of past damaged lands.

(c) *Responsibility for surface mining reclamation program.* Sound administration requires that authority and responsibility for the surface mining reclamation program run directly to the Secretary of the Interior and not to the Office of Surface Mining Reclamation and Enforcement as specified in Title V. The Secretary should have sufficient flexibility to manage the program efficiently, utilizing Departmental resources where appropriate and adjusting the program as future developments warant.

(d) *Indian program.* The surface mining program which would be established by Title III of the bill is unnecessary and ill-advised. The Secretary of the Interior now has adequate authority to protect Indian lands and is exercising that authority. Both Federal and Indian resources would be needlessly diverted to the separate programs which Title III would authorize. This would result in overtaxing the already limited manpower and financial resources available for surface mine reclamation work and dilute the effectiveness of such programs on Indian lands.

(e) *Confidentiality of information.* It is essential that the application requirements of the bill be modified to provide for preserving the confidentiality of competitively sensitive material made available by permit applicants.

(f) *Citizen suits.* The scope of section 222, which authorizes citizen suits in the Federal courts, is extremely broad and could subject operators to serious risk of undue harassment. First, authorization for the recovery of damages instead of merely for injunctive relief is unprecedented in environmental citizen suit litigation. In addition, such actions are authorized not merely for violation of an operator's permit, but also for violation of the Act itself. This would bypass the procedural safeguards available to challenge a permit at the time of issuance and would amount to a collateral attack upon an issued permit and an unwarranted interference with the discretion of the issuing agency. Finally, section 222(b)(2) provides for litigation in the U.S. District Courts against a state-regulated agency and is therefore in violation of the eleventh amendment of the Constitution.

TABLE 1.—POSSIBLE EFFECTS OF SELECTED FEATURES OF H.R. 11500 ON COAL PRODUCTION

[In millions of tons]

Selected features	1975		1980	
	Possible	Minimum expected	Possible	Minimum expected
Mountaintop mining	27	4	36	[1] 0
Thick seams, shallow overburden	32	0	67	0
Spoil on downslope	16	[2] 3	105	18
Small surface mines	38	14	48	18
Subsidence from underground mining	[3] 117	17	[3] 99	15
Possible overall effect	187	31	271	33

[1] Assumes extensive use of the haulback method at significantly higher costs.
[2] Assumes parts of Virginia and Alabama surface-mined coal production will be affected, and that in the interim other States will continue as now.
[3] Includes all production from shallow cover mines (300 ft) and that the bill eliminates all underground mining with less than 300-ft cover.

Note: (a) The above figures are not cumulative. (b) These figures do not include estimates for possible loss of production due to interpretation to lands unsuitable for mining, national forests, hydrological balance, Federal lands, surface owners' protection, and other provisions of the bill. Please refer to report for discussions of these items.

Source: Bureau of Mines, Department of the Interior, a report, "An Analysis of H.R. 11500 as amended, Effect on Coal Production."

EATING HIGH ON THE HOG

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 29, 1974

Mr. BROWN of California. Mr. Speaker, during a period of rapidly rising prices, particularly food prices, the consumer often is hard put to know where to assign responsibility for the hardships he is facing. During the last year-and-a-half, as a member of the Agriculture Committee, I have sought to learn where the responsibility should be placed and what legislative remedies must be pursued. The Agribusiness Accountability Project of Washington, D.C., has prepared a report which helps to demonstrate that it is not the average farmer but the corporate middlemen, the corporate marketing chains, and the corporate farm suppliers that are generating unconscionable profits for themselves and higher prices for the American consumer. It is because of evidence such as this that I am a cosponsor of the Family Farm Act which would prohibit corporations from engaging in farming. The report, with its data and its legislative recommendations, should be read by every Member of Congress and I am placing it in the RECORD today for that purpose:

FOOD MIDDLEMEN AND FARM SUPPLIERS: EATING HIGH ON THE HOG

(By Susan DeMarco and Jim Hightower, Agribusiness Accountability Project)

President Nixon, intending to characterize himself as the farmer's friend, recently did the verbal equivalent of stepping in a fresh cow pattie. What he did was to say, "farmers never had it so good." As you might imagine, they did not take kindly to that out in the farm country.

Not only was the President's statement bad politics, it was wrong. No one knows that better than farmers. Sure, the farmer's income was up in 1973, but two facts in particular bother farmers about the President's statement. First, farmers neither caused the exorbitant food prices of 1973, nor did they profit most from them—it was food middlemen that continued to take the big bite out of the consumer's food dollar. Second, the President was trying to make political hay out of a temporary price boom that already is fizzling out—1974 does not look all that great to farmers.

MIDDLEMEN NEVER HAD IT SO GOOD

Consider the first question: who profited? There can be no doubt that 1973 was a good year for farm income, especially for grain and livestock farmers. As it turns out, Administration publicists were a bit overzealous in their initial claims for farm income, and they had to revise their early figures downward by $2 billion. And there is considerable doubt that all of that $24 billion in farm income actually ended up on the farm, since a good many corporate processors and marketers of such commodities as eggs and poultry get counted as "farmers." These quibbles aside, however, 1973 was not a bad year to have been a farmer.

But it was not the kind of year that warrants being singled out in a Presidential press conference. Even with the record income levels of 1973, farmers received only 46 cents out of the consumer's food dollar. The rest went to corporate middlemen. And lest you think that every farmer in America is drawing 46 cents every time a consumer lays down a dollar, you ought to know that most farmers never see that kind of ratio. For example, the chicken that you pay $1.50 for, pays the chicken farmer 6 cents. Department of Agriculture statistics show that a can of peaches cost consumers 41 cents last year, but the peach farmer got only 7 cents of it. You spent 28 cents for a loaf of white bread, and only 4 cents of it trickled back to the wheat farmer. That can of corn that cost you a quarter returned only 3 cents to the farmer.

At a time of skyrocketing food prices and consumer disgruntlement, the President pointed to farmers, without bothering to mention that food corporations were enjoying even better times. Cattle ranchers are said to have done especially well in 1973, but none did anywhere near as well as such corporate cowboys as Iowa Beef Processors, with a 77 percent profit increase last year, or Missouri Beef Packers, with a 110 percent profit increase. And food processors whined all last year about government price controls, but they whined all the way to the bank. For example, the big canners of fruits and vegetables did much better than the farmers who grew the stuff, with such firms as Del Monte taking a 35 percent profit increase in 1973, Campbell Soup up 23 percent and Castle & Cook up 52 percent.

The May 4th issue of Business Week offered another interesting insight into how the chips actually fell last year. In a listing of salary increases for corporate executives, the food industry was found to be very generous. Food manufacturing firms ranked ninth out of 32 industries surveyed, boosting the pay of their top executives by an average of 17.7 percent. For example, while consumers were being advised by government and industry to switch from beef to beans, Kraftco increased the salary of its board chairman from $264,000 to $321,000. Of course, consumers ultimately get to pay for Kraftco's internal largesse. Grocery chain executives ranked fourth in Business Week's listing, taking home a 24.3 percent pay increase. Safeway, which complained all last year about its paper-thin margins, scraped up an extra $16,000 from somewhere to round

off its chairman's salary at a neat $200,000 a year. Precious few farmers make the equivalent of a $16,000 salary, much less $200,000. And Business Week reports that these top executives now are feeling "the pinch of inflation," so we can expect their pay levels "to take another big jump with the expiration of controls."

PRICES: DOWN ON THE FARM

Food middlemen are the ones who never had it so good, and now they are having it even better. Grocery shoppers undoubtedly are puzzled over the phenomenon of the "disappearing price drop" in our food economy. Since September of 1973, the news media has been reporting each month that the farm value of food has been falling. But, somehow, that price drop on the farm has not made its way into the supermarkets. In fact, farm prices fizzled 16 percent from August to December of last year, but supermarket prices remained sizzling hot. Even as President Nixon was making his remark in March about the good fortunes of American farmers, the price they were being paid was falling for the sixth straight month, while the price charged to consumers actually was rising! The decrease in farm prices is disappearing directly into middleman bookkeeping.

Food firms complained that they took a beating last year because they were having to pay farmers so much at a time they were trying to hold consumer prices down. Nonsense. Not only did they pass all of the farmers' increase right through to the beleaguered consumer, but they attached a sizable mark-up of their own. The Federal Reserve Bank of Chicago reports that food middlemen increased their take from consumers by 6.5 percent in 1973. That is an increase exceeded only once (1970) in the last twenty years. And the Department of Agriculture reports that these firms will increase their share in 1974 at a rate that "may be more than double the 1973 increase." What that means is that consumers will pay much more for food this year, and much less of what they pay will go to farmers.

In 1973, the farmer was getting 46 cents of the food dollar. By March of 1974, that already had fallen to 43.6 cents. In April, the price of farm products fell another 5.5 percent and it is expected to fall even more during the year. But the retail price of food is hardly keeping pace. The Administration is well-known for its way with words and statistics, but a remark earlier this month by Herbert Stein, chairman of the President's Council of Economic Advisors, is enough to drive both farmers and consumers crazy. He said, "The *decline* in farm product prices are likely to be reflected in much smaller *increases* in retail food prices than occurred in the first quarter of 1974" (emphasis supplied). Only the National Association of Food Chains can appreciate the logic of that.

In fact, there is the kind of logic that food chains can carry to the bank, for there are profits in them thar credibility gaps. Food retailers in the first three months of this year had profits that were 59 percent higher than a year ago, even though their sales were up just 14 percent.

To a significant degree, this level of profit is the result of monopoly power in the food industry. There are 32,000 food manufacturing firms, but 100 of them make 71 percent of the profits. Those few firms, powerfully situated between millions of farmers and millions of consumers, are the decisive force in the American food economy. Dr. William Shepherd, a leading authority on market concentration, reports that the food industry falls well within the category of "tight oligopoly," with the average four-firm concentration within the industry being 55 percent.

In many food lines, shared monopolies exert much greater control. For example, 91 percent of all breakfast cereal is sold by four firms (Kellogg, General Mills, General Foods and Quaker). Three firms (Dole, Del Monte, and United Brands) sell 85 percent of all the bananas. Gerbers alone sells 60 percent of baby food, and Campbell Soup sells 90 percent of all soup. The same high level of concentration exists in food retailing, with more than half the cities in the country being dominated by four or fewer chains. In the Washington, D.C. area, for example, Safeway, Giant, Grand Union and A&P control 72 percent of the grocery market. Nationally, Southland Corporation, the parent of the 7–11 chain, owns a third of all the convenience stores.

COSTS: UP ON THE FARM

The Administration has made a mess of our food economy over the past few years. Now they are allowing monopolistic food middlemen to extract big profits from the wreckage, while publicly drawing attention to the modest and long-overdue profit levels of family farmers. That alone is enough to make even the most reticent farmer swear, but there is another harsh economic reality that is squeezing farmers and causing them to think seriously about the advice of old-time populist leader Mary E. Lease: "Raise less corn and more hell."

That reality is the rise in farm production costs. Not much of what the farmer gets stays in his pockets, for he has a mess of bills to pay. President Nixon missed this fine point of farm finance when he was telling farmers how well off they are. As farmers move through spring plantings they are massively pessimistic. The cost of their production supplies has increased even more dramatically than the fizzling of farm prices. The Department of Agriculture predicts that farmers' expenses in 1974 will be more than $9 billion above last year.

A corn farmer in Iowa told the Des Moines Register of fertilizer prices this year 40 percent higher than last, of diesel prices doubling since last year, and of corn seed that has gone from $25 a bushel to $37 a bushel. The cost of new machinery has gone out of sight, and repair of old machinery is about as costly—as this corn farmer put it, "You don't need too big a truck to haul away $500 in parts." He is having to shell out this kind of money now, while the price he can expect for his corn already has tumbled this year from $3.25 a bushel to $2.27.

At work here is the other jaw of the corporate vise that is squeezing family farmers. There may be a profit made on the farm in 1974, but there will be much more profit made off the farmer. Here's a sample of profit increases farm suppliers already have had in the first quarter of this year:

Percent Profit and Sales Increase First Quarter 1974

Firm	Profit	Sales
International Harvester	113	16
Stauffer Chemical	55	31
Occidental Petroleum	716	96
Firestone Tire & Rubber	19	17
Pfizer	33	26

Source: *Business Week*. May 11, 1974. "Survey of Corporate Performance: First Quarter 1974." pp. 70–90.

To put these profits into perspective, the average profit increase in all industries in this first quarter was 16 percent. Farm suppliers might be said to have never had it so good. And again, these profits can be traced to the existence of monopoly power within the industries. For example, Dr. Shepherd reports that the four leading farm machinery firms hold 70 percent of the relevant market. The Federal Trade Commission staff found that farmers were overcharged $251 million in 1972 because of the existence of monopoly power in the farm machinery industry. The four-firm concentration ratio in the chemical industry is 71 percent; in petroleum refining, 65 percent; and in tires, 71 percent.

PROSPEROUS FARMERS/HAPPY CONSUMERS

The vast majority of the American people no longer know how to produce their own food. That fact is hailed as a major achievement of American agriculture—millions have been freed from the necessity of producing food for themselves. While that freedom is a blessing, it also leaves us vulnerable. We are dependent on the tiny minority that manages our food economy. And I am not talking here about farmers. A great deal of official lip service is paid to family farmers, but they actually have negligible power in the food economy and, in fact, have been made as vulnerable as the rest of us. Food power today rests squarely with giant corporations. And those corporations are taking advantage of our vulnerability—they are working to restructure American agriculture to fit their marketing needs, and they are jacking up prices and reaping enormous profits. Government, which ought to intervene against this power to assure a food policy that satisfies the broader public interest, has sided instead with corporations.

Secretary Butz fairly gloated about the consumer plight last year, exultantly declaring at one point that "the day of cheap food is over." No one is suggesting that food ought to be "cheap," but there is no question that food ought not be expensive. We are not talking here about automobiles or television sets—food happens to be the most basic of all consumer items. It is not something to put up for the highest cash bid or to turn over to the whims of concentrated market power. Food, health care and housing are three human necessities, and it ought to be a matter of government policy to assure that none of these are priced out of reach of any citizen. But that is not government policy.

The evidence indicates that the Nixon-Butz Administration is pursuing a policy of high-priced food, without adequate protections for farmers and consumers. That policy is allowing farm input corporations to increase their prices without restriction or serious questioning. It is demanding that family farmers increase production and lower their prices, ostensibly to lower retail prices. But it also is allowing processors, marketers and retailers to hold consumer prices up in order to increase their margins and profit levels. And, as the final straw, it is demanding that consumers pay the tab while swallowing the official line that all this is the inexorable workings of a "free market."

Despite the divisive rhetoric that has come out of the Department of Agriculture over the past months, farmers and consumers are not enemies. Even at the height of last year's food crisis, the opinion polls consistently showed broad public support of family farmers, coupled with a distrust of food corporations. Both are well-placed.

The question is whether there will be any relief. Consumers and farmers alike want action. They will not get it from the Department of Agriculture. If consumers and farmers ever are to have it good again, they must look to Congress.

It is possible to pursue a food policy that would produce inexpensive food, happy consumers and prosperous farmers. At least we ought to try it. But it is impossible to lower food prices and to raise farm income without dealing directly with the structure of the food economy. President Nixon, in his 1973 farm message, said that it was time to "get the government off the farmer's back." The real problem is to get corporate power off the farmer's back, not to mention out of the consumer's pocket. That means such action as strong anti-trust enforcement among farm suppliers and food middlemen; serious consideration of such protections as the Family Farm Act and collective

bargaining for farmers; establishment of an international grains reserve; and, development of a regional marketing system utilizing both farm and consumer cooperatives.

MASSACHUSETTS' EXPERIENCE WITH NO-FAULT INSURANCE—PART 1

HON. JOE MOAKLEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 29, 1974

Mr. MOAKLEY. Mr. Speaker, Massachusetts was one of the first States to recognize the need for insurance reform by passing a controversial no-fault insurance measure in 1970. Since then our laws have been amended and successfully tested in court.

While clinical studies are often quite useful, actual experience is of course the true test of any proposal. As a Representative from Massachusetts, it is my feeling that our experience can serve as a beneficial guide to my colleagues considering possible Federal legislation.

Therefore, I would like to submit a report by the Joint Committee on Insurance of the General Court of Massachusetts. This report deals with the history and development of no-fault insurance in Massachusetts, and statistical information on savings to the Massachusetts motorist. The text of the report is lengthy, and I will insert it in installments. The first installment follows:

HISTORY AND DEVELOPMENT OF NO-FAULT INSURANCE IN MASSACHUSETTS

As a system designed to compensate the victim of a motor vehicle accident for personal injuries, the old tort system fell far short of its expectations. Some injured parties received no compensation, while others received far less than their medical and economic costs. This was partially due to the role of fault in the system, the need for the injured person to prove that another was at fault and that he was legally free from fault.

The fault system was too cumbersome and slow, prompt payments of compensation for personal injuries occurred rarely, if ever, with delays of several years before final payment or a determination that no payment was due, especially in metropolitan areas. Also, it has been asserted that the crowded court dockets were in a large measure attributable to personal injury cases in general and to motor vehicle accident cases in particular, and in Massachusetts, motor vehicle tort cases constituted nearly 60 percent [1] of all law entries before the principal trial court. Compounding the problem is the fact that jury trials take longer than other trials.

The point is that justice delayed is justice denied. An injured person needing money to pay his bills cannot wait, as can an insurance company, through the long period necessary to press and recover his claim, and he would be forced to settle for an inadequate amount in order to obtain immediate recovery. Under no-fault one would recover up to $2,000 from his own insurance company regardless of fault.

A further criticism of the former system is the difficulty of actually proving negligence in court. Evidence given in motor vehicle accident cases usually consists of highly contradictory statements from the two sides, estimating such factors as time, speed, distance and visibility, which are offered months after the event by witnesses who were never very sure just what did occur and whose faulty memories are undermined by lapse of time, bias, conversation with others and by the influence of counsel. Furthermore, who, in retrospect from the fragments of evidence given by the participants or bystanders and those who arrived on the scene at a later time, is expert enough to reconstruct the fleeting scene with any assurance of its accuracy? Under no-fault, negligence would not have to be proven in most cases, thereby doing away with the difficult and often unreliable factor of determining fault.

Another objection to the old system is that it was in large part an unfair method of compensation for losses, that those with relatively slight injuries were being promptly and vastly overpaid (the so-called nuisance claims), while those who were seriously hurt were grossly underpaid, and then only after a long delay. The insurance companies, to avoid the expense and risks of litigation made generous settlements of small claims; but the person with a permanent disability, usually a wage earner for a family with a low income, was typically without resources to meet mounting expenses and would find himself in a pathetically inadequate bargaining position with the insurance company. The company's position, because of the very nature of the bargaining, grew correspondingly stronger with every delay, and would often lead to a compromise which failed to adequately compensate the victim. This abuse is eliminated under the no-fault system since there will be no need to be concerned with bargaining positions as everyone is paid their damages under $2,000 regardless of the strength of their position in regard to proving fault.

Furthermore, the old system was excessively expensive due to the role of fault. Contests over the intricate details of accidents and all the elaborate preparations that had to precede them wastefully increased the cost of administration of the system. In cases of relatively modest injury, the expense of the contest often exceeded the amount claimed as compensation. Inherent in the trial to determine fault was the expense of lawyers for both parties and an appropriate part of the total costs of maintaining courts that were largely dedicated to motor vehicle accident cases. All the expenses had to be borne by the insurance companies in determining fault which was ultimately reflected in increased premiums for the insured. Compulsory automobile insurance rates were expected to increase 30 percent for 1971. A total of approximately 37 percent reduction in the rates has been made possible because of the enactment of the modified no-fault legislation.

It has become apparent that it is both unfair and uneconomical for the law of torts to place so many of the risks of an industrial society on accident victims by forcing them to prove fault before allowing them to collect their damages. The proponents of no-fault have analogized that much of what has been found to be true for automobiles is also true for machines, that is, given their swift and lethal nature, they are bound to take a heavy toll of life and limb quite apart from any real fault on anyone's part. They assert that the awareness of how unfair it is to cast this predictable burden disproportionately on accident victims has been reflected in recent developments in the law of torts by changing the law of negligence to allow more and more caimants to recover by circumventing the previous strict standards of proving fault.

The most striking example of relieving the burden of proving fault has been in the area of workmen's compensation where the employer has been made liable for injuries to his employees irrespective of negligence or fault on anyone's part. The employee merely relinquishes his right to sue and collects whatever out-of-pocket losses he sustains from his employer regardless of fault.

A second example of this trend away from the fault system has been the statutes abrogating or modifying the defense of contributory negligence and inserting in its place the doctrine of comparative negligence. According to the doctrine of contributory negligence if one party is found to be even the slightest degree negligent then he is barred completely from recovery. To eliminate the harshness of this doctrine of fault, the theory of comparative negligence has been introduced in several states and became effective in Massachusetts on January 1, 1970. This doctrine would allow recovery to one even though he has been at fault in an automobile accident although reducing his amount of damages by his degree of fault. Another example of the court's realization of the difficulty of proving negligence has been in the area of manufacturer's liability where it became understood that a person injured by a product would have a difficult burden of proving the manufacturer's negligence. The courts established the doctrine of strict liability—a theory which eliminates the necessity of proving fault and which imposes liability on the manufacturer regardless of his fault or negligence.

This was based on the reasoning that proof of failure to use due care in a complicated manufacturing process is something which a plaintiff would have little knowledge. No-fault adherents stress the similarity in the difficulty of proving negligence, and would impose recovery on a no-fault basis to both parties involved in an accident. Thus, with a general breakdown of the strict adherence to the rule that one must prove fault to recover in a tort suit, it was felt by proponents of no-fault that the theory of eliminating or lessening the burden of proving fault should be applied to automobile insurance by providing for payments on a no-fault basis to any mortorist or pedestrian injured by an insured's motor vehicle for up to $2,000 for medical, hospital, funeral expenses and loss of wages.

COURT DECISION UPHOLDING NO-FAULT INSURANCE

The No-Fault Law (Chapter 670 of the Acts of 1970), abrogating the traditional common law necessity of proving fault for injuries under $2,000 raised a serious question as to its constitutionality. The issue in dispute was whether the operation of the No-Fault Law deprived an injured person of his constitutional right to a full recovery in tort for losses suffered due to personal injury resulting from the negligence of another; specifically, does Chapter 670 of the Acts of 1970 violate the due process clause of the 14th Amendment of the U.S. Constitution? The Supreme Judicial Court of Massachusetts determined that No-Faul did not violate the due process clause, and thus declared it constitutional in the case of Pinnick V. Cleary 271 N.E. 2nd 952 (1971).

The court in determining whether a person is being deprived of due process under a given statute generally applies two tests:

1. Does the statute bear a reasonable relation to a permissible legislative objective?

2. Does the statute provide an adequate and reasonable substitute for pre-existing rights?

The court in analyzing the question as to whether the No-Fault Law did bear a relation to a legitimate legislative objective recognized that the objective of the statute was to cure the three basic inequities within the previous tort system; the clogging of the courts with motor vehicle tort cases, the staggering costs of automobile insurance and the inequities involved when claimants were compensated for their injuries. The court concluded that the No-Fault Law was indeed a "rational solution of these inefficiencies and inequities".

The court answered the question of whether the statute provided an adequate and rea-

[1] Pinnick v. Cleary 271 N.E. 2nd 592 (1971).

sonable substitute for pre-existing rights in the affirmative. The court stated that the practical effect of Chapter 670 was to afford citizens the security of *prompt and certain* recovery of a fixed amount of his out of pocket losses. The accident victim is entitled to immediate payment of his most pressing item of cost: medical expenses. In addition, he receives the major portion of his lost wages not covered by a wage continuation plan.

In return for the benefit, the injured motorist merely surrenders the possible minimal damages for pain and suffering recoverable in cases not marked by serious economic loss or objective indicia of grave injury; plus the outside chance for a generous settlement or a liberal award by a judge or jury which will allow him to reap a monetary windfall out of his misfortune. In addition, the accident victim loses his right to recover in tort to the extent that he is eligible for personal injury protection benefits (medical expenses and lost wages up to a limit of $2,000), yet since he can recover the first $2,000 under no-fault, he loses nothing by it.

Thus, the No-Fault Law, Chapter 670 of the Acts of 1970, withstood its most critical test. The Supreme Judicial Court found that the act was a valid exercise of legislative power and did not violate the due process laws of the Fourteenth Amendment of the United States Constitution.

OUTLINE OF CHAPTERS 670 AND 744 NO-FAULT BODILY INJURY INSURANCE LAW

The following outline is a brief description of the No-Fault Bodily Injury law itself, as amended up to 1972. Questions and answers which go to the point of the law, and which will answer some of the more important questions concerning the statute will be found in Appendix A.

I. Payment is to be made on a no-fault basis to any motorist or pedestrian injured by an insured's motor vehicle up to $2,000 for medical, hospital, funeral expenses and loss of wages. The injured party receives these payments from his own insurance company regardless of his fault or negligence in the accident. Chapter 313 of the Acts of 1972 amends this portion of the law by requiring insurance companies, upon notification of disability of the insured from a licensed physician, to commence medical payments or provide notice of non-payment and reasons within 10 days. In addition, in any case where payments due remain unpaid the insured has the right to commence court action against the company.

If the damages are in excess of $2,000 then the injured party receives the first $2,000 on a no-fault basis from his own insurance company and he will be able to collect the excess over $2,000 from the other party's insurance company by suing him under the old tort system. For example, if the injured person's damages are $5,000, he collects $2,000 on a no-fault basis from his own insurance company. He then must proceed against the other party or the other party's insurance company for the remaining $3,000. Whether or not he will be compensated for the remaining $3,000 will depend on his negligence or freedom from negligence as all amounts over $2,000 are determined under the present tort system.

Thus, it must be kept in mind that the compulsory system still remains in existence since one must purchase insurance to protect himself for all cases involving damages over $2,000.

II. Payments for loss of wages, or for those persons not employed—loss by reason of diminution of earning power, is limited to the amount actually lost by reason of the accident.

A. This is further reduced by limiting a person's recovery for loss of wages to 75 percent of his wages and deducting from that amount any sum provided for under any wage continuation plan.

B. As an example, if one loses $1,000 in lost wages he would receive 75 percent of that figure or $750. But if he has a wage continuation plan that pays him $500, this must be deducted from the $750, and he receives $250 from his insurance company.

Since an injured person might be able to recover his wage losses from another source at a later date which would sufficiently compensate him for his loss, he might then wish to reimburse his wage continuation plan so that he would not have any loss of standing in regard to benefits or time which he had accumulated under such a plan. Chapter 794 of the Acts of 1971 amends no-fault by allowing an injured person who receives benefits under a wage continuation plan to later reimburse the plan without loss of standing in the plan if he recovers from another source; such as an income protection plan or as the result of a tort suit if his damages are to the extent necessary to institute a tort action.

It should also be borne in mind that under the present no-fault law if a person must use wage continuation benefits as a result of an automobile accident and within a year's time he becomes ill or injured again and his wage continuation plan does not have sufficient funds to reimburse him for this illness or injury, the amount that was paid out from the plan for the automobile accident is then put back in his wage continuation fund by the automobile insurance company under the personal injury protection plan.

III. The following persons may be excluded by insurers from no-fault benefits.

A. Those under the influence of alcohol or narcotic drugs.

B. Those committing a felony or seeking to avoid lawful apprehension or arrest by a police officer while involved in a motor vehicle accident.

C. Operators of motor vehicles who possess the specific intent of causing injury or damage to themselves or others.

IV. An injured party may recover damages for pain and suffering arising out of an injury sustained in an automobile accident only if his reasonable and necessary medical expenses exceed $500 unless the injury:

A. Causes death;

B. Consists in whole or in part of the loss of a body member;

C. Consists in whole or in part of permanent and serious disfigurement.

D. Results in loss of sight or hearing; or

E. Consists of a fracture.

V. A motorist is offered five deductibles of $100, $250, $500, $1,000 or $2,000 (the $100 deductible was added by chapter 339 of the Acts of 1972), and if he does purchase a policy with a deductible and he is involved in an automobile accident, the amount of the deductible which he has selected will be deducted from his recovery. It is understood that one who purchases a policy with a deductible will be offered that policy at a lower rate than if he had purchased a policy without a deductible. This would permit a person with good hospital and medical insurance such as that provided by Blue Cross/Blue Shield and other private companies to avoid unnecessary duplication in benefits and thus reduce costs.

VI. A victim may elect to sue but can recover only that amount over $2,000 in damages and that amount over 75 percent of his wages, as it must be borne in mind that the wrongdoer is exempt in tort for the first $2,000 of damages.

VII. An assigned claims plan is to be created to provide protection to a Massachusetts resident who, as a pedestrian is injured by an uninsured out-of-state car or by a hit and run driver. If the pedestrian or his family own a car, he will collect under his own insurance policy, but if this is not the case then he will collect from the assigned claims plan, the funds of which will be derived from insurance companies doing business in Massachusetts.

VIII. The law also provides for the introduction of a merit rating program for 1972 to be established by the Commissioner of Insurance. Surcharges are to be added to one's premium charges for convictions for moving violations by the policyholder or a member of his household. Discounts are to be applied when neither the policyholder nor any member of his household has been involved in an accident in which there has been more than $200 damage. The maximum period to be used in determining surcharges and discounts is five years. The law specifies certain surcharges presumed to be reasonable: (1) for a conviction for driving under the influence of alcohol or drugs, 100 percent; (2) for speeding, 20 percent; (3) for all other moving violations, 10 percent. The discount for each full year without reportable accidents is 2 percent, therefore, the maximum discount one may earn is 10 percent—5 years at 2 percent.

IX. A fifteen per cent reduction for the rates for 1971 for all lines of coverage, including compulsory bodily injury, extra bodily injury limits, property damage and physical damage, was provided for in the act. However, the Supreme Judicial Court held that only a fifteen per cent reduction for compulsory bodily injury was constitutional.

X. There is a provision in the law that when an insurance company offers a policy of compulsory insurance they must also offer extra bodily injury limits of $15,000 and $40,000, plus Property Protection (no-fault), medical coverage, guest coverage, and now under the no-fault property protection law, fire, theft, and comprehensive insurance, and also uninsured motorist coverage of limits of $15,000 and $40,000. There will no longer be a need for one to purchase split coverages—compulsory bodily injury insurance with one company and other lines of coverage with another company, which are often at higher rates. In addition, every motorist will be guaranteed the availability of any and all coverages which he desires to purchase. Previously, it was quite difficult for many motorists, particularly those in high risk areas, to be able to purchase fire, theft, and comprehensive insurance.

XI. One of the most significant aspects of this legislation is the automatic renewal reform as provided by Chapter 744 of the Acts of 1970 which was passed soon after the No-Fault Bodily Injury Act (Chapter 670 of the Acts of 1970) and was designed to amend Chapter 670 by guaranteeing the continued availability of automobile insurance supplied by private enterprise.

Chapter 744 provides for automatic renewal for the following:

A. Automatic renewal for those individuals 65 or over for all lines of motor vehicle coverage with the following exceptions:

1. Fraud in the application for insurance.
2. Guilty finding for a moving violation.
3. Suspension or revocation of license or registration for a period of more than 30 days.
4. Ineligibility for merit rating discounts due to accident involvement.
5. Convictions for driving under the influence of alcohol or unlawful drugs.
6. Non-payment of premium.
7. A general reduction in the volume of automobile insurance by the insurer in the Commonwealth if the Commissioner determines that this is not an attempt to circumvent the purposes of this section.

B. Any person who is entitled to the 2 percent reduction for the year 1972 and of a net discount of 4 percent for the year 1973, i.e., those who qualify under merit rating provisions, shall be automatically renewed by their insurance company except for those exceptions applicable to those 65

or over. This would then provide for automatic renewals for those safe drivers under the age of 65.

C. If an insurance company refuses to renew a policy for those persons under 65 who do not qualify under the merit rating plan for a reason other than one of the exceptions applicable to those 65 or over, then that company shall be required to accept at least one additional risk from the assigned risk plan.

D. In addition, no company shall refuse to issue a motor vehicle policy because of age, sex, race, occupation, or principal place of garaging of the vehicle. This change in the law is significant in that many motorists have been unable to purchase their needed insurance simply because they happen to live in a high risk area or their occupation is one which happens to be classified as a high risk occupation even though these motorists may have been very safe drivers.

XII. To prevent insurance companies that in the past have written auomobile insurance from refusing to write no-fault insurance, Chapter 744 provides that the Commissioner of Insurance may, after a public hearing, suspend a casualty company's license to issue any other form of insurance if they refuse to write no-fault automobile insurance. Certain other broad powers have been granted the Commissioner to guarantee that this plan will function smoothly.

CONGRESSMAN LEHMAN'S MOBILE CONGRESSIONAL OFFICE

HON. WILLIAM LEHMAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 29, 1974

Mr. LEHMAN. Mr. Speaker, for the last several months I have been one of the few Members of the House to utilize a full-time mobile congressional office to supplement my district office. A large van has been outfitted with materials dealing with the Federal Government and its agencies, and a staff member assigned to it full time.

The mobile office travels to areas that are great distances from my district office. It provides those who are unable to come to the district office the opportunity to utilize the congressional services available to them.

Another unique feature of the mobile office is the cooperation of Barry College. The college has provided a student who is working toward his masters degree in social work to supplement the mobile office staff. This student also fills the role of an independent observer.

The student this year was Peter Bidney. To complete his course of study, he has written a report on the mobile office.

I am inserting into the RECORD this report as well as a letter from Mr. Louis Tasse of the Dade County School Board who watched the mobile office at work, and commend both to my colleagues' attention:

REPEAT ON CONGRESSMAN LEHMAN'S MOBILE OFFICE

INTRODUCTION

Congressman Lehman's Mobile Office has served a diverse group of persons in its short period of existence. The groups are generally persons who lack transportation to the District Office. Others served are those unaware of the Congressional services available to them. The program has also been a meaningful experience to the staff who worked with the Mobile Office.

This report describes the impact of the Mobile Office on the persons visited.

The short-term effectiveness of the Mobile Office is easy to measure. The number of persons served is the most practical yardstick. On the other hand, the long-term effect which may be of the greatest value is difficult to determine. Increasing citizen awareness is a process not easily quantified. The Mobile Office is creating an informed citizen, one who will know how to acquire information on Federal programs and where to turn for aid with them.

GOALS AND OBJECTIVES

The Mobile Office seeks to reach the persons who have difficulty in reaching the District Office for assistance. A large group of those over 65, approximately 14 percent of the 13th Congressional District, may not have a means of transportation. Many of this same group must travel alone. An elderly person venturing into unfamiliar places has a difficult time. Besides the older American, the student population lacks transportation as well as an understanding of where to go for Congressional help.

Recently, the Mobile Office has been trying to reach the low income person. Contact has been established with this often neglected part of society by visiting social service centers and Federally subsidized housing projects.

Of course, I could cite more reasons than the difficulty of transportation for the existence of the Mobile Office. Nevertheless, it is one of the key reasons for the Mobile Office outreach program.

Another purpose is to spread awareness. Each visit the Mobile Office makes evokes an expression of surprise at the services available through a Congressional office. Persons want to know what agency handles their particular wants and needs. The Mobile Office staff, backed up by the available literature for various Federal agencies, gives interested persons a direction and contact for further inquiry. The Mobile Office educative process bridges the communication gap between the agencies and the citizens they serve. Many persons who visit the Mobile Office don't have a problem, but want up-to-date information on the agencies they depend on—agencies such as the Veterans' Administration, Social Security, Civil Service Retirement Bureau, the Department of Health, Education and Welfare, and others involved with the citizen's daily life. Thus, the governmental education process is a vital service.

The final and perhaps most important job of the Mobile Office is problem solving. During every visit, persons are given the opportunity to see a staff member with their problem. This is a warmly received opportunity. To a senior citizen, problems with a Federal agency are viewed as insurmountable obstacles. Many have tried in their own fashion to contact the agency involved to no avail. The interest of the Congressman generally brings a quick result. Once a person sees how effective this contact is, the relationship provides a cornerstone for their future security.

PROGRAMS AND SERVICES

Programs have been developed to promote the most efficient use of the Mobile Office. They are adapted to the age group and interests of the group being served.

Two of the large programs have involved public schools and senior citizens. A description of those programs follows:

Schools

The school program has three parts:

1. The job of the Congressman and the services provided through the District Office are explained. The legislative process and how governmental agencies operate are described.

2. A pre-arranged topic, currently being discussed in school government classes, is discussed. Students then participate in an open forum in which they have an opportunity to ask questions of staff and air their own views.

3. At the close of the forum, each student is given the opportunity to speak with the staff on any matter they choose.

CONCLUSION

The program is very successful with students. Not only do they learn about how their government and its agencies are involved with their daily lives, but how to deal with problems they may experience within the government process. This is an important lesson and sensitizes these young persons to the impact of government on their lives, thereby making them interested in becoming better informed citizens.

Senior citizens

The Mobile Office visits many senior adult organizations. These persons greatly appreciate the services extended. The transportation problems of this age group are well known. The Mobile Office is ideal for overcoming this particular handicap. The dependency of these persons on Federal agencies, such as the Social Security Administration, creates a vital reason for a strong relationship with their U.S. Congressman.

The program opens with an explanation of the available Congressional services. The discussion highlights the general problems of the elderly.

For example, many of these persons rely upon their Social Security check to live. If a problem arises because no check arrives, the quick investigation by a Congressman's office may prevent a desperate situation.

Other examples of some situations the Mobile Office has unearthed and solved are police protection for a Senior Center, a stop light for an intersection heavily used by the elderly, and assistance in getting a new bus stop located closer to senior citizens housing.

An effort is made by the staff to speak to every individual, thus giving persons a chance to discuss personal problems they hope the staff can handle. It also provides an opportunity for the person to clarify his problem for the staff member.

CONCLUSION

The senior adults which we visited expressed relief upon learning they could establish a relationship with their Congressman and his staff through the Mobile Office.

MOBILE OFFICE UNIT SERVICE DELIVERY CHART

This chart gives information on the number of people served and the amount of cases interviewed. The chart is divided into three areas: Senior adult groups, public schools, and a general group of places visited.

SENIOR ADULT GROUPS

Edison Court Senior Center, 6200 N.W. 3rd Ave., Miami, Fla. 33150 (Two visits), people served, 103; cases interviewed, 23.

James Scott Senior Center, 6701 N.W. 3rd Ave., Miami, Fla. 33147 (Two visits), people served, 78; cases interviewed, 16.

Jollivette Plaza Senior Center, 6701 N.W. 24th Place, Miami, Fla. 33147 (Two visits), people served, 140; cases interviewed, 27.

Hialeah Adult Senior Center, 20 W. 6th St. Hialeah, Fla., people served, 100; cases interviewed, 12.

Congress of Senior Citizens, District #1, 12220 Griffin Blvd., North Miami, Fla., people served, 124; cases interviewed, 10.

Hialeah Gardens Senior Adult Club, 100 Palm Ave., Hialeah, Fla., people served, 85; cases interviewed, 6.

Hialeah Adult Senior Center, Congress for Senior Citizens, District #7, 20 W. 6th Ave., Hialeah, Fla., people served, 92; cases interviewed, 12.

Twin Lakes (HUD), 1205 N.W. 95th St.,

Miami, Fla., people served, 47; cases interviewed, 3.

Palm Tower (HUD), 950 N.W. 95th St., Miami, Fla., people served, 55; cases interviewed, 6.

Peters Plaza (HUD), 191 N.E. 75th St., Miami, Fla., people served, 42; cases interviewed, 10.

Emmer Apts. (HUD), 7820 N. Miami Ave., Miami, Fla., people served, 38; cases interviewed, 5.

PUBLIC SCHOOL PROGRAMS

Carol City Sr. High, 3422 N.W. 187th St., Carol City, Fla., people served, 230; cases interviewed, 6.

Madison Jr. High, 3400 N.W. 87th St., Miami, Fla., people served, 310; cases interviewed, 13.

Miami Central Sr. High, 1781 N.W. 79th St., Miami, Fla., people served, 380; cases interviewed, 16.

Carol City Jr. High, 3737 N.W. 188th St., Carol City, Fla., people served, 90; cases interviewed, 3.

North Miami Beach Sr. High, 1247 N.E. 167th St., North Miami Beach, Fla., people served, 340; cases interviewed, 7.

Hialeah Sr. High, 257 E. 47th St., Hialeah, Fla., people served, 170; cases interviewed, 5.

OTHER PLACES VISITED

Diplomat Mall Shopping Plaza, E. Hallandale Blvd., Hallendale, Fla. (Two visits), people served, 183; cases interviewed, 11.

Larchmont Apts. (HUD), 8351 N.W. 5th Place, Miami, Fla., people served, 62; cases interviewed, 8.

Miami-Dade Jr. College, 11380 N.W. 27th Ave., Miami, Fla. (Three visits), people served, 380; cases interviewed, 31.

Here's Help (drug center), 151 St. and N.W. 27th Ave., Miami, Fla., people served 35, cases interviewed, 2.

Sky Lake Shopping Mall, Miami Gardens Drive and N.E. 19th Ave., N. Miami Beach, Fla., people served, 45; cases interviewed 3.

Our Lady of Perpetual Help, Junior High School, 13400 N.W. 28th Ave., Opa-Locka, Fla., people served, 143; cases interviewed, 5.

DADE COUNTY PUBLIC SCHOOLS,
ADMINISTRATIVE OFFICE,
Miami, Fla., April 1, 1974.

Hon. WILLIAM LEHMAN,
North Miami Beach, Fla.

DEAR MR. LEHMAN: On Tuesday, March 26th, I visited the Community School Program at North Dade Junior High Community School. During this visit, I had the opportunity to observe your Congressional Mobile Office in action, disseminating material and talking with the people of the area about available services provided through the House of Representatives.

I was not aware until this time that there was a Congressional Mobile Office operating in our community, and was very interested in having your staff explain the concept to me and in browsing through the many pamphlets available for distribution to citizens through this field unit. The information on citizenship, aging, social security, branches of the Federal government and their services, health and welfare services and the many other pieces of information available through the Mobile Office were of tremendous interest to me.

This letter is simply to advise you that my first impression of the Congressional Mobile Office idea was a very positive one, and that your staff and the information they were courteously disseminating to citizens of all ages appeared to be a most useful service. Since I was so impressed, I thought I would take the time to write you this letter to say that in my opinion a good idea was providing a good service.

Sincerely,

LOUIS J. TASSE,
Consultant, Community School Program.

A NEW ANTIABORTION AMENDMENT

HON. ANGELO D. RONCALLO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. RONCALLO of New York. Mr. Speaker, in the infamous Dred Scott case (*Scott* v. *Sandford*, 60 U.S. (19 How.) 393, 409 (1857)) in 1857, the Supreme Court held that a free descendant of slaves could not be a citizen of the United States and indicated that "the general terms used in the Constitution of the United States, as to the rights of man and the rights of the people," were not intended to include slaves "or to give to them or their posterity the benefit of any of its provisions." The Dred Scott case stood for 105 years as a landmark of constitutional iniquity, establishing the principle that a class of innocent human beings could be excluded from the protection of the Constitution and treated as chattels. We rested on the assumption that the 14th amendment, adopted in 1868, had excised forever that principle from the Constitution. The 14th amendment provides:

No State shall . . . deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

Under the 14th amendment, and the comparable provisions of the fifth amendment, all persons are entitled to the right to live. We assumed, of course, that all human beings were included by the 14th amendment in that protected class of personhood. After all, that was a principal aim of the Civil War, to extend constitutional protections to all human beings. As Senator Allen A. Thurman said in 1875, in commenting on the 14th amendment:

[It] covers every human being within the jurisdiction of a state. It was intended to shield the foreigner, to shield the wayfarer, to shield the Indian, the Chinaman, every human being within the jurisdiction of a State from any deprivation of an equal protection of the laws. [3 Cong. Rec. 1794 (1875) (Emphasis added)]

On a shameful day in our history, the Supreme Court on Jan. 22, 1973, rendered what has to be described as The Dred Scott Case of the 20th Century. [Roe v. Wade, 410 U.S. 113 (1973), Doe v. Bolton, 410 U.S. 179 (1973)] The Court refused to recognize the simple fact that the unborn child is a human being from the moment of conception. The Court refused to decide when human life begins and said, in effect: that whether or not the unborn child is a human being, he is not a person within the meaning of the 14th amendment. As a "nonperson," therefore, this most innocent and helpless of all human beings was held to have no right to live. In jurisprudential terms, the Court's rulings have the same character as if the Court had defined an explicitly admitted human being as a nonperson. The 1973 abortion rulings, therefore, are based on exactly the same principle as the Dred Scott case, that an innocent human being can be defined as a nonperson and killed if his existence is inconvenient or uncomfortable to others or if those others consider him unfit to live. It is also the very same principle that underlay the Nazi extermination of the Jews.

It has been estimated that, under the Supreme Court rulings, at least 1.6 million innocent human beings a year, or more than 4,300 every single day, are legally killed by abortion in the United States. Even under the partial relaxation of abortion laws that existed at that time, 700,000 babies were killed in 1972 by abortion. In the wake of the Supreme Court decisions of 1973, it is apparent that we have embarked upon the greatest slaughter of innocent human beings in any nation in the history of the world.

Speaking of the Dred Scott case, Abraham Lincoln said:

I believe the decision was improperly made and I go for reversing it. [The works of Abraham Lincoln, Federal Edition (1905), IV, 215 ff.]

We must say the same thing of the Supreme Court abortion decisions. They were improperly made and it is long past time for the Congress and the people of the United States to do something to reverse them.

The one surely effective remedy for the abortion decisions is an amendment to the Constitution of the United States. Various amendments have already been proposed to deal with the abortion problem. One type, the so-called States' rights amendment, introduced by Representative WHITEHURST of Virginia (H.J. Res. 427, 93d Cong., 1st sess. 1973), would leave it up to the States to decide whether to forbid or permit abortion. This approach is wholly unacceptable. As Senator JESSE HELMS of North Carolina observed:

It is simply wrong in principle to subject the right to life of innocent human beings to the variant determinations of different legislatures. The right of innocent life is inviolable. And it is indivisible. The right to exterminate innocent life surely is not one of the reserved powers of the States.

More acceptable amendments have been introduced by Representative LAWRENCE J. HOGAN—House Joint Resolution 261; also introduced in the Senate by Senator JESSE HELMS—and by Senator JAMES L. BUCKLEY—Senate Joint Resolution 119.

The Buckley amendment (S.J. Res. 119) provides:

Section 1. With respect to the right to life, the word "person" as used in this Article and in the Fifth and Fourteenth Articles of Amendment to the Constitution of the United States, applies to all human beings, including their unborn offspring at every stage of their biological development, irrespective of age, health, function or condition of dependency.

Section 2. This Article shall not apply in an emergency when a reasonable medical certainty exists that continuation of the pregnancy will cause the death of the mother.

Section 3. Congress and the several States shall have power to enforce this Article by appropriate legislation within their respective jurisdictions.

Without going into detail here, it is fair to observe that the Buckley amendment fails to define the point at which

human life begins and the constitutional protections therefore attach. It leaves room for a legislature or the courts to define that human life begins at some point later than the fertilization of the ovum by the sperm. Nor is this a mere academic point. It is increasingly evident that the abortion of the future is likely to be by pill. A constitutional amendment on abortion must apply at the moment of fertilization so as to prevent the licensing of abortifacient pills and devices. If they are licensed for use at any stage of pregnancy, even the earliest, it will be impossible to control their use at every stage. To prevent the licensing and legal distribution of drugs that have no purpose other than to cause abortion, and to control the distribution of drugs that have legitimate as well as abortifacient uses, the amendment must unequivocally prohibit abortion at every stage beginning with the moment of fertilization.

In addition to its failure to define the point at which human life begins, the Buckley amendment is objectionable on account of its authorization of abortion where it is claimed to be necessary to save the life of the mother. The fact is that today there is no situation where abortion is medically necessary to save the life of the mother. This provision of the Buckley amendment would open the door to abortion on specious psychiatric and other grounds. There is no other situation in the law where one is permitted to kill intentionally another innocent nonaggressor even to save one's own life. If two people are on a raft in the middle of the ocean and it appears that the raft will continue to hold only one, neither person has the legal right to throw the other overboard. Otherwise, might would make right. Nor, in my opinion, should the unborn child be called an aggressor so as to justify his killing under principles of self-defense.

The Hogan-Helms amendment, in my opinion, is far superior to the Buckley amendment. The Hogan-Helms amendment provides:

Section 1. Neither the United States nor any State shall deprive any human being, from the moment of conception, of life without due process of law; nor deny to any human being, from the moment of conception, within its jurisdiction, the equal protection of the laws.

Section 2. Neither the United States nor any State shall deprive any human being of life on account of illness, age, or incapacity.

Section 3. Congress and the several States shall have the power to enforce this article by appropriate legislation.

The Hogan-Helms amendment, like the Buckley amendment, purports to confer 5th and 14th amendment rights on all human beings. However, unlike the Buckley amendment, the Hogan-Helms amendment defines the moment at which human life begins. It attaches its protections to all human beings "from the moment of conception." And the Hogan-Helms amendment would not confer constitutional legitimacy on abortions where they are claimed to be necessary to save the life of the mother. The Hogan-Helms amendment, in my opinion, is adequate to deal with the Supreme Court abortion rulings.

However, although the Hogan-Helms approach is sufficient, in my view, I believe it is now time to introduce another amendment which will present a different approach. It may be asked why I have decided to introduce a new amendment if I regard the Hogan-Helms language as adequate. The answer lies not in the Hogan-Helms amendment itself but rather in the energetic efforts that have been made to confuse the people about its meaning and impact. One issue that has been raised concerns the adequacy of the term "from the moment of conception" to define the point at which human life begins and the constitutional protections would therefore attach. I believe that "from the moment of conception" is an adequate phrase. However, there are some who have voiced reservations about this phrase in view of the fact that the Supreme Court, in Roe against Wade, mentioned in passing what the Court called "new embryological data that purport to indicate that conception is a "process" over time, rather than an event." [410 U.S. at 161] I do not believe that the term "from the moment of conception" is deprived of its precision and utility by this fragmentary dictum of the Supreme Court. However, I recognize the legitimate concern to make whatever amendment is adopted as precise as possible. To that end, I propose, in the amendment I introduce today, to replace the phrase "moment of conception with "moment of fertilization" in defining the point at which human life begins. As Dr. Bradley Patten put it in his basic text on embryology:

It is the penetration of the ovum by a spermatozoon and the resultant mingling of the chromosomal material each brings to the union, that culminates the process of fertilization and initiates the life of a new individual" (Patten, Foundations of Embryology—1964—35, 82).

The latest point in time to which "moment of fertilization" could be construed to refer would be the penetration of the ovum by the sperm.

Another reservation that has been expressed about the Hogan-Helms amendment, as also about the Buckley amendment, concerns its efficacy to prevent abortions committed by private persons who are not public officials and not otherwise acting under color of law. The approach of both Hogan-Helms and Buckley is not to forbid private abortions directly, but rather to extend the relevant constitutional guarantees to the unborn child. Those guarantees are couched in terms prohibiting governmental action rather than private action. An ordinary homicide, committed by one private person against another private person, for example, is not a violation of the U.S. Constitution. It is a violation only of State or local law. What the U.S. Constitution forbids is deprivations by governmental action of such rights as life, liberty, property, and the equal protection of the laws. I believe that the Hogan Helms and Buckley amendments are sufficient to prohibit abortions by private persons as well as those by State officials. This is so because those amendments would prevent the State and Federal Governments from denying the unborn child the equal protection of the laws. If a State, for instance, forbade through its homicide laws the unjustified killing of human beings in general, but discriminated against unborn human beings by not forbidding their killing, such unequal application of the general prohibition against killing innocent human beings would deny the unborn human being the equal protection of the laws. Such discrimination would be a denial of the civil right to live of the unborn child.

The Supreme Court indicated this in Roe against Wade when it said that if the unborn child is a person for purposes of the 14th amendment, the abortionists' case collapses. In view of this, in my opinion, the formulations of both the Hogan-Helms and Buckley amendments, which in effect confer the essential 14th amendment rights on the unborn child, are sufficient to reach private action and to outlaw private abortions. However, there has been much—in my view, unfounded—concern expressed in some pro-life quarters that the indirect formulations of both amendments would not clearly forbid private abortions in which State action is not involved. It would be desirable, therefore, to propose an amendment at this time that would directly forbid abortions. The direct prohibition is neater, simpler, and more to the point.

I introduce today the following amendment to the Constitution of the United States, to reverse the Supreme Court decrees and to lift the scourge of abortion from this land:

(1) Abortion is hereby prohibited within the United States and all territory subject to the jurisdiction thereof. As used in this article, abortion means the intentional destruction of unborn human life, which life begins at the moment of fertilization.

(2) Congress and the several States shall have concurrent power to enforce this article by appropriate legislation.

The amendment I propose is cast in terms of a direct prohibition of abortion, comparable to the 13th amendment's direct prohibition of slavery. For this reason, it operates directly to prohibit all abortions, whether performed by private parties or State officials. Even if a State legislature failed to enact a prohibition against abortion, this amendment would authorize Federal criminal and civil proceedings against abortion, just as such proceedings are now authorized with respect to the involuntary servitude which is forbidden by the similar language of the 13th amendment. Such proceedings would be available to prevent the licensing of abortifacient drugs which have no purpose other than to cause an abortion as well as they would be available to punish, prevent or award damages for surgical abortions.

The amendment I propose would forbid all direct abortions even where claimed to be necessary to save the life of the mother. Unlike such cases as the cancerous womb and the ectopic pregnancy where the death of the child is an unintended result of an independently justified operation, the direct abortion to save the life of the mother involves the intentional killing of the child to accom-

plish a good end; that is, the saving of the life of the mother. Such a direct abortion purportedly to save the life of the mother would be based on the finding, for example, that the mother will commit suicide if she is not allowed to kill her child or perhaps that continuation of the pregnancy will aggravate some physical ailment and thereby cause her death. As I mentioned above, there is no longer any medical necessity for such abortions. And, if we write into the Constitution an authorization of direct abortion where it is claimed to be necessary to save the life of the mother, we will inevitably open the door to psychiatric abortions and even abortions for mere convenience where a doctor certifies that the abortion is necessary to save the mother's life.

The amendment I propose would forbid all direct abortions, through the definition of abortion as "the intentional destruction of unborn human life." However, this amendment would allow such independently justified emergency operations as removal of a cancerous womb or of an ectopic pregnancy. In the latter type of situation, the unborn child is growing in the fallopian tube or elsewhere outside the womb without any hope of survival. With the cancerous, the removal of the womb is required to save the mother's life. Its removal will have the unintended effect of preventing the continued survival of the unborn child who is carried in the womb. Such operations are justified as independent medical emergency operations. They have never been considered abortions in the legal sense.

Rather, for example, the intent in the ectopic pregnancy situation is to perform an independently justified removal of the damaged portion of the fallopian tube because the continued existence and aggravation of that damage threatens the mother's life. The removal of that portion of the tube, in which the developing child is growing without hope of survival, results in the death of the child. But the death of the child is an unintended effect of the removal of the damaged portion of the tube which is independently justified as a medical emergency because of the immediate physical threat it poses to the mother's life. The removal, medically required to save the mother's life, of an ectopic pregnancy or of a cancerous womb has never been prohibited by the law and it would not be forbidden by the amendment I propose. The amendment, however, would forbid all direct abortions. No direct abortion is medically necessary to save the life of the mother. I emphasize that no mother's life would be endangered by the amendment I propose. But the lives of countless innocent children would be saved because it would prohibit the killing of babies for stated reasons of convenience and for reasons of convenience masked under a fraudulent guise of medical or psychiatric necessity.

In introducing this amendment, I do not belittle in any way the efforts of Congressman HOGAN, Senator HELMS, Senator BUCKLEY, and all the others who have supported their amendments out of a sincere conviction that we can no longer tolerate the wanton murder of the most helpless minority in our midst. I believe the Hogan-Helms amendment is adequate and that the Buckley amendment could be made so. But I also believe that it is time to present a new approach to the Congress and to the people. My amendment is not designed to write into the Constitution any sweeping elaboration of the rights of all human beings of all ages. Apart from abortion, the existing provisions of the Constitution are adequate for the protection of those rights. Instead, the immediate evil is abortion. Babies are dying in this land by the millions at the hands of murderers operating under the sanction of reprehensible court decrees. Abortion must be stopped. I propose to do so by an effective prohibition operating directly against all who would kill these most innocent and helpless of all human beings. I urge a speedy consideration of this matter. For the hour is far advanced. And the issue in abortion is no less than this: Whether life is a gift of God or of the State.

JOHNNY STILL CAN'T READ, NEW FEDERAL REPORT FINDS

HON. ROBERT J. HUBER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. HUBER. Mr. Speaker, a recent report further confirmed, if that was still needed, the fact that illiteracy is more prevalent than ever before. We are reaping the harvest of the Dick and Jane approach to reading. The interesting point to note here is that we have now had nearly 9 years of Federal aid to education and yet the results are disappointing. Could it be that what we really need for our schools is not money, but a return to discipline, and the teaching of reading, writing and arithmetic in the traditional manner? The article from the Detroit News of December 9, 1973, is attached for the consideration of my colleagues.

JOHNNY STILL CAN'T READ, NEW FEDERAL REPORT FINDS

WASHINGTON.—One million U.S. children 12–17 years old cannot read even at the fourth grade level of a 9-year-old, according to a new federal report.

Results of the special four-year testing program, suggesting illiteracy is more pervasive than ever before realized, were termed "alarming and discouraging" by Dr. Ruth Love Holloway, the government's reading expert.

The problem was found to be the most severe among low-income black males, where one out of five could end formal schooling without being able to read a simple paragraph.

The National Center for Health Statistics, an arm of the Department of Health, Education and Welfare (HEW), yesterday said the findings indicate existing government definitions of literacy "might lead to serious underestimates" of the problem.

Part of HEW's Health Examination Survey, the special reading tests were administered to a sampling of 6,768 children between 1966 and 1970.

The scoring showed 4.8 percent were illiterate. Projected nationwide, that means about one million of 22.7 million schoolage children who should be in grades six through 12 cannot read a fourth grader's materials.

Illiteracy was found to be most prevalent among boys, especially blacks from low-income families where parents had little or no formal education.

For example, 4.7 percent of white males and 1.7 percent of white females could not read, compared with 20.5 percent of black males and 9.6 percent of black females.

In families with less than $3,000 annual income, 9.8 percent of white children and 22.1 percent of blacks were judged illiterate.

But the inability to read dropped to 3.5 percent and 12.6 percent respectively in the $5,000–$6,999 income level and to 0.8 percent and 4.7 percent in families earning more than $10,000.

If parents had little or no formal education, 22 percent of whites and 53 percent of blacks could not pass the test. When one parent had finished elementary school, the illiteracy rate fell to 6 percent for white children and 18 percent for blacks.

GREATER LAWRENCE ASSOCIATION OF THE BLIND, INC.

HON. PAUL W. CRONIN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. CRONIN. Mr. Speaker, recently I met with a representative group of the Greater Lawrence Association of the Blind, Inc., which is an affiliate of the National Federation of the Blind. The National Federation has chapters in 48 States with a membership that exceeds 50,000 and is the largest organization of blind people in the United States.

The meeting was requested in order that the Greater Lawrence Association could express its profound disappointment and disillusionment with the National Accreditation Council—NAC. In the course of our meeting, several instances of discrimination were highlighted.

Since the National Accreditation Council is a federally funded organization, I would greatly appreciate a report from your office concerning the NAC and its functions. I understand there are no representatives of the blind on the National Accreditation Council. Furthermore, the NAC is actually hurting the blind people by accrediting inferior agencies which provide inferior services. The members of the National Federation of the Blind have tried over 3 years to make the NAC respond to their needs, but have met with resistance and have not been allowed to even observe the NAC Board of Directors' meetings.

The demands of the NFB seem to be most reasonable, and I cannot understand the failure of the NAC to respond to any of their points. In the original legislation it was the intent of Congress to help the blind. It is my belief that the National Accreditation Council has not fulfilled this intent. I urge you to investigate the responsiveness of the NAC and take the necessary steps to remedy this situation. You may be assured that I will not vote for funding for that orga-

nization and will urge my colleagues to withhold their vote until and unless the NAC becomes responsive to the needs of the blind people it serves.

JERSEY CITY, HUDSON COUNTY, A GREAT PLACE TO LIVE—CONGRESSMAN DANIELS HAILS MAYORS JORDAN AND CAPPIELLO

HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. DOMINICK V. DANIELS. Mr. Speaker, very often reform-minded persons who see decaying areas in our urban centers think that it is best to simply bulldoze whole neighborhoods without regard to the indigenous population. The destruction of southwest Washington a generation ago and the elimination of the West End of Boston and the dispersion of the people of the affected areas, was accomplished without any real regard for human values.

I am pleased that in Hudson County, N.J., we are trying to renovate and restore without losing the sense of community. The administrations of Mayors Paul T. Jordan in Jersey City, and Steve Cappiello in Hoboken, in particular have placed great stress in rebuilding without bulldozing. Indeed national publications have paid tribute to these able and thoughtful mayors who have shown that government can be effective and still show feeling for people. Hoboken and Jersey City are the better for it.

Sometimes people poke fun at Jersey City and Hudson County, our crowded streets, our congestion, our aging community facilities, and all the problems that go with living in an area which was built generations ago. Cynics used to ask why would anyone want to live in Hudson County. Lately parts of Jersey City and Hoboken are witnessing a housing boom as our brick and brownstones have caught the eye of those able to afford suburbia, but no longer willing to spend 2 hours a day commuting.

Our most important asset is often overlooked. It is our people, friendly decent people who often have deep roots in the community. Frankly, as a lifelong resident of Hudson County, I would not want to live anywhere else.

One of the most important community assets is the Jersey Journal, a newspaper which concerns itself with the community and reports superbly on matters of special concern to those who live in our compact cities with their polyglot ethnic population.

Each week the Journal publishes a column of thank yous from ordinary citizens. This week's caught my eye and I would like to share it with the Members of the House. None is really earthshaking, but they do tell a story of average Americans who go about their daily schedule yet manage to concern themselves with their fellow men and women. Taken as a whole, they show a panorama of life in the 14th Congressional District of New Jersey. Without any further comment, they show that our people do care about other people. I am proud to represent 478,000 of the greatest people in the Nation. For the edification of all I insert at this point in the RECORD this short vignette from May 28 edition of the Jersey Journal:

THANK YOU: PRAISE FOR THOSE WHO EARN IT

AN HONEST YOUNG MAN

DEAR EDITOR: I publicly thank and commend a young man for his honesty. I dropped a purse while walking on Central Avenue between Bleecker and Charles Street today with two of my friends. Suddenly this honest young man stopped us and asked if we had dropped this purse. Immediately I recognize it was mine and he handed it to me.

We were so shocked I could not express my appreciation and thank him enough or to repay him for his honestly for nothing was missing within. We feel we would not be able to recognize him again to do so.

To have a young man prove his character and honesty on a busy avenue is one we can be proud of and commend him. May God bless him and reward him in some way.—Mary Fehl, Jersey City.

A REALLY GOOD DEED

DEAR EDITOR: On March 26, 1974 at 5:55 p.m. while riding my bicycle east on Secaucus Road near the Post Office, I was struck from behind by a passenger car. The driver stopped, got out of his car, then reentered it and drove off. I had a broken right elbow and a badly injured right leg. Three cars passed as I lay in the gutter with my smashed-up bike. I waved for help from these three men(?) but they looked at me and passed me right by. They were males, not men.

I could not see the plate number of the car that struck me and if it had not been for an intelligent and alert young men who was not afraid to get involved, I probably would never have found out who ran me down. He sized up the situation immediately and got the plate number and returned to the scene.

I thank you Michael Donatacci of Hoboken, and may God bless you.

I would also like to thank the Hudson County Police, the men from Miller's abattoir who called the police and the guards from the Post Office who placed a blanket on me to keep me warm.—Walter E. Morse, Jersey City.

A SPLENDID PROGRAM

DEAR EDITOR: This past year, Henry E. Harris School initiated a career education visitation program. The teachers assisted their students in developing their goals, provided motivation for learning, and contributed to greater involvement in their formal educational experience.

This program could not have been accomplished without the help of many people who were willing to give their time to come to Henry E. Harris School to give lectures and demonstrations to the students. In many cases, field trips were also arranged to various businesses.

Because of their help, Henry E. Harris students were provided a pathway to an enlightened future, reflecting the requirements of a constantly changing world.—Mrs. James McGuire, fifth grade teacher, Henry E. Harris School.

TWO SPLENDID OFFICERS

DEAR EDITOR: I recently had occasion to call the Police Emergency when I could not reach my own doctor.

Within a very few minutes, police officers John McGovern and Paul Hoy were at my house, and when they saw the situation, they called the ambulance.

I want them to know how much I appreciate their kindness and consideration at a time when it was very much needed.

The young lady and two young men who came with the ambulance were also very nice.

We complain about people when we are not satisfied. The least we can do is say "thank you" when we are.—Nora F. Maher, Jersey City.

JUDGE GAVE US INSIGHT

DEAR EDITOR: We would like to thank Judge Daniel Gilmore of the Juvenile and Domestic Relations Court for his assistance concerning our project on juvenile problems.

Because of the knowledge and patience he showed us, we gained considerable insight into the real problems of today's youth.—Cheryl Titunick, Tim Kaminski, Jersey City.

ALL WERE HELPFUL

DEAR EDITOR: I wish to give my thanks to the many people who aided my daughter and grandson, Janice and Marc Mullins, at the time of their accident on Washington Street. I sincerely appreciate the help given by the Hoboken Volunteer Ambulance Service, the patrolmen, merchants and shoppers in the vicinity who rushed to assist them.—Mrs. Lucille Mollico, Hoboken.

A KINDLY BUS DRIVER

DEAR EDITOR: I would like to express my thanks to the bus driver who stopped his bus and came over and picked me up when I had a fall Saturday 2 p.m. May God bless him and give him happiness all his life.—Teresa O'Neill, Jersey City.

RUSSELL McCLURE

HON. GARNER E. SHRIVER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. SHRIVER. Mr. Speaker, Russell McClure, a distinguished public servant and nationally known public administrator, died recently following a long illness. His successful career included service as city manager of the city of Wichita for a total of 13 years in two different periods. He also had served as the first director of an organized effort to revitalize the downtown section of Wichita.

Russell McClure was an expert in urban affairs. He was respected by the people. He helped make Wichita, his hometown, a wonderful place to live. He will be sorely missed by all of us who knew him.

Under leave to extend my remarks in the RECORD, I include the following editorial from the Wichita, Kans., Beacon which eloquently describes the lasting contributions of Mr. McClure.

RUSSELL MCCLURE

Although sometimes a controversial figure in his later years, Russell McClure helped build Wichita, devoting his life to strengthening the city administration.

McClure, who served 13 years as city manager in two different periods, died Friday after a long illness. He had retired two years earlier from his post as deputy city manager for urban affairs.

He was nationally honored for his work in bringing professionalism and efficiency to city government and during his two stints as city manager—1941 to 1948 and 1962 to 1968—he helped develop a personnel merit system, a retirement program, an employe council and grievance procedure.

When he retired as city manager in 1968, he was put in charge of the city's social action programs, most of which had been begun during his service as city manager. These "people programs" were highlighted by the

Model Cities project, a $4 million federal program to improve health, employment, housing and educational and social services in model neighborhood areas.

Russell McClure may be gone, but the progress he brought to public administration in Wichita will live after him, a lasting monument to the memory of a man who loved serving his city.

MEMORIAL DAY CEREMONY AT NATIONAL CEMETERY IN MOBILE, ALA.

HON. JACK EDWARDS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. EDWARDS of Alabama. Mr. Speaker, on Sunday, May 26, I was privileged to participate in the Memorial Day ceremony at the National Cemetery in Mobile, Ala. The event was the result of much hard work by Troop 5 of the Boy Scouts of America, sponsored by the Fulton Heights United Methodist Church.

Others who participated in the program were the Air Force Band of the Gulf Coast, the ROTC Color Guard-Drill Team from the University of South Alabama, Mark Stewart of Troop 5, who served as master of ceremonies, Rev. Billy Hall, minister of Fulton Heights United Methodist Church, Sister Michael Jean of the Providence School of Nursing, and Rev. James Finley, pastor of the Phillips Temple AOH Church of God. Every person involved made a strong contribution to the program's success.

The main address was given by Maj. Gen. Emmett B Cassady, USAF (Ret.), who compiled quite an impressive record in the Air Force before retiring in Mobile. His speech was timely and carried a pertinent message for our Nation. Accordingly, I ask unanimous consent that General Cassady's address be included in the RECORD at this point:

MEMORIAL DAY SPEECH BY MAJ. GEN. EMMETT B. CASSADY

Mr. Stewart, Congressman Edwards, Members of the Armed Forces, Members of the Boy Scouts of America, Scoutmaster Lankford.

Ladies and Gentlemen. In gathering today we commemorate a remarkable group of men and women; for we here honor not only the dead in whose midst we are privileged to assemble, but all those, wherever buried, who have honorably and nobly died that our Republic might live.

Today let us remember those whose cherished hopes and attainable ambitions were cut off in the bright sunshine of youth. Let us remember those whose wounds, brought years of suffering, before death led them to this quiet spot. Let us remember those whose service in peace and war gave distinction to every segment of our society. They all lie here in honorable repose.

The message their tombstones might give us today would be far more than the name, the unit, and the date of death. They might say to us, "*You* take care of today and tomorrow, *our* day has passed."

In such a reminder there is hope. Hope for today and hope for tomorrow. We see our hopes for tomorrow clearly visible in the shining ranks of our splendid youth in the uniform of the Boy Scouts of America. It is they who have organized this Memorial Day Service. It is they who will carry the torch of liberty—for who can deny the forward looking promise in their motto, "Be Prepared".

Yes, today we must be prepared to squarely face the difficult problems which confront every citizen of our great republic—and we must find solutions! My brothers in arms sleep in peace.

Only death is indifferent to the woes of mankind. It cares not for forms of government: It gathers them in as it does all living things: It matters not to the grim reaper—republic—monarchy—dictatorship, each survives only as long as its people so will.

We are now approaching the two hundredth anniversary of the founding of our republic. As a people we have survived wars, floods, hurricanes, pestilence, weak leadership, inflation, deflation and depression. Now we must be prepared to survive the even more elusive forces which would destroy us as a people.

We have seen the enforced idleness, the cold homes and the consternation which arose with the energy shortage. We are a wasteful people and we have had a warning in this recent experience. Surely our honored dead would say to us, "Husband your great natural resources, for difficult times yet lie ahead."

Everywhere we see the degrading impact of pornography. Our honored dead may have repeatedly declared that our country would never permit our youth to be exposed to such an evil.

We see our personal ever increasing expectations become unfulfillable because of inflation. To most of our honored dead a small salary was sufficient to meet their needs. They would surely be appalled at the extent to which we have permitted the debasement of our once sound dollar.

We have watched the plague of drugs fasten upon many of our youth, and take a terrible toll. Addressing this problem our honored dead would unquestionably say, "This is the first enemy to attack, and our national policy must be victory at whatever the cost, for our most precious asset is the youth of our country".

For months we have marched, inexorably, toward a crisis of national leadership. The confrontation between our chief executive and the judicial and legislative branches is of profound sorrow and pain to all of us; for it lies like a malignant tumor within our body politic. Our honored dead would surely demand a cure for this sad affliction. They might say to us, "Be prepared to demand that the rule of law be not violated by any one of the three great segments of our government. The law must prevail!

Looking at the atomic world of today we find it not far removed from the bow and arrow age of yesterday. It remains a world in which, as Wendell Wilkie said, "Only the strong can be free." It has always been the same.

We could not be here in free assembly today should we the people not have provided our armed forces with the tools to do their job.

As the burdens of tax, inflation and other issues demanding priority grow, so do the demands for reducing the power and might of our military preparedness. On this issue, so vital to the life of our republic, our enobled dead would surely say, "At whatever the cost, never, never, never provide for freedom anything less than that required for victory."

Ladies and gentleman—our honored dead served in behalf of freedom, of which law and order is one bulwark. We must each be prepared, as a citizen, to carry our full share of the heavy load which is the price of liberty. We must each be prepared to face and defeat our problems with the same resolve that led the founders of our republic to pledge their lives, their fortunes, and their sacred honor to the cause which made us free men and women. We can do whatever is necessary while being secure in the knowledge that valiant men and women in our armed forces stand ready to defend, with their lives, the priceless heritage America has bequeathed to us all.

In freedom we have received a many splendored thing. It is ours to hold in trust for the next generation. Let it not be said that it was laid to rest during our time.

God remember our heroic dead and God bless America.

ZOOS: TODAY'S ARK

HON. G. WILLIAM WHITEHURST

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. WHITEHURST. Mr. Speaker, I have introduced legislation which would provide support and assistance to zoos in upgrading their facilities and improving their management. The bill, H.R. 12047, also establishes a Federal Zoological and Aquarium Board to assist in the improvement of zoo personnel and physical plant.

The interest in making changes for the better is apparent. The delay in taking action is caused by the severe fiscal bind facing most cities. Many of the city zoos need substantial rebuilding involving large areas of the facility. Unfortunately, priority for zoo construction usually gets bumped down the ladder from year to year as other needs arise. Congress should act to meet this need.

Zoo management officials are now instituting in some areas a concept called "survival centers." They are facilities located outside cities in which there is room for freedom of movement and some semblance of a natural environment. The action encourages animal breeding, thereby reducing the risk of further endangering already endangered species by stocking zoos from the wild. Indeed, captive breeding can be important to the survival of some species; however, many are unable to do so unless in a herd environment.

H.R. 12047 contains a provision for the necessary financial assistance to zoos planning survival centers. The bill has been referred to the House Merchant Marine and Fisheries Committee, 1334 Longworth House Office Building, Washington, D.C. 20515. I urge my colleagues on the committee to take action on this bill and report it to the House for a vote. The need for action is now while there is still time to rescue our deteriorating zoos and bring humaneness to the animals held in them.

An article describing survival centers and their importance to animals and zoologists was published in the May 28, 1974, edition of the Christian Science Monitor. I urge my colleagues to read it. I insert the article at this point in the RECORD:

NEW ROLE FOR ZOOS: PROTECTING ENDANGERED SPECIES

(By Frederic Hunter)

SAN DIEGO, CALIF.—A year and a half ago Charles Sedgwick and Clyde Hill went bear hunting in Alaska. What kept them warm during a week of freezing, all-night vigils

was the hope of bagging a rare Yakutat "blue."

When they spotted bear baits and a shooting platform nailed to a tree, they knew other hunters were also after the same bear. One had posted a $1,000 reward for anyone who could lead him to a "blue."

On the final night of the hunt Chuck Sedgwick spotted the bear from a toolshed where he was staked out. An inadvertent rustle as he aimed sent the big blue charging toward him, but the animal swerved away and jumped into a tree. Dr. Sedgwick shot and bagged the bear—for the collection of the San Diego Zoo.

His "hunting" with a tranquilizer rifle probably saved the rare blue from a trophy-seeker using bullets. The hurried, week-long expedition shows to what lengths professionals from around the world are going to save rare and endangered species from the threat of extinction.

RARE COLOR PHASE

"The fabulous blue bear of Alaska," notes Mr. Hill, the San Diego Zoo's curator of mammals, "is one of the last major mysteries of the world of mammals." It represents a rare color phase of the American black bear, and its range (from Yakutat Bay to Glacier Bay) is "only a pinprick on a world map."

Prized by hunters for its glistening blue coat (pelts are worth $5,000), the blue bear is in danger of being hunted into extinction.

By capturing Yakutat Barry, as the 200-pound male is now called, Mr. Hill and zoo veterinarian Sedgwick took only the first of the many steps that could lead to "zoo-banking" (preserving in captivity) blue bears.

Success now hinges on getting a female blue, and prospects appear "almost nonexistent." A recent survey shows that of 80 bears sighted in the blue's habitat area, only one is blue; its sex is unknown.

The zoo has, however, received permission from the Alaska Department of Fish and Game to capture two black bears from the blue's habitat area. San Diego Zoo officials hope that breeding the male blue with one or more female blacks eventually will produce a female blue. But even if this process builds up a stock of blues, the problems of inbreeding could end the project.

Is a "color phase" of one species of bear all that important?

"We are the ark," Dr. Sedgwick declares unequivocally, speaking of a newly emerging role for zoos. "Animals are not safe anywhere else in the world. People can be critical about zoo breeding programs; they can say we don't reproduce natural animals. But we feel like we're the ark."

"Everyone in the zoo business is very aware of world conservation problems," says Mr. Hill. "We're spending as much time and money as possible to do what we can. Money especially is limited."

Even so, a zoo does not have to be as big an operation as San Diego's to play a crucial role in saving an endangered species.

For example, a successful breeding program run by the small, privately-owned Catskill Game Farm near Cairo, N.Y., has helped insure the preservation of Przewalski (wild Mongolian) horses, rare living ancestors of modern horses.

From a herd of nine of the rare horses, acquired in 1956 from the Munich Zoo, Catskill owner Roland Lindeman has bred 55 Przewalskis, about one-third of the current world population. As a result of the program there are good prospects that the horses will regain a foothold in their natural habitat. According to Mr. Lindeman the Soviet Government now is seeking to establish a 500-square-mile reserve where Przewalski horses would be protected in the original habitat or something very close to it. Mr. Lindeman will donate a stallion and two mares.

While many zoos are making serious efforts to establish breeding programs, not all have been as successful as Mr. Lindeman's venture. At a 1972 meeting on breeding endangered species, John Perry, assistant director of Washington's National Zoo, could list only eight species of animals for which zoo propagation had been successful enough "to give reasonable assurance that a species can be permanently maintained without further acquisitions from the wild." Still zookeepers see the effort as vital.

"The conservation problems are vast and overwhelming," comments San Diego's Clyde Hill. As prime problems he lists habitat destruction, the population explosion, wars, human and industrial development, and vested interests, including, for example, the economic role of hunting in Alaska.

"There's no hope in India," he asserts. "And East Africa is one of the great population explosion places in the world. Animals are going to take second place there. Those of us in the conservation field can't keep up with these problems.

"But," he adds, "look at the conservation situation right here in California. We're not hungry; we're well educated, and even so, we can't keep the condor going."

Even when the needed animals can be found for animal banks at zoos, getting them to mate in captivity is no easy proposition. Many will not mate unless their surroundings match their natural habitats and there is sufficient compatibility between the particular animals the zoo arbitrarily has paired.

BRINGING UP OFFSPRING

If the animals do mate, the task of raising a significant number of offspring to adulthood in a zoo is enormous. The numbers most zoos can care for are pitifully small.

"If you totaled all the mammals in U.S. zoos," notes Mr. Perry, "there are fewer than 36 individuals per mammal species." These numbers are not designed for survival."

Four reforms could help a zoo better preserve endangered species: specialization in fewer species; long-term breeding programs using dozens, not mere pairs, of animals; establishment of spacious rural breeding farms; and expansion of animal propagation research.

But the most important reform for survival of endangered species, Mr. Perry contends, is a change in mankind's regard for animals—from considering them mere objects for human uses to recognizing their intrinsic worth and importance in earth's ecology.

"The world is our zoo," Mr. Perry stresses, "a zoo that must be well managed, its resources carefully husbanded, for these are the only resources it can ever have. We have appointed ourselves the keepers of this zoo, but we cannot live outside its gates. We are of it. Our lives are inextricably intertwined with the lives of all the lives within. Their fate will be ours."

TRIBUTE TO DUKE ELLINGTON

HON. WILLIAM H. HUDNUT III

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. HUDNUT. Mr. Speaker, I would like to take this occasion to pay tribute to a man who contributed so much to American music over the years and who left us a great legacy. That man is the late Edward Kennedy "Duke" Ellington who died Friday, May 24.

Thousands of Duke Ellington's fans gathered at the Episcopal Cathedral of St. John the Divine in New York on Monday of this week to pay their last respects to the great pianist, musician, composer, band leader, playwright, and statesman. While he is remembered as a "man who made the 20th century swing", he was also a composer of religious music and in 1968 performed his famous Second Sacred Concert at the Cathedral of St. John the Divine.

A middle-aged postal worker is quoted as saying:

Ellington saved me during the Depression because he gave so many folks and me, the only thing we could afford—music.

This is typical of the contributions made by Duke Ellington to the people of America as well as the world.

Taking note of his great achievements in the music field and as a good will ambassador of the United States, President Nixon presented Duke Ellington the Medal of Freedom on his 70th birthday. No man has been more deserving of this honor and I am very glad that it came to him at that time.

While Duke Ellington will be missed as a great human being, his compositions such as "Mood Indigo," "Satin Doll," and "Solititude" will live on forever. All of us are indeed fortunate for the legacy he has left to us.

AMERICA THE BEAUTIFUL

HON. CHALMERS P. WYLIE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. WYLIE. Mr. Speaker, Mr. George Davenport, a senior at Dublin High School, Dublin, Ohio, and a constituent of mine, is the recipient of the annual U.S. Government Award presented by the Washington-Perry Township Women's Republican Club. The essay which won Mr. Davenport the award deserves public dissemination and I recommend it to all as food for thought.

The essay follows:

AMERICA THE BEAUTIFUL

(By George Davenport)

Many people believe that modern America is on its way to oblivion. They support this pessimistic statement by reminding us of all of our nation's problems concerning corruption in the higher echelons of our government, the energy crisis, our unstable economy, and our polluted environment.

There are others who state that Americans, as a whole, are soft, lazy, apathetic, and lackadaisical individuals. They support this with examples such as the murder of a young woman in the streets of New York City not too many years ago. This murder was carried out in front of over 100 witnesses, not one of whom had the internal fortitude nor the gumption to jump in to assist the woman. They just stood around and watched. Another example of the public's general apathy is the fact that in seven of the last eight presidential elections, the winning candidate has received fewer votes than the number of eligible voters that did not even bother to show up at the polls to voice their opinions.

Do you believe that America is on its way

out as evidenced by all her problems and the supposed "apathy" of her people? The arguments presented above certainly seem to point in that general direction. However, I believe that these arguments are individual, independent cases, ones that don't tell the whole truth.

Our nation appears to be in deep trouble with political corruption, energy crises, crime, and innumerable other problems, but then, what country isn't? Every nation in the history of the world has had devastating crises and problems. Some have folded; others have overcome their problems, but not without the infliction of great damage. This does not offer much consolidation, nor does it justify our political, social, and economic ills.

However, the United States of America has successfully overcome some of the problems of her past, a few of which were her inspiring Revolution for freedom against the British tyranny, the brutal Civil War, both World Wars, and the demoralizing Depression of the 1930's.

Why is it that our nation has survived and flourished while others have fallen? I attribute it to those principles and ideals established by our forefathers in the Constitution of the United States. I believe that a nation in which a citizen has the right and potential to participate as much or as little as he desires in an effort to bring about governmental changes is bound to be a much stronger, happier, and unified nation than one in which the people serve the government. I also believe that a nation that exists solely for the betterment and general welfare of its citizens in far stronger and unified than any other conceivable form of government. Our government is successful in achieving this goal of serving the citizen in many ways. For instance, in the United States of America, an individual has the right to choose his style of speech, mode of dress, occupation, religion, locale, and life-style. Where else but America is this right upheld?

The United States of America is based on the principle of "all men being created equal," and it has taken great strides to achieve equality, racial or otherwise. The Constitution guarantees all persons shall be equal before the law; there shall be no favorites. Again, where but America?

America is a nation in which the majority of the people rule by their participation in campaigns and voting; and yet it is a nation in which the minority's rights and privileges are protected so that they cannot be infringed upon by the desires of the majority.

As mentioned earlier, some people believe that Americans are soft, lazy, and apathetic. They really don't care what happens around them; just so long as they are comfortable. This may be true is some cases, but I believe that 99% of the American citizens may be counted on when the need arises. Pope Pius XII (Eugene Pacelli) once said, "The American people have a genius for splendid and unselfish action, and into the hands of America God has placed the destinies of afflicted humanity." In a recent edition of the U.S. News and World Report, it was stated that America has become the accepted peacemaker throughout the world. The two World Wars and our subsequent aid to Europe, the Korean and Viet Nam conflicts, our aid in the Middle East, Bangladesh, and Pakistan all vividly demonstrate that the American people are not apathetic; they do care. America is the only nation in the history of the world to have done so much and received so little from other nations and their people. That is my kind of country.

I believe in a nation that strives for the betterment of its citizens, not just itself. I believe in a nation that encourages its citizens to do as they want, say what they wish, and act as individuals. I believe in a nation that has sent men to the moon and yet still strives to fight poverty and disease. I believe in "America the Beautiful;" I believe in the United States of America, yet I believe that in order for our nation to reach its greatest potential, it will require the cooperation and desire of the American populace. I have faith in America; I have faith in her people. Together, we shall continue to lead the world.

TRIBUTE TO RICHARD E. CHEVERTON OF GRAND RAPIDS, A DEDICATED PIONEER IN LOCAL TELEVISION NEWS

HON. TORBERT H. MACDONALD

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. MACDONALD. Mr. Speaker, earlier this month, Richard E. Cheverton died of cancer in Grand Rapids, Mich., where he had served for 18 years as news director of television station WOTV. Although I knew Dick Cheverton only slightly, I have learned since his death of the high regard which his fellow TV newsmen and his friends felt for him, and how important he was to the development of local television news in this country.

One of the most positive and encouraging developments in television over the past decade has been the exponential growth of television news in our cities. In the early 1960's, most TV stations contented themselves with 15 minutes of local news, weather, and sports to match the network's newscast. Today, virtually every major market sees a full hour of local news in addition to the network's 30 minutes. A number of large TV stations program 90 minutes or 2 hours in the early evening and a half-hour late at night. With this increase in airtime has come a corresponding expansion of staff and facilities. Ten years ago, only a few hundred men and women worked in local TV news. Today, they number in the thousands.

A handful of dedicated TV news professionals led the fight for increased attention to local news on television. Prominent in that group was Dick Cheverton.

The tributes which follow, led by a personal message from our friend and former colleague, Vice President GERALD R. FORD, testify to the contributions made by Dick Cheverton to the excellence and prevalence of local TV news today:

MESSAGE FROM VICE PRESIDENT GERALD R. FORD IN TRIBUTE TO RICHARD CHEVERTON

The word integrity comes strongest to my mind when I think of Dick Cheverton. He had a rocklike dedication to the truth. I knew Dick as a good friend for nearly 20 years. But in that time, he never let our friendship diminish the toughness of his questions, or the fierceness of his determination to make known the full facts of a story.

In our city of Grand Rapids, Dick Cheverton sought the facts when problems or disputes arose. And he made sure that his broadcasts and documentaries reported responsibly and fairly those facts regardless of any pressures that might be brought to bear.

Integrity and ability established Dick Cheverton as one of the leaders of his profession. Leadership that was recognized nationwide in his election to the Presidency of the Radio Television News Directors Association, and to a number of terms to the Board of Directors of that organization and that of the AP News Broadcasters.

But his contributions to the still-young profession of broadcast journalism were most significant in the high standards which he did so much to encourage, by example, through the training of new journalists on his news staff, and through articulate and forceful exposition of his ideas and his ideals.

As one of the pioneer journalists in Television News, Dick Cheverton was a key figure in the rapid expansion of TV coverage of community news, which helped make television news a primary source of news for a majority of Americans.

I hope that Dick Cheverton's integrity, his ideals, and his dedication to the principle that the facts of any story should be reported as fully, fairly and responsibly as possible will long inspire journalists to follow his example.

BROADCAST BY WILLARD SCHROEDER, GRAND RAPIDS, WEDNESDAY, MAY 8

Today, Dick Cheverton, News Director of WOTV, died after a long struggle against cancer.

Chev was, I think, well known to most of you as the man who wrote and telecast the editorials run on this station for many years. He was also the behind the scenes boss of our entire news enterprise.

Whatever status WOTV enjoys in news is essentially to his credit. He came to work here eighteen years ago when TV news was more a future goal than a reality. He hired the staff, set professional standards and organized our efforts to deliver what comes to you now on a regular basis.

But those of us here at WOTV had the privilege of knowing Dick in a more personal way. While he was a competent administrator, it was not his greatest talent. More importantly, he was a fine writer and reporter. He maintained a persistent sense of independence—of being his own man—that transcended his being part of an organization. And that is what really made him stand out above the crowd. Along with his talents of a sensitive reporter and clear, direct writer, he had the integrity that added up to his being a journalist of the first order.

But he never took himself too seriously—and that's what made it not only a privilege to work with him—it also was exciting and fun.

Dick and I were close personal friends. Over the years we shared quite a few joys and sorrows. I—and all the rest of the staff—will miss him.

But we are grateful for the years Dick was with us. He was one of the good guys—a positive force that will be remembered for what he was and what he did.

[From the Grand Rapids Press]

A COMPETITOR WILL BE MISSED

People throughout the Western Michigan broadcasting range will remember Dick Cheverton, WOTV's news director who died Wednesday, as a calm and reasoned voice, a commentator devoted to fair conclusions based on fact.

Those who knew him personally will recall him as a fast man with a quip: a decent and a tolerant man. The only things Dick couldn't tolerate were a phony—or a phony issue. He could spot either a mile down the pike and make mincemeat of it.

To his staff, he was a fair and considerate boss, to his associates a good newsman, a fighter for freedom of the press and for the public's right to know.

His opposite numbers, whether in print or electronic media, remember Dick as a tough, ethical competitor. And as a friend.

All in all, a pretty good way to be remembered.

FROM BOB JOHNSON, PRESIDENT, RADIO TELEVISION NEWS DIRECTORS ASSOCIATION

As a President of RTNDA, Dick Cheverton led us in a difficult journey toward recognition of broadcasting's role in the journalistic process. He led us by example, as a solid working newsman. He led us also by the strength of his will to better understand our own role in society. And he led us to communicate that understanding to the nation.

But that doesn't describe the man. Dick was a good friend, a warm human being, a man concerned about his community. And, when he was at work in his news room, he was a good competitor. But most of all, I think I'll remember Dick Cheverton as someone I looked up to. Every encounter I had with him drove home this point: he had a keen sense of outrage at evidences of wrongdoing and impropriety. Although he had worked in news for years, he never lost that ability to react on behalf of the little man.

The awards he and his news department won are many. But the recognition I'm certain he cherished most was the respect of his fellow professionals. And this Dick Cheverton possessed in full measure.

FROM RICHARD KROLIK, FORMER VICE PRESIDENT, TIME-LIFE BROADCAST

Dick Cheverton did the job of local TV news director about as well as anyone ever did. The awards committees for the Peabody, du Pont, Sigma Delta Chi, Edward R. Murrow, AP and a dozen other honors attested to that.

He fought for staff and equipment and air time. He wrote and delivered editorials that earned him the respect of the very Establishment he attacked. He saw to it that the vital issues concerning all the communities in his audience got fair and extensive coverage.

More than that, he perceived the need to upgrade local TV news throughout the country, and to expand its horizons. As an early RTNDA president, he advocated tough requirements and he defended the integrity of TV newsmen along with their print predecessors and peers. He keynoted the first national conference on TV News Standards, and he lectured to neophyte newsmen at RTNDA regional meetings.

Thanks to Chev, Grand Rapids saw a lot of the world through the filmed reports of a man they knew and trusted. He traveled to Vietnam and Western Europe, to the satellite countries and the Middle East, and even to China, where he hobbled around on crutches following Vice President Ford.

Through the years, despite frequent bouts with one or another kind of painful ailment, he never lost his irreverent sense of humor. He is survived, not only by his splendid wife Virginia and their two good children Dick and Nancy, but also by a generation of local TV news people, who owe him more than they know.

"WE WILL BURY YOU" SAYS SOVIET PARLIAMENTARIAN

HON. ROBERT J. HUBER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. HUBER. Mr. Speaker, recently, the Congress was visited by a delegation from the U.S.S.R. It was labeled as a delegation of "parliamentarians" which is certainly not descriptive in their case, since neither their Supreme Soviet nor their Council of Nationalities ever questions the decisions of the ruling Communist Party, nor will they ever, since the leaders of the party and the government are one and the same. What is interesting however, is the fact that this delegation fairly oozed with détente. But, back in Moscow they were withholding distribution of an article in one of their theoretical journals, Kommunist, by one of these so-called visiting parliamentarians, Mr. Boris N. Ponomarev, who was informing his readers that the United States is ripe for overthrow. We are all part of a dying capitalism, he went on and is it not ironic that they are falling over themselves to trade with a decaying nation? I commend the article by Paul Wohl in The Christian Science Monitor of May 23, 1974, to the attention of my colleagues:

U.S. LAWMAKERS TO LEARN SOVIET CONCEPT OF DÉTENTE

(By Paul Wohl)

"Parliamentarians" of the Supreme Soviet of the U.S.S.R. are in Washington to establish contact with United States congressmen and to explain to them the Soviet concept of détente.

The delegation composed of seven men and one woman, mostly magazine or newspaper editors, is headed by Boris N. Ponomarev, chairman of the foreign affairs commission of the Soviet of Nationalities, one of the two houses of the Soviet legislature.

In line with the double nature of the Soviet state, which is ruled by the Communist Party, most of the members of the delegation also belong to the party's Central Committee, which elects the Politburo.

THESIS DEVELOPED

Mr. Ponomarev, the head of the delegation, is an alternate (nonvoting) member of the Politburo, and head of one of the most important sections of the Central Committee's "apparatus"—the section in charge of relations with foreign Communist parties.

In other words, he is a maker and formulater of party policy, rather than a party parliamentarian. In a major article entitled "Vladimir Ilich Lenin and the Communist World Movement" published in No. 6 of Kommunist, the Central Committee's political and ideological journal, Mr. Ponomarev has developed a thesis that in theoretical phrasing says what the Soviet Union's blunt former Nikita S. Khrushchev told the American people: "We will bury you!"

CLEAR MEANING

While Mr. Ponomarev's article used theoretical language, its meaning is clear. This may explain why issue No. 6 of Kommunist has failed to reach the United States. The latest issue to arrive is No. 5 of March, an unusual occurrence because Kommunist is a bi-weekly.

"Capitalism in today's countries is not only ripe but overripe for Socialist transformation," wrote Mr. Ponomarev.

PRESENT-DAY SYMPTOMS

"In each one there exists the complete machinery of accounting and control [a prerequisite of socialism, according to Lenin] which serves the financial oligarchy as a means of maintaining and strengthening the capitalist system of exploitation."

The present-day symptoms of this system, he said, are decay and a parasitical nature. As examples the author mentioned the current chaos, the energy crisis, the "enormous growth of the military-industrial complex," and the "abuse of executive power."

This characterization is aimed at the U.S., whose "supernational or international corporations, essentially American, monopolize an increasing share of world production."

The international corporations are part and parcel of the "straight monopolistic system in the era of imperialism . . . a dying capitalism condemned by history to make place for socialism."

Lenin anticipated with Mr. Ponomarev that "in the coming decisive battles of world revolution, the majority of mankind will turn against capitalism and imperialism."

BASIC POLICY

"The capitalist system which," the author admitted, "is still capable of industrial growth and scientific technical progress . . . will not collapse automatically . . . but at any time in one or other part of the system, the situation can arise which opens the way for basic social transformation," provided there is readiness.

"What matters is to find the right road." This is the Soviet Union's basic policy according to Moscow's apostle of detente.

"The Soviet Union consistently supports . . . all peoples who fight for their freedom and independence. Thousands of fighters against imperialism find refuge in our country. We consider it our international duty to stand up for foreign Communists."

SUAVE LANGUAGE

"We can say boldly," Mr. Ponomarev concluded, "the Communists have the initiative when the cardinal questions of the fate of human society are at stake . . . in the struggle for communism and against imperialism."

In his exploratory talks and persuasive efforts to win over U.S. legislators to the Soviet concept of detente, the head of the Supreme Soviet delegation is certain to use suave and conciliatory language.

The fact that most delegation members are, and have been for years, responsible editors of leading party publications guarantees their mastery of rhetoric and argumentation. Like Mr. Ponomarev, they devote only a tiny fraction of their time to parliamentary sessions that are of a rubber-stamp nature and involve no major public debate.

COMPETITION IN THE ENERGY INDUSTRIES

HON. RICHARD W. MALLARY

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. MALLARY. Mr. Speaker, the House will soon be considering H.R. 14462, the Oil and Gas Energy Tax Act. This act has generated a great deal of discussion as to the competitive nature of the oil and natural gas industries, and the extent of profits that are being received by these industries as a result of the energy crisis.

In evaluating H.R. 14452, many Members may find useful the following study made by Congressmen FISH, FRELINGHUYSEN, HORTON, WHITEHURST, and myself, which analyzes the state of competition in the petroleum and natural gas industries, giving special emphasis to industry structure and behavior:

COMPETITIVE ASPECTS OF EACH INDUSTRY

Two recent trends are changing the nature of competition in the energy industry: (1) the rapid transformation of single-fuel energy companies into multi-fuel companies through acquisition practices; and (2) the economic collapse of many independent energy companies, particularly oil distributors.

In theory, competition in the energy industries should be having the following favorable effects in terms of benefits to the consumer and the economy.

Maximization of efficiency in allocation of resources on a price sensitive basis.

Minimization of the cost of producing a given level of output and hence minimization of prices which sellers can profitably charge, and

Rapid and flexible adaptation of market supply to changes in demand.

Have these goals been attained in the energy industries? The essential questions to be answered include:

(a) Is the energy shortage, or "crisis", real, and, if so, what factors account for its existence?

(b) What is the current status of competition among the major and the independent energy companies?

(c) Do recent changes in the nature of competition in the energy industries violate existing antitrust and monopoly laws?

(d) In effect, is competition working as an effective regulator of the energy industries?

(e) What proposals might remedy the present competitive situation?

A description of the energy industries' market structure, although not conclusive evidence on competitive practices, does illustrate competitive possibilities. Questions to be asked concerning the market structure are the following: (1) What are the components of the market?; (2) What are the relative sizes and percentages of ownership of sellers?; (3) What is the degree of independence of actions among sellers? Can firms make decisions based solely on the company's objectives, or are they collusive decisions?; (4) What are the conditions of entry for new sellers? How easy is it to enter into the energy business?; (5) What are the factors which constrain market development?

THE PETROLEUM INDUSTRY

The petroleum industry is divided into four basic market segments: (1) crude oil exploration and production; (2) transportation; (3) refining and (4) distribution and marketing.

All of the large major petroleum companies * and many of the medium size firms are vertically integrated, that is, they participate in all four market segments. The remainder of the firms are non-integrated medium to small independent petroleum companies.

The major companies own a substantial share of the total petroleum market. For example, the majors owned approximately 50% of the domestic net crude products in 1969, 64% of proven domestic crude reserves in 1970, 58% of domestic crude oil and gasoline refining capacity in 1970, and 55% of the gasoline market in 1970. The rest of the market is divided between the smaller integrated companies and non-integrated independents.

Petroleum companies, in general, have sole ownership of their respective facilities in the refining and marketing segments. In marketing the oil firm will sometimes sell a gasoline station to a marketer, but usually the oil firm will lease the facility to the marketer.

In the past, independent gasoline retailers selling non-branded gasoline played an important role as guarantors of competitive pricing. By offering fewer services and pumping larger volumes of gasoline, the independent retailers had been able to undercut major brand prices. However, recent supply problems have jeopardized the viability of the independent marketing sector and, consequently, have undermined an important free-market check on the majors' price policies.

Non-branded independent marketers have traditionally received their gasoline supplies from three sources: (1) the "excess production" of refineries owned by non-major integrated firms (between 65 and 75%), (2) independent refiners (between 20 and 30%), and (3) imports (less than 5%). Historically, less than 2% has come from majors' excess production.

In the past year, all of these supply sources have been constricted. Independent refiners have been unable to obtain sufficient crude, since integrated crude suppliers have diverted supplies to their own use. Similarly, integrated refiners no longer have "excess production" to sell to independent marketers. Finally, the oil import quota system (and later the Arab embargo) placed artificial constraints on the supply of imported products. By last June, these factors had already resulted in 1,200 independent gasoline station closings, according to the FTC.

It was hoped that the mandatory allocation program would ameliorate the independents' supply problem, since it ostensibly requires that supply reductions be proportional to the amount supplied during a 1972 base period. This should prohibit selective reductions by integrated suppliers which would favor affiliated retailers to the detriment of independents. However, a recent FTC report on the allocation program suggests that its effectiveness in this regard has been limited.

In theory, marketers faced with exceptional problems can apply for special allocations. This system has not provided equitable allocations to independents, because, some allege, integrated suppliers have taken advantage of loopholes in the regulations to selectively expedite requests for special-case allocations.

In addition, independents which relied heavily on foreign imports during the 1972 base period have been hit hard by the embargo. The present allocation regulations have no adequate mechanism for permitting independents which are heavily dependent on foreign supplies to share in domestic supplies.

Even when independents can buy imported gasoline, they must pay premium prices. Furthermore, since independent refiners rely heavily on high-priced "new oil", the gasoline they sell to independent marketers is more expensive, on the average, than gasoline supplied by the majors to their affiliates. As a result, the independents have lost the price advantage which permitted them to compete with the major brands' full-service retailers. During periods of extreme gasoline shortage, independents can sell their gasoline even at high prices. However, when and if the market "clears", they will be in an untenable position.

To sum up, supply shortages and price increases have been particularly detrimental to non-branded independent gasoline retailers, formerly an important force promoting free-market price competition in the marketing sector. Moreover, their plight has been exacerbated by the special relationship between integrated producers and refiners and their affiliated retailers.

The ownership structure in the transportation segment, is different. Pipelines are the major mode used to transport petroleum, in that 75 percent of all crude oil and 25 percent of refined products move through pipelines. Virtually all of the majors and smaller integrated petroleum companies hold joint interest with each other in the transportation network. For example, the Colonial Pipeline is jointly owned by five majors and by five smaller independents firms. The main reason for joint ownership is that no single petroleum company transports enough to warrant the vast financial expenditure necessary to build its own pipeline; consequently, firms share the expenses of building and maintaining the pipeline.

In crude oil exploration and production, there is growing mutual inter-dependency among medium to large size petroleum companies. This interdependence is manifested by these medium to large size firms jointly acquiring leasing rights to drill for oil. The method by which the firms jointly acquire the leasing rights normally is through bidding combines. For example, in any given sale of private, state or federal leasing rights, four firms which would otherwise bid independently on the lease will combine to submit a single bid, thus reducing the effectiveness of competitive bidding.

Once the leasing rights are awarded to a bidding combine, there is joint ownership of the leased land by the firms involved. As a result of this practice, many firms have joint leases with one another. For example, only four of the sixteen largest petroleum firms with interests in federal offshore producing leases own 50% or more of their leases independently. Conversely, ten of the sixteen own 80% or more of their offshore properties jointly with each other.

The ownership of onshore producing leases is highly interconnected. Of the eighteen largest producers in the state of Louisiana, fourteen have five or more joint ventures with the other.

To a considerable extent, group bids permit producers to expand the number of leases on which they can bid without incurruring the extraordinary risks associated with putting all one's eggs in one basket. The same is true in the case of the exploratory arrangements into which producers enter. The odds on drilling a successful well is one chance in ten. Joint operating agreements, where they are made, often are required as conservation measures and for efficient production. Many of these joint exploration and production arrangements are encouraged and even required by state authorities under laws intended to assure maximum efficiency in the recovery of petroleum.

Barriers to new companies entering the petroleum industry are mainly related to highly integrated and capital intensive characteristics of the industry. It has been estimated that to build a refinery which will return a reasonable profit will cost between $200 and $250 million. To insure an economic return on such a large investment, a firm must have an assured or risk-free supply of crude oil. Thus, it is almost a necessity to enter into exploration and production of crude (which entails a further investment) or to have an assured supply of foreign crude.

A highly integrated firm can have economic advantages over the non-integrated independent refiner. Consider the necessity to transport oil by pipeline. Pipelines transporting oil across state lines are common carriers, and thus are subject to Interstate Commerce Commission (ICC) regulation. The pipeline companies seek approval from the ICC of rates that provide sufficient returns from the owner's pipeline investment. But the rate approved may be well above the competitive cost of transporting crude. For the vertically integrated owners the excessive rate is not a great burden in that profits from one segment can be transferred to subsidize another segment. Non-integrated independent refiners, however, must pay the excessive charge and are put at a cost disadvantage relative to their major competitors. Thus, the firm which wants to enter the refinery market has formidable costs and cost disadvantage to content with.

DEVELOPMENT CONSTRAINTS

Several factors have constrained the development of domestic petroleum and its by-products: the Oil Import Control Program, the halt in refinery construction, and the lack of economic incentives.

The Oil Import Control Program, begun in 1959, regulated the amount of foreign oil which could be imported into the United

* By large major petroleum companies (or "majors") we mean Exxon, Texaco, Standard of Indiana (Amoco), Mobil, Gulf, Standard of California (Chevron), Atlantic Richfield and Shell.

States. This program along with prorationing practices, combined to restrict the supply of domestic gasoline which might have otherwise been greater. Until the control program was terminated in April, 1973, the government had vacillated for several years about the continuation of the program.

With the fate of the program and the dimension of foreign oil imports uncertain, refinery construction halted. Petroleum companies generally were unwilling to spend $250 million to build new refinery capacity without a guaranteed supply of crude.

However, the few companies that did want to build new refineries on the East Coast (in such states as Maine and Delaware) to process imported crude ran into fierce environmental opposition. This opposition, John Lichtblau of the Petroleum Industry Research Foundation estimates, blocked construction of approximately 500,000 barrels daily of additional refining capacity—the four percent increase in refining capacity needed to have avoided the gasoline shortage of the summer of 1973.

Tax incentives, specifically the oil depletion allowance, encourage exploration and production of crude oil. However, aside from the 7% investment credit, no such special incentives existed for refinery construction and operation, thereby discouraging development in this sector, particularly by the non-integrated firms.

The integrated oil firm can "afford" to break even at the refinery level because the firm makes substantial profits at the crude oil level. But the company which only markets refined oil, which returns a much smaller margin of profit than the crude, cannot spend $250 million only to break even on the investment.

New policy, spelled out in the President's April Energy Message, permits refiners to import unlimited amounts of crude oil with an import fee. As an incentive to domestic refiners, 75% of the crude oil import fee is waived for five years for a new refinery. However, because it takes at least three years to construct a new refinery, the benefits in increased new refining capacity derived from the incentive are also at least three years away.

THE NATURAL GAS INDUSTRY

The natural gas industry is divided into three basic market segments: (1) exploration and production; (2) pipeline transmission and (3) distribution and marketing.

In general, the ten major natural gas producers are not integrated, that is, they have no significant ownership in pipeline companies or in the distribution and marketing area. However, backward integration has recently been taking place in the industry. Backward integration occurs when gas distributors buy into the other two segments, while the pipeline company integrates downward into the exploration and production aspect of the industry. Even with this trend, no major company in one segment is a major company in another segment.

There are two parts to each market segment of the natural gas industry, the interstate and intrastate markets. There is a need to distinguish between the markets because the Federal Power Commission (FPC) regulates the interstate market but does not regulate the intrastate market. The main consequence of FPC regulation is that the price of natural gas in the interstate market is one-half of the price of natural gas in the intrastate market.

In the interstate market, the ten major natural gas producers accounted for about 50% of the 1971 interstate sales, while the next 290 producers accounted for an additional 45% of the market sales. The eight major pipelines accounted for 58% of all interstate natural gas purchases in 1971. Thus, it appears that percentages of ownership in each of the two segments is reasonably diverse.

However, the percentages of ownership in the interstate production aspect is misleading because of the ten major natural gas producers, eight are also major oil companies. Statistics on the intrastate sales by producers to interstate pipelines in 1968 show that five of the top ten are major oil companies and that Exxon alone accounted for 25% of the total sales. The primary reason for the conspicuous presence of the major oil firms in the production of natural gas is that about 35% of all natural gas is found drilling for petroleum.

Natural gas producers engage in joint bidding for offshore leases and unitization for development of a particular gas field or reservoir. Such action results from risk-sharing, the substantial bonus bids required under present leasing practices, regulations concerning compulsory unitization and state conservation regulations.

The gas pipelines differ from the petroleum pipelines in that gas pipelines are contract carriers, (petroleum pipelines are common carriers) which has legal implications for the producer, pipelines and distributor relationship. The contracts between producer and pipelines last usually for twenty years. While there is a legal dependence on each other, there is also an economic dependence involved because when gathering lines are laid and the main pipeline constructed, the particular wells involved can only deal with the respective pipeline company. This relationship leads to mutual dependence and of course mutual interests.

Barriers to entry in the exploration and development for natural gas are relatively low in comparison with other industries. Capital requirements are modest for onshore activities. Current leasing practices may be erecting entry barriers, as bonus bidding increases, particularly to the small, non-integrated producers.

By virtue of the Natural Gas Act passed in 1938, the Federal Power Commission was delegated the legal power to regulate the natural gas industry. The premise on which the FPC was delegated this authority was the "natural monopoly" economic argument. The natural monopoly argument essentially stated that because of the physical and economic arrangements, dictated by the location and production of natural gas, that is, the contract carrier relationship of the pipeline to the producer and the distributor, there did not exist a workable competitive but a natural monopoly situation.

To legitimize the FPC's continued regulation, the "economic rents" argument has been used against those who say competition is possible. Economic rents accrue to landowners who sell production rights if expectations change after the lease agreement is signed. Thus if the price of gas were deregulated and competition existed in natural gas production, this situation would produce a stream of rents for landowners and short-rents for producers. In other words the consumer would have to pay more and the landowner would make more profit for the same amount of gas sold. It is interesting to note that similar rents earned in other markets, for example, by the owners of farmland and by farm operators, seem to be accepted in our society today without demands that they be limited by price controls.

The FPC regulates the price of natural gas by a complicated formula made up of geographical, cost and most importantly margin of profit parameters. The FPC states that in its price determination, there is built in a 15% margin of profit which is considerably higher, about 1–5% higher, than the rate of return for the petroleum industry.

It's logical to assume that with this substantial rate of return production of natural gas would increase; however, the reverse has happened. In the last three to five years natural gas production has decreased. One FPC official explained that natural gas producers, in anticipation of gas price increases, are holding back production. That may be true, but why hasn't the 15% margin of profit attracted *new* natural gas producers in significant quantity?

IMPLEMENTATION OF REGIONAL RAIL REORGANIZATION ACT: SPEECH OF EDWARD JORDAN, PRESIDENT, U.S. RAILWAY ASSOCIATION

HON. BROCK ADAMS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. ADAMS. Mr. Speaker, I have recently had the opportunity to read a speech delivered by Mr. Edward G. Jordan, president of the U.S. Railway Association to a briefing seminar entitled "Railroads in Change." I think it will be of interest to all who are concerned with the implementation of the Regional Rail Reorganization Act.

The Regional Rail Reorganization Act of 1973, established USRA to plan the restructuring of the bankrupt Northeast railroads into one or more viable private railroad companies.

In his remarks, Mr. Jordan outlines what the U.S. Railway Association is doing to prepare the preliminary system plan to be released on October 29 of this year.

I was pleased to learn of the many sources of information that will be tapped in the preparation of the preliminary system plan and particularly the cooperation the association has obtained from those States and railroads which will be affected by the reorganization.

Mr. Jordan, in his speech, placed great emphasis on the intention of USRA to work closely with the appropriate agencies and regional planning groups of the 16 States served by the bankrupt railroads. I believe this close coordination with the States is of the greatest importance. It is clear to me that a railroad system for the Northeast cannot be designed by a computer in Washington, D.C. The public hearings already conducted by the Rail Services Planning Office of the ICC have produced a great deal of valuable information and provided a valuable counter balance to the somewhat drastic recommendations in DOT's initial report on rail service in the Northeast. I know that this information will be of value to USRA.

I am very concerned about the problems being raised in the courts regarding the implementation of USRA under the Regional Rail Services Act and I will continue to report to my colleagues on developments as they occur:

STATEMENT OF EDWARD G. JORDAN

Thank you very much for your gracious introduction, John. It's very flattering to have been introduced by the Hyman Rickover of the Railroad industry.

I would also like to thank the sponsors of this seminar for giving me this opportunity to make two points at one time. First, to tell

you who we are and what we are doing to get started at the United States Railway Association; secondly, to emphasize that we seek the cooperation of the distinguished group of experts assembled here today.

As you know, the United States Railway Association was created to implement the Regional Rail Reorganization Act of 1973, commonly known in our organization as the gospel according to the 93rd Congress. Since I accepted the position as President of the Association, I have read and reread the provisions of the Act. And, indeed, it has become our scripture—we will follow the steps as stipulated in the Act and we are dedicated to its goals. I recognize the potential impact of the many topics you are discussing here. We recognize, nonetheless, that we simply don't have the time to wait for all the uncertainties to be resolved. We are going ahead trying to be fully aware of all of the "what if's." But we are not waiting nor are we marking time until the constitutionality of various sections of the Act, for example, is resolved. We couldn't get our job done if we did. We have a large and complex task to do in a limited time frame, and we have begun.

Before I begin to describe the work to date, it is a special pleasure for me to introduce the man who will be leading it all: Arthur Lewis, whose name has been submitted to the Senate by President Nixon to become Chairman of the Board for the Association. I know that Arthur is very interested in the proceedings of this seminar and has attended some of the panel sessions. And, although the nominations for the remaining seven nongovernment members of the Board have not yet been released, we expect that they will be in the very near future.

In getting the Association's work underway, one of our first steps has been to assemble the finest staff we can. And while this takes time, there is simply no way to work this problem without outstanding people. I know that you have already heard our Vice President for Operations and Facilities Planning, Jim Hagen. Jim came to us from his position as Associate Administrator for Economics for the Federal Railroad Administration. I also hope that you have had the opportunity to meet and talk with the members of his staff attending the various panel sessions. In addition, we have the services of Pete Cruikshank, as Vice Phesident for Planning and Coordination, who has currently been out riding the rails to get a first-hand look at the problem. Pete came to us from his position as President of the Fort Worth and Denver Railway. We also have Dick Sullivan, formerly Director of Public Affairs for the Port Authority of New York and New Jersey, as our Acting Vice President for Public and Government Affairs. And last, but not least, we have Alan Dean, a long-time Washingtonian and former Assistant Secretary for Administration for the Department of Transportation, as Vice President for Administration.

I am still in the process of looking for Vice Presidents for both the Financial and Manpower Planning functions and a General Counsel. If any of you have likely candidates for the job, the number is 426-2258. In all, we will have a staff of approximately 190 people, and I can assure you that we will have a competent staff capable of using any and all the help you can provide us.

Well, that's who we are. What we are doing takes more than one speech to tell. But, succinctly, the major effort now has been to accumulate the data we need to make our decisions. We received, and were grateful for, the Secretary of Transportation's Report, which suggested that approximately 25% of the track mileage was "potentially excess". The DOT report is a useful tool but will by no means be our only tool. We have also received the thoughtful evaluation of the Secretary's Report from the Rail Services Planning Office of the Interstate Commerce Commission. The recommendations of that Report are being fully considered in our planning. We are particularly grateful for the transcripts of the 19 hearings conducted so far by that office. We have a special staff hard at work in culling valuable current information submitted in the process of those hearings.

With these two planning documents in hand, we at the Association now turn to the task of preparing our own Preliminary System Plan by October 29 of this year. And I'm pleased to report that we have made a good beginning.

In conjunction with the Rail Services Planning Office, we have jointly requested, from 33 railroads, detailed information to build a common data base. We are also working closely in building this data base with the states, the railroad industry and all interested planning groups.

In this matter of the evaluation of local rail services, we are having a group do a line-by-line analysis of each segment which has been proposed by any source for possible exclusion from the system. And we are including estimates of potential growth in that analysis. We have formed a state liaison group designed to provide technical assistance to the states. We have contacted the state Departments of Transportation and regional planning groups. And we will make available to all of these groups the information that we receive as part of our search for consistent and current data. So far, the Association has held detailed meetings with one-third of the states involved in the reorganization process.

We have already provided one state with a listing of all lines within that state that have been suggested for abandonment and/or state subsidy by the DOT report or by the carriers involved. The state can then make its own assessment of the traffic loads, needs of the shippers and the need for line rehabilitation and improved service. And we intend to provide such a listing to each of the 17 states involved. We fully intend to involve the states in our planning process, assuming mutual acceptability and accuracy of data and providing full opportunity for their comments to be part of our ongoing planning process.

We have also made substantial progress in identifying the special studies which will be required to accomplish our goals. Within the next few weeks, we will be awarding contracts to study a number of critical areas. Studies dealing with present and projected traffic flows; a study on community impact resulting from potential changes in rail services; and a study on the present and future role of rail passenger service. And as part of our intensive analysis of service, we want a study aimed specifically at the evaluation of light density lines. We need, and are getting, research into the potential for coordination and consolidation of rail facilities and operations, dealing with both service and cost impacts. We need a study on the requirements for rail competition in the region and a study of the role of rail carriers as opposed to alternate methods of transportation both now and in the future.

In addition, as part of the massive effort to structure Conrail operationally and marketing-wise, the Association will conduct studies on such topics as car utilization, the level of fixed plant required, new concepts in train operations and yarding techniques. Virtually all of this work will be underway soon.

And we have already announced a contract with Bechtel, Incorporated, of San Francisco, covering the initial phases of the survey of the existing conditions of the bankrupt carriers' properties and to make projections of the improvements needed to achieve a rehabilitated and modernized fixed plant. In this initial stage, Bechtel will develop the criteria to be used in obtaining a standard format as a work approach for all companies to be involved. The company will also be the technical director for the entire contract. They will provide our planners with the most current, complete and consistent data available. And because of the massive size of the task, once work is underway Bechtel will report to us on a weekly basis as the information is developed. An effort to acquire such detailed information on the actual physical plant of six railroads at one time has not even been attempted since the first World War.

I emphasize this because it is a keystone of our approach—we will solve the problem on the basis of a detailed analysis of the specifics involved, not on the basis of generalizations or unknowns.

We are seeking the expertise and advice which exists in the industry—especially from those solvent and bankrupt carriers who are the most familiar with the problems and the most affected by our decisions. We have initiated extensive dialogues with a number of the major carriers in the region to get their viewpoints on how they might best participate in the restructuring process. We have been encouraged by the industry's awareness of the need for major changes in the region and grateful for the number of constructive, although tentative, proposals for ways in which substantive changes can be implemented.

In summary, we at the Association believe that it is essential to involve the best available talent—both within our own organization and through consultants; that it is essential to solicit solid inputs from the states; and that it is essential to get the best judgments from the industry on how we should go about our restructuring process. And we do this for at least the practical reasons that we believe that it is the best way to reach a rational solution to this terribly complex problem and the best way to have the solution accepted by those affected by it.

Obviously, then, the preliminary system plan which will emerge from the United States Railway Association shall be no surprise. Those who will be affected by it will have had a channel through which they can introduce their ideas and information. All the non-proprietary information that we obtain will be shared with all interested groups. Decisions will be made from a common data base. And although I am not naive enough to suggest that everyone will agree with our decisions, they will know the basics on which our conclusions were reached.

These are the ways in which we have begun. We are open to and welcome your suggestions. One of the most meaningful catch phrases of recent years says, "If you're not part of the solution, you're part of the problem." I go on record today to invite each and every one of you to be on the solution side of that proverb. Tell us what you want us to know as we attack the problem of the Northeast rails. The Association welcomes your viewpoints.

We are realists at the Association and we recognize the alternatives that threaten if we do not succeed. We believe that nationalization, which nobody wants, is merely buying the problem—not solving it. And we feel that equity receivership will not provide the protection that Congress intended for the shippers, the communities, the environment and the citizens of the Northeast.

I hope that I have been able to answer some of the questions you may have had about the United States Railway Association. We do exist, we are working, and although we are not physically located in the middle of town, the doors are always open and I'm told that more than 10% of Washington's cab drivers know where we are.

But I also realize that it would be impossible to answer all the questions that arise from anything as new and as massive as this problem. In fact, at this stage of the game,

I doubt anyone would admit to knowing all of the questions, let alone the answers.

But we have gone ahead on what the Wall Street Journal, the New York Times and United Press International have called the "largest corporate reorganization in the history of free enterprise."

It is one thing to have been given the mandate to fufill a Federal law. It is another thing to have been given a desk, a telephone and a wastebasket. But the most important thing in starting a massive project such as this is having the sheer audacity to begin.

That beginning has been made. As we look ahead it is clear that imagination, ingenuity and inspiration are going to be needed right along with facts, figures and the discipline of strong business judgments.

With the tight frame in which we will work, inertia is our biggest enemy—indecision our most perilous pitfall. But with it all, I stand before you to say that we will do the job that is before us: the problem is too great; the stakes too high; the opportunity too precious. Moreover, the task must be done not just to salvage the past but to construct the future.

I realize that I could go on talking for hours about our Association (or so my wife tells me) and hope that I have not worn your patience thin. I appreciate the opportunity to have been here with you today.

NATIONAL LABOR RELATIONS ACT COVERAGE FOR EMPLOYEES OF NONPROFIT HOSPITALS

HON. SHIRLEY CHISHOLM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mrs. CHISHOLM. Mr. Speaker, as you all know we are considering H.R. 13678 today. The members of the Education and Labor Committee and the Members of the House have been bombarded with letters both from the hospitals and the hospital workers on this issue so we can anticipate a fairly heated debate on this subject.

I am very conscious of the concern raised by the hospitals. Right now health facilities in my own congressional district are experiencing strikes by the drug and hospital workers and my office has been flooded by elderly patients who are worried about securing treatment during the strike.

But I am equally concerned about the problems confronting the hospital workers. The article below which appeared in the St. Louis Post-Dispatch presents the plight of the hospital workers far more eloquently than anything I can say. These workers, most of whom are poor black women, do not have the most basic rights that the majority of the work force take for granted.

Programs such as medicaid and medicare have been a boon to the patient population and to physicians and hospitals but benefits and improved working conditions have been slow to trickle down to the hospital employees at the bottom. We want good health care and we hope that the patient population will not be unnecessarily disturbed but if this is to be accomplished the concerns of the hospital workers must be dealt with a good deal more honesty and justice.

The article follows:

[From the St. Louis Post-Dispatch Dec. 24, 1973]

RECOGNITION ONE OF MAJOR ISSUES IN HOSPITAL WORKERS' WALKOUTS

(By Paul Wagman)

Ask Lucille Millican how she likes her job, and her cheerful, easy manner suddenly becomes serious.

"I love my job," she says earnestly.

Mary Bolden nods her head. She says she feels much the same way.

Even so, neither Mrs. Millican nor Mrs. Bolden is working these days. Each is on strike against the Normandy Osteopathic Hospital.

It is not an easy strike for them to weather. Like all of the employes who walked out on their jobs at Normandy on Sept. 15, Mrs. Bolden has been without strike benefits except for the few dollars a week for her carfare to the picket line, and except for a few bills paid by the strike hardship committee.

She has fallen behind on her rent and other payments. Food stamps pay for $37 worth of food a month, but the food that money buys lasts for barely two weeks, she says.

But Mrs. Bolden cannot envision going back inside the hospital unless the strike is won.

"It just got so that working conditions were unbearable," she says.

When Mrs. Bolden walked out on her job as a central supply worker, scores of other Normandy workers walked out with her, says the union that organized them, Service Employes International, Local 50. All the employes had jobs on the bottom rungs of hospital work—nurses' aids, maintenance workers, orderlies, kitchen workers, licensed practical nurses and maids.

The walk-out at Normandy Osteopathic Hospital, a 226-bed facility at 7840 Natural Bridge Road, Normandy, was not an isolated event. Within a few days in the middle of September, workers walked out at Mount St. Rose Hospital, a 124-bed facility at 9101 South Broadway, Lemay, and at Lindell Hospital, an institution with 70 beds at 4930 Lindell Boulevard.

What the workers were demanding, above all, was recognition by their hospitals that they had the right to organize themselves into a collective bargaining unit. The employes had signed cards expressing their wish to be represented by Local 50.

Through the Hospital Association of Greater St. Louis, all three hospitals rejected the proposals. The association says that unions have no place in nonprofit hospitals.

This position is invested with the authority of the law. The Taft-Hartley National Labor Relations Act of 1947 exempts nonprofit hospitals from having to bargain with employes as a unit.

As a result, service employes are organized in only two of the approximately 40 nonprofit, private hospitals in the St. Louis area. The exceptions are Missouri Pacific Hospital, where workers are represented by the Brotherhood of Railway Clerks, and Christian Welfare Hospital in East St. Louis. Christian Welfare recognized service workers as members of Local 50 only after a protracted strike in 1972.

Two bills are pending in Congress that would eliminate that exemption. But in the meantime, the strike hardship committee is running out of funds to pay for necessities.

"Christmas is coming up," one striking worker explained, "and people have other things to spend their money on besides making contributions to the hardship fund."

Most strikers have been forced to go back to work. In the words of those who remain on the lines, they have been "starved out."

That hardly means, however, that the workers have returned to well paying jobs. One of the main reasons the workers want a union is that they believe their pay is terrible.

When Mrs. Bessie Belle walked out on her job as a nursing aid at Normandy, for instance, she was earning $2.35 an hour. Every two weeks, she says, she took home about $140. When she started at the hospital six years ago, she earned $1.25 an hour.

Mrs. Marie Eddins, a laundry worker, says she was earning $2.13 an hour when she walked out. That rate gave her $135 take-home pay every two weeks.

At Mount St. Rose Hospital, 37 of 48 workers who signed union cards said they were earning less than $2 an hour. Twenty-eight of those 37 earned $1.80 an hour.

The highest paid person earned $3 an hour. One employe who had worked at Mount St. Rose for 23 years reported earning $1.95 an hour, a union officer said.

As a result of these wages, some full-time hospital workers are eligible to draw Aid to Dependent Children, said John Sorbie, president of Local 50. Some also are eligible for medicaid, and receive this assistance, when they go to their own hospitals, he said.

"These hospitals keep their employees' wages low and let Uncle Sam and—you and I, the taxpayers—pick up the cost of providing the medical care that is considered a standard fringe benefit in every industry in the United States," Sorbie testified before a Senate subcommittee.

Aside from low wages, the strikers object to what they consider the unsystematic way in which they are paid. There is no uniform scale of wages, they say.

"A person who started out at the same time as you did in the same job might make a dollar an hour more," one Normandy worker complained. Another said that on holidays, some workers would be paid time and a half, but that others would not.

Robert McAlister, a black maintenance man at Lindell Hospital, said he had worked six years and was earning less than $2.50 an hour when a white maintenance man was hired at $3 an hour.

Nursing aids at Normandy are instructed not to complain about inequities in the pay system, Mrs. Bell said. "They tell you at meetings, you can get fired if you talk about your pay," she said.

The strikers say that these practices amount to favoritism and that the partiality tends to work against blacks and women. At Normandy and Lindell hospitals, most of the service workers are black women. At Mount St. Rose, most are women, but they are white.

But as dissatisfied as the workers are about their pay, they seem to be just as unhappy about their working conditions.

For instance, striking employes at Normandy complained bitterly that they were asked to sign statements that they would not be sick or tardy to work any longer. If they refused to sign it, they were subject to being dismissed, they said.

One of the things the strikers want most if they are unionized is a grievance procedure. As it stands, they say, they are shuffled from one supervisor to another, and nothing ever happens.

"You see, we're not out here to hurt the hospitals," Mrs. Doris Carter, a striker at Normandy said. "We're just tired of being treated like kids."

A reporter called Warren Brucker, administrator at Normandy to ask him whether such working conditions were in fact in practice. Brucker had his secretary refer the reporter to the hospital association, although the secretary said she explained to him that the reporter wanted his response to matters that specifically concerned his hospital.

The executive vice president of the hospital association, Gerald Malloy, said he doubted

that a rule of silence was imposed in the halls at Normandy. But he said he had "no direct information" on specific work regulations at the hospital.

HERITAGE FOUNDATION REPORT ON SOUTH VIETNAM

HON. ROBERT J. HUBER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. HUBER. Mr. Speaker, a fact finding mission sponsored by the Heritage Foundation, Inc., of Washington, which just returned from South Vietnam. The authors are Prof. James E. Dorman, Jr., and Mr. Peter Hughes. In large part their report confirmed the findings of the trip earlier this year by the American Security Council and the Vietnam Council on Foreign Relations, as well as the assessments of Ambassador Martin in Saigon. In brief, the report of the Heritage Foundation, Inc., asserts that Saigon's problems are largely economic, but the country is making progress. It agrees that the military threat remains serious, but is manageable for the moment. The government is stable and not repressive in the sense of Communist China or the Soviet Union. Selected items from the report, which I feel will be of interest to my colleagues follow:

SELECTED ITEMS FROM THE REPORT

1. THE MILITARY SITUATION

In line with that overall strategy, Hanoi has been steadily increasing her troop strength in the South since the cease-fire.

Total NVA-VC strength is now in the neighborhood of 270–300,000, a record for the war and a force substantial enough—even without further reinforcement, according to American military observers—to conduct extensive operations for over two years. This large fighting force, moreover, has been substantially re-equipped since the 1972 offensive, a consequence of the continued flow of Soviet aid to Hanoi. At least 150 130mm. artillery pieces have been brought south, and as many as 400 tanks and amphibious vehicles. Aerial photography has discovered a major truck park just south of the Cam Lo River in the I Corps region which at times has accommodated nearly 400 military vehicles of various types. East of the Laotian and Cambodian borders, extending south from the former Demilitarized Zone to Darlac Province, runs a virtually-completed road network of impressive quality, and older supply networks in Laos and Cambodia have been refurbished.[1] An oil pipeline to the road network, with a spur thrusting into the Ashau Valley. Henceforth it will be far easier than in the past for Hanoi to supply its southern armies.

Nevertheless, it is clear that the North has no intention of abiding by any of the terms of the 1973 truce except when it appears to its advantage to do so. If a major offensive does not occur in 1974, the reason will have to do with Hanoi's assessment of the probabilities for major gains, and not with any alteration in objectives. As one analyst told us, Hanoi fundamentally is seeking a strategy which will work; and the activities of the NVA since the cease-fire reflect that search. Between January and April of 1973 the communist forces concentrated on "land-grab" operations, attempting to seize control of territory and population in areas of ARVN military weakness. The onset of the rainy season brought about a period of consolidation characterized by minor local engagements, while in recent months NVA efforts have been reduced to attempts to capture and stockpile rice, due to difficulties encountered in feeding their large army.

To summarize, then, the military situation is obviously improved over that of 18 months ago. While the huge NVA army presents a constant threat of the most serious proportions, for a variety of reasons a major offensive does not seem probable now; should one occur under present conditions it is unlikely that it would result in the permanent capture by the communists of major cities or much new territory, whatever temporary advances might be achieved—and widely publicized—in the opening phases. The effectiveness and morale of the ARVN are improving, and the armed forces of the South appear to have the capability to isolate and reduce the significance of many of the "leopard spot" zones during the months to come. All of this, of course, depends on a continued flow of military aid from the United States, about which we shall have more to say.

II. THE ECONOMIC SITUATION

It is clear that South Viet Nam faces a long road to economic self-sufficiency, and that continued infusions of foreign assistance, especially from America, will be necessary for five years to come.[2] In the interim, the people appear well-fed, and as resilient and hard-working as any in Asia; neither are there any signs of damage and destruction, either in the cities or in the countryside, on a scale wide enough to interfere with economic development. Over the long term, if the effects of the enduring warfare can be minimized, continued increases in agricultural productivity coupled with development of an export trade in wood, glass, shrimp and other fish products, and ultimately oil, as well as the cheap, abundant and technically skilled labor supply, hold out legitimate hope that the economic miracles of Taiwan and South Korean can be repeated.

A major step in this direction could come if the Overseas Private Investment Corporation* were allowed to extend its investment insurance to the Republic of Viet Nam. OPIC would guarantee U.S. investors against war damage, currency incontrovertibility and expropriation. But OPIC has been directed by Congress not to extend its investment insurance to the Saigon government. As a result, American private capital, and that of other advanced industrial nations, is not readily available for Viet Nam.

Questioning the unavailability of OPIC aid for South Viet Nam, William Peterson has asked if it is "wise to extend aid at some $1.5 billion a year, while in effect denying the recipient country adequate access to American business investments?"[3] It was, after all, with the OPIC coverage that the economies of South Korea and Taiwan were able to prosper to the extent that they are no longer dependent upon American economic aid and that they have achieved healthy and vital economies. Thus, if Congress persists with its present policy of denying OPIC guarantees to South Viet Nam, the paradoxical result will be that Saigon will become more, not less, dependent on U.S. economic aid.

III. THE POLITICAL SITUATION

During our stay in Viet Nam we saw none of the outward manifestations of the totalitarian state so visible, for example, in China, the Soviet Union or Eastern Europe. Travelers are required to present identity cards where asked; we observed two such requests, both put to young men, and both were allowed to move swiftly on their way. The military presence is quite visible, but the reasons for that are obvious. Few of the citizens with whom we spoke seemed bitterly opposed to the government. Indeed, more than 560,000 South Vietnamese have been armed as part of the Popular Self-Defense Force program with a loss rate of only one to five weapons per thousand distributed—impressive figures for a society supposedly governed by a "small, externally imposed and increasingly-despised elite."[4] Significantly, there has been no indication of revolutionary stirrings even from an armed populace.

Overall, we came to believe that there exists in South Viet Nam today a stable and viable government, clearly inspiring more popular support than its NVA–VC opponents. Its future obviously depends upon the extent to which it can deal effectively with the awesome array of military and economic problems with which it is confronted. And its ability to do so, in turn, will for the next several years depend upon continued aid from abroad, and especially from the United States.

IV. POLITICAL PRISONERS

The question of political prisoners in South Viet Nam has been one of heated emotional debate in the United States. Critics of the Saigon government have used the political prisoner issue as a vehicle to undermine both popular U.S. domestic and Congressional support for the Republic of Viet Nam.

Because of the necessarily-imposed time limitation on our trip we decided to visit only one penitentiary, that on Con Son Island. This island is located 70 miles off the coast of Viet Nam and, although it is an almost idyllic semi-tropical setting, it is a prison settlement originally founded by the French with a capacity for 9,614 prisoners. Because of photographer/journalist Don Luce's sensationalized series on the Tiger Cages, Con Son is the most infamous of all South Viet Nam's prisons.

Our conversations with the Viet Cong prisoners (self-proclaimed Viet Cong, incidentally) confirmed Ambassador Martin's contention that the U.S. Embassy had not been able to identify a single prisoner who was in prison solely for his political beliefs and opposition to the Thieu government. When asked why they were in jail, the Viet Cong response was because of their desire for peace. When pressed further, the inmates acknowledged that they were involved in various forms of terrorist activities.

The American who visits Con Son prison will inevitably be taken aback by the existing conditions. However, the conditions in Con Son compare favorably with living conditions in Viet Nam as a whole.

Another point worth mentioning is that the Tiger Cages have not been used since 1970. This was confirmed by both prison officials and prison inmates, and it is also evidenced by the chemical decay and vegetational overgrowth surrounding the Tiger Cage cells.

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[1] For U.S. Air Force reconnaissance photos showing various aspects of the North Vietnamese military build-up in the South, with particular attention to airfield reconstruction, see *Aviation Week and Space Technology* for September 17, 1973, pp. 12–17; October 8, 1973, pp. 20–21; and February 25, 1974, pp. 14–17.

[2] For a recent analysis of the future prospects of the economy of South Vietnam, see Patrick M. Boarman (ed.), *The Economy of South Vietnam: A New Beginning* (Los Angeles; Center for International Business, 1973).

*OPIC is a Government-administered agency which promotes and guarantees private investment in "friendly" developing countries.

[3] William Peterson, "South Vietnam, OPIC, and American Business." *National Business*, March 1974.

[4] Mr. Tom Hayden, interview on *CBS News*, January 25, 1974.

Because of mounting criticisms by American peace groups the U.S. Embassy in Saigon, under the auspices of Ambassador Graham Martin, has undertaken three intensive staff level investigations into the political prisoner issue in South Viet Nam. The Embassy's conclusion is that there is a civilian prisoner population of about 35,000. They found that of this number nearly 30,000 were common criminals—a figure that compares proportionately with the prison population of any other country. The remaining 5000 have been listed as "communist offenders" or South Vietnamese civilians who have actively aided the communist war effort. These individuals have been designated to be exchanged with the communists in the prisoner of war negotiations.

BARRIER FREE TRANSPORTATION ACT OF 1974

HON. WILLIAM B. WIDNALL

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. WIDNALL. Mr. Speaker, I have today introduced H.R. 15122, the Barrier Free Transportation Act of 1974. It is a proposal for positive action in opening transportation systems to the use of our handicapped citizens. It is a very basic action—long overdue—urgently needed—but practical in the fact that it offers a logical and feasible method of applying constructive effort in support of policy.

Mr. Speaker, section 16(a) of the Urban Mass Transportation Act of 1964 states, and I quote:

SEC. 16. (a) It is hereby declared to be the national policy that elderly and handicapped persons have the same right as other persons to utilize mass transportation facilities and services; that special efforts shall be made in the planning and design of mass transportation facilities and services so that the availability to elderly and handicapped persons of mass transportation which they can effectively utilize will be assured; and that all Federal programs offering assistance in the field of mass transportation (including the programs under this Act) should contain provisions implementing this policy.

As a member of the Urban Mass Transit Subcommittee, I was pleased to support the establishment of this national policy and I am certain that it has been effective in creating awareness and supporting many special efforts. The recent $64 million expenditure to retrofit the District of Columbia Metro system plan so as to insure accommodation for the handicapped may be the prime example. There have also been a number of studies and demonstrations and special equipment development projects which were undoubtedly spurred on by this policy.

Regrettably, however, there have been no production models, no nationally acceptable developments and little improvement in the availability of transportation for the handicapped. We can no longer stand on policy without sanction. The need is too great, the consequences are tragic and we simply must provide positive actions through which we can give mobility and reasonable opportunity to the handicapped.

Recently, upon introducing H.R. 14387, the Barrier Free Environments Act of 1974, I reported certain findings of fact on the numbers of handicapped persons in our society and the tragic result of the present limitations in accessible transportation facilities. These data provide dramatic measure of the needs and I will, therefore, include them for the record following these remarks.

Mr. Speaker, my proposals in this bill, H.R. 15122, are short and to the point. I, therefore, insert a printing of the summary of the bill at this point in the RECORD so that all of my colleagues may be immediately advised of its content.

In the near future, we are expecting consideration to be given to amendments to the Urban Mass Transportation Act of 1964. I will move to offer H.R. 15122 as an amendment at that time. I am confident that my colleagues will want to support this action.

The summary follows:

SUMMARY OF H.R. 15122

The Secretary of Transportation would be required to enforce the national policy on barrier free transportation by:

(1) Prescribing minimum standards of design in new construction, modernization or renovation necessary to ensure barrier free accessibility, adequate maneuvering room and safety for handicapped and elderly persons utilizing mass transportation facilities assisted by Federal programs. The Secretary would require that such standards be adhered to by recipients of any or all Federal assistance in the field of mass transportation, and such standards shall be issued not later than January 1, 1975 to be effective not later than January 1, 1976, and

(2) Ensuring that all applications for grants or loans approved after June 1, 1974, pursuant to authority in the Urban Mass Transit Act of 1964, provide assurances that planning for transportation services include specific provisions for the accommodation of elderly or handicapped persons.

HANDICAPPED WHO ARE UNABLE TO USE TRANSIT

	Under 65	65 and over	Total
A. Can go out but cannot use transit	1,153,000	1,153,000	2,306,000
B. Cannot leave home	878,000	878,000	1,756,000
C. Institutional	30,000	930,000	960,000
D. Acute conditions (temporary)	185,000	50,000	235,000
Total	2,246,000	3,011,000	5,257,000

Thirteen percent of the working-age chronically handicapped would return to work if transportation were no longer a problem.

The labor force statistics cited above imply additionally that a subgroup of our population which tends to be disadvantaged in employment also tends to be forced to use its limited resources for more expensive means of transportation. The handicapped, for example, take 14% of their trips by taxi compared with 2% of the non-handicapped.* Clearly, an improvement in transit accessibility for the handicapped would not only increase their employment opportunities, but would also enhance every other aspect of life in which mobility is a factor.

STATUS OF THE HANDICAPPED AND ELDERLY

The Handicapped. Determining the exact number of people with transportation dysfunctions is at this time impossible, because no comprehensive surveys oriented specifically to transportation handicaps have been undertaken. Reliable estimates can be made, however, by projecting on the national population incidence rates (determined by the National Health Survey). These projections yield the 1970 estimates for each handicap class.

It was found that a total estimate of 13,370,000 handicapped Americans would experience difficulties in utilizing mass transit systems.

THE NATIONAL NUMBERS OF HANDICAPPED WITH TRANSPORTATION DYSFUNCTIONS[1]

Handicap class	Elderly handicapped	Nonelderly handicapped	Total handicapped
Noninstitutional, chronic conditions:			
Visually impaired	1,460,000	510,000	1,970,000
Deaf	140,000	190,000	330,000
Uses wheelchair	230,000	200,000	430,000
Uses walker	350,000	60,000	410,000
Uses other special aids	2,290,000	3,180,000	5,470,000
Other mobility limitations	1,540,000	1,770,000	3,310,000
Acute conditions	90,000	400,000	490,000
Institutionalized	930,000	30,000	960,000
Total	7,030,000	6,340,000	13,370,000

[1] 1970 estimate, who cannot use transit or who use transit with difficulty.

Sources: HEW National Center for Health Statistics 1960 and 1970, Census of Population.

Overview of target group statistics

Total elderly	20,066,000
Total handicapped	13,370,000
But there are significant overlaps:	
Elderly and handicapped total (with no double counting)	26,406,000
This breaks down to three relevant exclusive classes:	
Handicapped elderly	7,030,000
Handicapped nonelderly	6,340,000
Elderly who are not handicapped	13,036,000
Grand total	26,406,000

THE STUDENT AID HOAX

HON. ROBERT F. DRINAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. DRINAN. Mr. Speaker, it is another manifestation of the blindness of the administration that they have once again failed to make any provision for the cost-of-education grants to institutions of higher learning in the United States.

I attach herewith a perceptive editorial from the New York Times of May 28, 1974. This persuasive editorial notes that Congress felt that it was essential to have both basic opportunity grants for students in America as well as institutional grants. One without the other cannot bring about true educational opportunity for students in America.

THE STUDENT AID HOAX

The inflationary rise in college tuition is a direct threat to higher education for students from poor as well as middle-income homes. In the public and the private sector, costs to the student are mounting astronomically. Yet the Federal Government seems determined to accelerate the inflationary trend.

Three years ago the Carnegie Commission on Higher Education recommended a formula to aid students and institutions simultaneously. Modeled on the concept of a guaranteed annual income, it would automatically entitle to scholarship aid any college-age student whose parents' income is below a set minimum. At the same time, every college would receive a cost-of-education grant for each federally subsidized student.

The Nixon Administration subsequently incorporated this sensible plan in its 1972 higher education aid package. Although approved by Congress, the program has never been fully funded.

Now the Administration has asked for the full funding of the Basic Opportunity Grants (B.O.G.) at a level of $1.3 billion, while not only scuttling other important grants and loans, but without making any provision for cost-of-education grants to institutions—a fatal defect.

The plan to link aid to the students and to the institutions is a tandem that cannot run successfully on one wheel. Aid to students does nothing to solve the institutions' budget problems. The colleges' only alternative then will be to raise tuition, thus wiping out the gains promised to the students.

What makes the Administration's piecemeal approach to the problem particularly deplorable is the fact that the original prescription had been so sensible and so easy to implement. The elimination of institutional aid turns a constructive proposal into a cruel hoax. The effect will be a mirage of new student aid that will evaporate into the thin air of inflation, while the colleges' economic foundations crumble.

MARYLAND WINNER OF MARITIME POSTER CONTEST

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. LONG of Maryland. Mr. Speaker, Sharon Denise Lambert, a 17-year-old junior at Dulaney Senior High School, in my district in Maryland, won grand prize in this year's 18th National Maritime Poster Contest. Miss Lambert was presented a $500 check at Maritime Day ceremonies in Washington, D.C., on May 22, 1974.

Miss Lambert's winning poster "Ship American," was chosen from 10,000 entries by high school students in 30 States. This is the first time that a talented student from the important port city of Baltimore has been honored. Miss Lambert's native city of Baltimore is the second largest container cargo port in the United States.

The "Ship American" theme is portrayed with a stylized bullseye of the Stars and Stripes on a blue background with white stars and red circles focusing on the prow of a modern cargo ship underway on the high seas.

Reproductions of Sharon's poster, in the tens of thousands, have been distributed throughout U.S. maritime and foreign trade communities and were exhibited in post offices and other Government buildings during the month of May. Her poster will also be seen in foreign lands, carried by cargo ships flying the Stars and Stripes around the world.

Mr. Speaker, I congratulate Sharon Lambert for her outstanding portrayal of the essential U.S. merchant marine and wish her the best of luck in the coming years.

FIFTIETH ANNIVERSARY OF THE BORDER PATROL

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. EILBERG. Mr. Speaker, May 28 marked the 50th anniversary of the establishment of the Border Patrol of the Immigration and Naturalization Service. It is well to recall that the Border Patrol grew out of the changing needs of our growing country and continues to serve effectively in stemming the tide of illegal aliens.

For almost a hundred years after this Nation was founded, there were no Federal laws imposing restrictions against the admission of aliens. Our national policy then favored unrestricted immigration, and this policy was richly rewarded through the substantial contributions made by immigrants and their descedants in the building of this country.

As legislation was adopted excluding certain aliens and imposing numerical limits on others, millions of aliens found they were unable to gain admission through lawful channels. Some turned to other channels which afforded an easier means of gaining entry. Encouraged by unscrupulous persons who sought to reap financial reward, large numbers of aliens were persuaded to enter this country illegally.

Alien smuggling soon developed into a highly organized lucrative business which the established immigration force could not hope to control. In an attempt to meet this problem, a small group of mounted inspectors was assigned to patrol the Mexican border. This token enforcement group which never consisted of more than 75 officers, was woefully inadequate to control the entry of large numbers of illegal aliens or to combat the organized smuggling activities along the border.

In order to respond to this urgent situation, the 68th Congress, on May 28, 1924, provided for the establishment and maintenance of a Border Patrol.

The initial force of 450 hastily recruited officers was faced with the enormous task of preventing the smuggling and unlawful entry of aliens across approximately 6,000 miles of land border. Despite its limited size, lack of experienced personnel, and inadequate transportation, the courage, and devotion to duty of these officers resulted in the effective and efficient enforcement of our immigration laws.

Today a corps of courteous, superbly-trained, and neatly-uniformed officers works along our borders protecting against the illegal entry of aliens and the smugglers who viciously exploit these aliens. During the course of an extensive investigation of the illegal alien problem by my Subcommittee on Immigration, Citizenship, and International Law, I witnessed first-hand the dedication and resourcefulness of these officers in their attempt to meet the difficult tasks assigned to them.

Loyalty and esprit de corps have always been hallmarks of the Patrol from the beginning. These qualities have impressed all who have watched this dedicated organization grow in strength, professionalism, and public confidence.

While the duties of the Border Patrol necessarily stress law enforcement and alien control, it would be a mistake to let this golden anniversary pass without noting that the Patrol is also a hand of friendship and assistance extended to citizens and aliens alike. Its officers have gladly rendered assistance to people in distress in situations ranging from locating children and adults lost in remote areas to assisting in rescue operations and transporting accident victims to medical facilities. Likewise, Border Patrol agents have played an active and instrumental role in combating the movement of hard drugs and marihuana into the United States.

Mr. Speaker, the public services rendered by agents of the Patrol, both in their official capacity and as private citizens, have earned them the respect and good will of their fellow Americans.

I am pleased to join in the recognition of the 50th anniversary of the Border Patrol and to express my appreciation for this outstanding organization.

DELINQUENT INTERNATIONAL DEBTS AND UNPAID CLAIMS

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. MOORHEAD of Pennsylvania. Mr. Speaker, as you know, the Foreign Operations and Government Information Subcommittee of the House Committee on Government Operations conducts a continuous review of delinquent international debts and unpaid claims owed to the United States.

Our last report showed that the total international debt, including unpaid claims owed to the United States, is approximately $60 billion. Of this amount more than a billion dollars, including unpaid claims but excluding World War I debts, was delinquent—that is, overdue in payment by at least 90 days. More than 100 countries of the world were delinquent in paying their debts to the United States.

The purpose of these remarks, Mr. Speaker, is to announce that the subcommittee will conduct a public hearing at 10 a.m. next Thursday, June 6, to learn what progress has been made in the collection of these debts. The hearing will be held in room 2203 of the Rayburn Building with witnesses from the Departments of State and Treasury.

WHAT ARE WE GOING TO GET OUT OF IT?

HON. JOHN H. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. DENT. Mr. Speaker, in this age of détente in arms and détente in trade and détente in just about everything else there are some hard questions we should ask ourselves. First, what does Dr. Kissinger mean by détente? Second, what do the Russians mean by it? What are they going to get out of it? What are we going to get out of it?

To answer somewhat the latter questions I refer you to these excerpts of a report given by Benjamin F. Schemmer, editor of the Armed Forces Journal, to the IAM aerospace conference in Colorado this year, which appeared in the May 30, 1974 issue of The Machinist:

The Soviet Union has been negotiating seriously with Boeing, Lockheed, and McDonnell Douglas since last October for a $500 million buy of wide-bodied jets—DC–10's, L–1011's or 747's. Think of what that would do to the aerospace industry—$500 million worth of wide-bodied jet sales when the wide-bodied jet sales are still in a slump.

Up to 30 aircraft are initially involved. That's a big deal when you remember that in 1973 McDonnell Douglas delivered only 57 DC–10's, Lockheed delivered 39 L–1011's and Boeing delivered 30 747's. So there's a lot of enthusiasm for that deal within the companies and the government.

But look at the conditions the Soviet negotiators have laid down for the privilege of our selling them those planes. First of all, they would like to buy them on credit. Secondly, they would like to co-produce them in Russia.

They would like to co-produce them in a plant they want Boeing or Lockheed or McDonnell Douglas to build in Russia that would employ 30,000 people. A seven-plant, integrated complex, not just to build aircraft, but something we don't have here—the engines, the avionics, the whole bag.

That's three and a half times Boeing's commercial labor force. That plant, if built, would produce annually over 100 wide-bodied jets. That's half of all the commercial jets built in this country in 1972, and one-third of all the jets delivered by your members in 1973.

The other conditions the Soviets have suggested are that we work with them on a joint design and manufacturing effort on any derivative models of the plane they buy. And that we work with them on a joint design and manufacturing effort on advance technology wide-bodied jets.

And finally, they have asked the U.S. Government for a bilateral airworthiness agreement which effectively would certificate every Soviet-made airliner, past as well as future, as though it has already met all of the stringent Federal Aviation Agency airworthiness standards.

You realize that that is the one reason the Soviets have not been able to penetrate Western markets with their commercial jets. They can't get airworthiness certificates on them. But there's a $500 million dollar cookie being held out here that Boeing, Lockheed, and McDonnell Douglas desperately need.

Here are some extracts from a letter dated Dec. 18, 1973, signed by Willis Hawkins, who was then corporate vice president for research and development at Lockheed, now retired. He's all for the sale and says:

"Real technology expertise can rarely be successfully imported. . . . On Dec. 13, at a meeting with Commerce and Treasury, I showed the example that every nation which licensed the F–104 for production failed to import the technology behind it. . . . Those nations without exception, have failed to utilize the technology to develop a competitive new fighter."

Mr. Hawkins recommends signing up for the negotiating conditions the Soviets laid out.

A letter signed by the chairman of Boeing, T. Wilson, on Jan. 10, 1974 to Steve Lazaras, then the Deputy Assistant Secretary of Commerce for East-West trade, says:

"I recommend that we go ahead with . . . a prime systems management role in the design and construction of a complete manufacturing facility for commercial-type subsonic aircraft production in the Soviet Union."

James McDonnell has a rather different attitude. . . . He said:

"In a competitive atmosphere between U.S. companies set up by a government offering questionable short term gains, it is likely that a rationale for giving away valuable and deep rooted technology can be developed, justified and approved . . ." But he recommends against it.

There are questions that we should ask. The first, is this flow of technology with Russia a one-way street? I think the answer is very clearly, yes. In 1972 when the Soviets had a crop failure and were hungry, we sent them wheat. In 1973, when we faced an energy crunch, they helped shut off our oil.

A second question, does Russia have technology that we need and if so, will we ever get it? Yes, they do have technology we need. But there seems little assurance that we'll ever get it.

There is an imbalance in the kind of technology that's available for trade. The important U.S. leads are in computer technology, integrated circuits, tele-communications, ship and submarine quieting techniques, and some kinds of strong fiber-reinforced composite materials.

The important Soviet leads are in chemical warfare defense technology, high performance integral rockets and ram jets, the capability of land vehicles to cope with Arctic conditions and difficult terrain, and aircraft maintainability.

Of the five areas where our technology leads, three are oriented to the private sector and thus available for export. But all four areas where there are important Soviet leads and present clear-cut military technology—the kind we export and the kind the Soviet Union isn't about to.

What Russia wants is manufacturing know-how, management techniques, production processes. Are we exporting finished goods or the commodities that mean jobs in America?

A RING OF TRUTH

HON. ROBERT P. HANRAHAN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. HANRAHAN. Mr. Speaker, we all know what a serious problem crime in our Nation has gotten to be. This theory by Attorney General Saxbe is well known by many, but I thought my colleagues might enjoy this article anyway.

The article follows:

A RING OF TRUTH

We have no doubt that many of the world's problems are highly complex and that obvious solutions are not always the best.

But once in a while it helps to be reminded of simple fundamentals. Attorney General Saxbe offered such a reminder on the subject of crime in a speech to a group of prison wardens the other day.

People are probably more likely to commit crimes, he reasoned, when the chances for getting away with it are relatively good. Or in other words, a good way to reduce the crime rate is to increase the certainty of punishment.

That thesis won't win any awards for deep thinking and social theorists may recoil in horror. But somehow it has a ring of truth, so much so that we wonder how it ever got mislaid in all the concern over crime.

STATE DEPARTMENT AUTHORIZATION BILL

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. DERWINSKI. Mr. Speaker, on Monday, May the 20th the Senate by voice vote passed what was labeled by the majority leadership as noncontroversial, a State Department authorization bill. This noncontroversial piece of legislation, if it became law, would:

First. Block any expansion of the United States on Diego Garcia unless Congress approves;

Second. Call for new initiatives toward opening up U.S. relations with Communist Cuba;

Third. Requires the Secretary of State to develop a detailed plan for reducing U.S. assistance to the point where the United States is no longer a principal source of funds and material for South Vietnam's self-defense and economic viability;

Fourth. Repeal the Formosa resolution which authorizes the President of the United States to protect the Chinese Nationalist islands and the Pescadores Islands.

I am surprised, Mr. Speaker, that the U.S. Senate would consider this legislation which so drastically affects the foreign policy of this Nation to be noncontroversial and not warrant lengthy debate on the floor of the Senate.

I am confident that the House of Representatives will take this matter more seriously and will in all probability reverse the Senate's action.

Mr. Speaker, I would like to call to the attention of my House colleagues an article on this subject by columnist Frank Van Der Linden which I insert in the RECORD at this point:

REPAIRING THE DAMAGE

(By Frank Van Der Linden)

WASHINGTON.—President Nixon is looking anxiously to House conservatives to repair the damage inflicted upon his foreign policies by a surprise Senate vote for a bill intended to delay expansion of U.S. naval and air facilities on Diego Garcia in the Indian Ocean.

The measure would also open the way for a softer policy towards Communist Cuba; phase out our aid to South Vietnam and repeal the 1966 resolution defending Formosa.

All of these things were done in less than five minutes one afternoon last week, without a word of opposition or a roll call when the Senate adopted the State Department

authorization bill. The few Senators on the floor at the time were engrossed in debate on the $25 billion bill for federal aid to education. North Carolina's Republican Sen. Jesse Helms had the floor. Majority Leader Mike Mansfield persuaded him to yield briefly for the passage of a bill which the Montana Democrat called noncontroversial.

Innocently, Helms went along with the unanimous consent motion which slid the State Department bill through; and Minority Leader Hugh Scott of Pennsylvania made not the slightest objection.

Not until after it was too late did the President's chief lobbyist, Tom Korologos, come storming out of Vice President Gerald Ford's office, just off the Senate floor, raging over the passage of the measure with the "Communist amendments," as he called them.

"What's the matter with our leadership?" Korologos stormed. Now, the White House is urging the House Foreign Affairs Committee to scrap some of the Senate amendments to the $979.9 million State Department legislation.

Since the chairman, Dr. Thomas Morgan, has won renomination in the Pennsylvania Democratic primary and is sure of reelection to the seat he had held for 30 years, the President is counting on him to act. "With Doc Morgan's help, we'll try to clean up the bill in the House and then be tough in conference with the Senate to produce a good final draft," one White House spokesman said.

These are the four key sections:

1. Diego Garcia—The Senate would block any expansion of the U.S. base on this British-owned island unless Congress approves it, by law, in a new agreement with Britain. The Administration is seeking $29 million to lengthen the airfield and deepen the harbor, so that U.S. ships and planes may more efficiently checkmate a potential Soviet move towards a dominant influence in the Indian Ocean.

2. Cuba—The Senate would end the 12-year-freeze on our relations with Castro, dating from the Cuban missile crisis, and call for "a new policy, based upon current circumstances."

3. Vietnam—This section requires "a specific timetable for the phased reduction" of economic and military aid to the anti-Communist Saigon regime so that the United States "will cease to be the principal source of funds and material" for its self-defense.

4. Formosa—The Senate, without a peep of protest, repealed the 1955 resolution authorizing the President to use U.S. armed forces to protect the Chinese Nationalist island and the Pescadores islands off China's coast.

In October, 1971, when the United Nations kicked out the Taiwan regime and admitted Communist China, the Senate Foreign Relations Committee proposed a similar repealer. Then the Senate killed the repealer, 43 to 40.

Now the Senate committee contends, "sufficient time has elapsed" to enact it "in a less dramatic context." Besides, it says, the resolution enacted at the request of the late President Eisenhower "has long since become obsolete."

CENTRAL MEDICAL INTAKE

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. EILBERG. Mr. Speaker, my city, Philadelphia, opened its newest link in its very fine drug treatment system on May 23.

The Central Medical Intake, a referral and orientation unit is a most important and innovative addition to the system.

Developed by the Coordinating Office for Drug and Alcohol Abuse Program—CODAAP—the Central Medical Intake is designed to:

Provide immediate care to those seeking help;

Assist local, State, and Federal authorities in planning and coordinating treatment services and resources;

Offer the client comprehensive information on the resources and choices available to him, and

Provide uniformity of record keeping.

CMI is funded by a $350,000 grant from the National Institute for Drug Abuse, supplemented by a $115,000 grant from the Governor's Council on Drug and Alchol Abuse. It will operate under contract to the City on a cost-reimbursement basis.

Central Medical Intake will be headed by Ms. Elaine Palusci, a psychologist and former CODAAP staff member, who developed the proposal.

THE CASE FOR A FEDERAL OIL AND GAS CORPORATION—NO. 38

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. HARRINGTON. Mr. Speaker, the backbone of any business organization is its personnel. Without good personnel, even a perfectly structured business cannot succeed.

The problem of quality personnel has frequently been emphasized by opponents of the proposed Federal Oil and Gas Corporation. These spokesmen maintain either that the FOGC would be unable to attract qualified persons, or that it would siphon off private industry's most talented individuals.

Testifying before the Senate Commerce Committee, former Federal Power Commission Chairman Lee White answered critics of the Corporation and said he believed American educational institutions would respond to the current energy crisis as it did to the Sputnik space challenge in the late 1950's.

I would like to bring Mr. White's response to this issue to the attention of the Congress.

His remarks follow:

REMARKS

The argument that says there are only a limited number of geologists, engineers and other technical competents and that a government-owned corporation would only drain off such talent from private corporations thereby producing no net benefit seems to me to indicate little confidence in the people in the petroleum industry and in our educational institutions. Such an argument is applicable to any new development and misses the point completely. The purpose of setting up the government-owned corporation is to establish a corporation mechanism where the motivation and the thrust is keyed to national needs. I don't know how many major league baseball teams that were "expanded" teams have managed to win league pennants or the World Series, but the notion that things ought to stay the way they are simply because that is the way they are, won't do the trick. Referring again to the TVA analogy, it somehow was able to attract talent to it without disrupting other utilities that had to give up some of their trained personnel. Moreover, I would expect that our educational institutions will respond to the current energy crisis as it did to the sputnik-space challenge in the 50's and 60's by emphasizing the development of energy oriented scientists and technicians. It may also be asked how an industry that has not been able to produce all of the oil and gas that is needed will be able to get by with only the scientific and technical talent it presently possesses.

INTRODUCTION OF LEGISLATION TO RAISE THE RATE OF INTEREST ON UNDERPAYMENT OF FEDERAL TAXES FROM 6 TO 8 PERCENT

HON. CHARLES A. VANIK

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. VANIK. Mr. Speaker, I am today introducing legislation to amend the Internal Revenue Code to raise the rate of interest on underpayment of Federal taxes from 6 to 8 percent and on extensions of time for estate taxes from 4 to 6 percent.

Long-range tax policy, as well as the unprecedented prime interest rate of more than 10 percent, makes this legislation necessary. At the present time, I believe that many individuals and corporations are using the IRS as a low-interest bank. If one has a temporary cash shortage, one might be tempted to underpay taxes, at an annual cost of 6 percent, rather than take out a bank loan at 10.5 to 13 percent.

Under the present law, provided by 26 U.S.C. 6601, any underpayment of tax—except for estimated taxes—calls for simple interest at the rate of 6 percent per year. Actually, this is assessed at the rate of one-half of 1 percent per month for the period of underpayment. Calendar year individual taxpayers are required to pay any tax due on April 15 after the end of their taxable year. Interest commences to run on that date, regardless of whether an extension of time is secured within which to file the return.

In terms of long-range tax policy, I believe that too many individuals have become lax about the payment of taxes. A stiffer interest rate penalty will encourage proper tax filings. The problems which can be created by too low interest penalties have been documented by a recent General Accounting Office report entitled, "Collection of Taxpayers' Delinquent Accounts by the Internal Revenue Service." The GAO report, dated August 9, 1973, states:

As of March 31, 1972, estates that had been granted extensions owed taxes of about $347 million. The Internal Revenue Code requires that annual interest of 4 percent be charged on these taxes. This rate is 2 percent lower than the 6 percent charged on underpayments, nonpayments, or extensions of time for payment of other Federal taxes.

Since this 4-percent interest rate was established in 1938, the Govermnent's cost of

borrowing funds has increased so that it now exceeds the interest rate on estate taxes. This change results in the Government's incurring additional interest costs which the Congress may not have anticipated when it established the 4-percent rate.

Because the 4-percent interest rate on deferred estate tax payments is significantly below the rate of interest estates can earn on investments, the estates have no incentive to promptly pay their taxes if they can obtain extensions. Therefore GAO believes the interest rate on deferred estate tax payments should be closer to the Government's cost of borrowing funds.

With today's high interest rate, the same problem applies to the 6-percent underpayment rate as applies to the 4-percent estate tax rate.

Finally, the higher rate will encourage greater care in the preparation of tax returns. It is unclear at this time whether or not civil or criminal tax fraud can be proven in the case of the President's tax returns. But it is clear from reading the report of the Joint Committee on Internal Revenue Taxation that the preparer of the President's tax return was incredibly sloppy. At best, the preparer of the return had a cavalier attitude toward the tax law. Such a contemptuous approach should not be rewarded with a 6-percent penalty interest rate. Under the legislation I am introducing today the interest on the President's "underpayment" would have totaled $43,211 instead of the amount recommended in the joint committee report of $32,409.

MRS. RUTH SEITZ RETIRES FROM HOLY NAME HIGH SCHOOL

HON. JAMES V. STANTON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. JAMES V. STANTON. Mr. Speaker, June 1974 will mark the end of an era at Holy Name High School of Cleveland, Ohio, of which I am proud to be an alumnus. Mrs. Ruth Seitz will retire after completing 46 years of outstanding and memorable service to the students, faculty, alumni, and parents of Holy Name.

In her 46 years at Holy Name, she has been teacher, friend, confidant, and disciplinarian to the thousands of students who have passed through Holy Name's halls. She is perhaps most noted for running the "quietest study hall in town." Her famous math problems will long remain a painful memory of those students who were unfortunate to have been assigned them as punishment for disrupting those study halls.

Mrs. Seitz, along with her husband Fred, has been a fixture at the ticket gates of Holy Name athletic events for many years. Regardless of the weather, they would be standing at the gate collecting tickets from students and alumni—many of whom were greeted by first name.

Eugene T. Krakowiak, Holy Name's principal, refers to Mrs. Seitz as "history in motion." She could be called a living resource book on the advances of education, particularly Catholic education, in Cleveland.

She can scare the daylights out of the toughest football player, and in the next instance, radiate the warmth and generosity that has made her the beloved lady she is today. She holds that unique relationship with her students so many teachers strive for but seldom achieve—of being a friend yet never losing her professional respect and dignity or her respect for her students. She may be tough, but she is the one person all alumni seek out when returning to Holy Name.

Holy Name will lose an irreplaceable person when Mrs. Seitz leaves at the end of this school year, but she will leave a legacy few people can come close to matching. Her past and present students have their memories of Holy Name, and intricately woven amid those memories will be Mrs. Seitz, for she has done more to contribute to the tradition and success of Holy Name and her gradautes than any other single person.

I feel singularly honored I have this opportunity to publicly acclaim her achievements at Holy Name. On behalf of all her students, alumni, faculty, and friends of Holy Name, I wish her the best of everything in the years ahead and a sincere thank you for all she has given to so many in the past.

AN ACT OF HEROISM

HON. ANGELO D. RONCALLO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. RONCALLO of New York. Mr. Speaker, at any time but perhaps particularly at this time of so much dissension and turmoil, it is heart warming to hear an act of goodness and unselfishness by an individual who, quietly going about his routine duties, performs an act of heroism which immediately lifts him above the crowd. Such an act was recently performed by a constituent of mine, Officer William N. Post, of 154 Connecticut Avenue, Massapequa, N.Y. His action has been described as exemplifying the highest ideal of the concern of one human being for another who is in distress. For his act he is to be awarded the American Red Cross Certificate of Merit, the highest award which can be given to a person who saves a life by using skills learned in a Red Cross first aid, small craft, or water safety course.

My sincere congratulations and a tip of the hat to Bill Post. Below are the details of the act which he performed.

On July 6, 1973, police officer Post, trained in Red Cross first aid, was on patrol at a beach when he saw a young girl being dragged from the water onto the beach by a companion. Immediately Officer Post went to assist the apparently lifeless victim. He cleared the girl's airway and began at once to administer mouth-to-mouth respiration continuing until the girl resumed breathing. Officer Post then treated the victim for shock, and continued artificial respiration as needed until an ambulance arrived. The girl was taken to a hospital and later recovered completely. Without doubt, Officer Post's use of his skill and knowledge saved the victim's life.

WALL STREET JOURNAL SAYS COOL SPENDING

HON. JOHN E. HUNT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. HUNT. Mr. Speaker, the May 23, 1974 edition of the Wall Street Journal took Congress to task for its "thirst for political glory." Of course we all know what they were talking about—the grandiose, billion-dollar election year bills which the Democratic majority would like to push through hoping they will insure victory at the polls come November.

But, as the Journal points out, the most important business the Congress faces is killing inflation and restoring order in the Nation's capital markets.

The article should be read by every Member of Congress and every American citizen. So you, and they might do so, I submit it for the RECORD.

CONGRESSIONAL SPENDING HIT

". . . The Senate has just voted up $25.2 billion for federal school aid over the next four years. House Public Works has $24 billion in mind for mass transit over six years. The President is hinting that he might compromise with Senator Kennedy and Congressman Mills on a federal health insurance bill, which would cost billions as yet uncounted. And the season has hardly begun.

"Senator Magnuson, a member of the Senate Appropriations Committee, warned the Senate of raising 'false hopes' in passing the education bill. The Senate will be a Grand Central Station for complaints when educators see the difference between what was authorized and what they can get, he suggested.

"No doubt a clamor of constituents and bureaucrats yelling for their money would be disturbing to Mr. Magnuson's colleagues, although the prospect hasn't deterred them from voting yea. There are no doubt hopes that the clamor won't begin before the fall elections and the chimeras still will be alive and well while pressure groups are deciding who to support.

". . . Given the pressures likely to be generated by the authorizations, there is every reason to fear that Congress will fall back on the old standby, deficit financing. In other words, it will go ahead and vote the appropriations and let the Treasury borrow more money to comply with its mandate. That course will be particularly tempting—since it would have the blessing of fiscal stimulus theorists—if the economy is sluggish next fiscal year.

"But if that proves to be the case, let us all hope and pray that the nation's credit markets are in better shape then than now. There is very little assurance that they will be.

"Private demand for credit—brought on by inflation, inadequate corporate earnings, excessive consumer borrowing and other causes—already is straining the liquidity of the nation's credit markets. To break the vicious cycle of inflation and inflation-fueled credit damage, the Federal Reserve is trying to hold money growth in check. But it is

ever on the brink of creating a liquidity crisis.

"This condition may well continue for some time before it will be possible for the nation to get inflation under control. The last thing in the world the Fed will need next fall will be a new outburst of Treasury borrowing to finance an ever rising federal deficit. By then, the Fed and the credit industry may be pretty exhausted from the liquidity-inflation struggle and expanded federal borrowing could only serve to further starve private borrowers and increase the clamor for the Fed to ease money.

"We could be more sympathetic to the authorization forces in Congress if they could demonstrate some pressing need other than their own thirst for political glory. In fact, it is hard to find any area where there is an urgent need for federal aid. Most state treasuries are in good shape. The population load on schools is beginning to diminish. The gaps in health care insurance could be filled with far less spending than is presently envisioned. A compelling case for mass transit subsidies has not been made.

"But a compelling case can be made for killing inflation and restoring order in the nation's capital markets. It is the most important business the nation faces. It would be nice if the Congress would make that its main business as well."

THIS IS MY MICHIGAN

HON. BOB TRAXLER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. TRAXLER. Mr. Speaker, I recently received a letter from a resident of Bad Axe, Mich., whose love for the great State of Michigan led her to compose a song on its behalf. I was so impressed with the enthusiasm and affection for our State which Mrs. Mary Ann Cove's song expresses, that I wanted to share it with my colleagues. For that reason, I include Mrs. Cove's song in the RECORD:

THIS IS MY MICHIGAN

(Words and Melody by Mrs. Mary Ann Cove)

CHORUS

Michigan, Oh, Michigan, My Michigan
When you visit us, you'll come again and again.

We have valleys, we have rivers, we have lakes,
God has put them here for us all, for our sakes.
We have flowers, we have trees and animals, too.
We have farmlands, we have factories, we have skies so blue.

(Chorus.)

We have ski slopes, hunting, fishing here in Michigan.
We have racing, lotteries, dancing. So come if you can.
Come to see us, come visit us, we welcome you.
Michigan, Oh, Michigan, we love you.

(Chorus.)

We have bridges; our Mackinac Bridge is something to see.
In the evening when you're travelling, it looks like God's Christmas tree.
Detroit City, our Capital Lansing, or Bad Axe, Michigan,
You'll love our country, so come and see us, soon if you can.

(Chorus.)

TO SOUTHERN U.S. SENATORS AND CONGRESSMEN

HON. BILL NICHOLS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. NICHOLS. Mr. Speaker, in the June 1974 issue of Progressive Farmer an editorial addressed to southern U.S. Senators and Congressmen expressed the editor's dismay over the rising postal rates as dictated by the U.S. Postal Service.

This open letter is thought provoking and interesting reading and I would like to enter a copy of the article to be printed in the RECORD of this body. I hope that all Members of Congress take time to read the article.

EDITORIAL: TO SOUTHERN U.S. SENATORS AND CONGRESSMEN

Dear Friends:

Freedom of communication is basic in our society and under our system of government. This freedom must be preserved if our system of government is to continue to be the model for the world that it now is. Only an enlightened and fully informed electorate can ensure its preservation.

The electorate can be kept fully informed only by economical distribution of information, from independent sources, concerning every facet of our society—financial, political, cultural, agricultural, and the everyday business of living and earning this living.

The focal point of all this is the rapid and exorbitant increases in postal rates since the post office was changed from a service organization to one which is supposed to be a self-supporting business.

Since 1886 The Progressive Farmer Company has been a major user of the mails. For all of these years until recently, we received few complaints about the service provided by the post office system. It was a service oriented agency. Now, there is widespread concern over the U.S. Postal Service's present policies. We believe our company has earned the right to comment on skyrocketing postal rates and poor service.

The rate increases will have three devastating effects on the American people.

1. They will be among the most dramatic and visible price increases in a mounting sea of inflation. And isn't it something when a supposedly businesslike Government agency leads the way in inflation at a time when every thoughtful citizen is concerned about this problem.

2. They will inhibit freedom of communication by killing some publications and crippling others.

3. They will exert a strong influence on the types of magazines and books that will be published in the future. Obviously those with affluent subscribers, i.e. *Palm Beach Life, Wall Street Journal,* and *Fortune* will be able to pass along the rate increases. Perhaps not so obvious is the tremendous competitive advantage this will give to the sex and other sensational publications which are largely sold on newsstands versus those which have relied on mail distribution and have no alternative.

First-class letter mail rates recently increased 25%—from 8 cents to 10 cents. Additional increases will be large and frequent under the present system.

Far more inflationary is the hidden cost to taxpayers of soaring second-class postal rates. Rate increases of about 130% have been approved, and proposed new increases will make the total as much as 200% higher than in 1971. The annual amount our company will pay for these increases exceeds our total after-tax profits for *Progressive Farmer* and *Southern Living* magazines. We know the end is not in sight.

If such increases continue to be rubber-stamped regardless of their effect on the nation, how can Congress expect the public and business to believe that our Government is determined to halt inflation?

It is very discouraging for us to send as much money as we do to Washington and then have our Government and the Postal Service we patronize so heavily try to brand us as a subsidized business prospering at the expense of the taxpayer. There is such a maze of overlapping taxes to be paid that it is difficult to unravel the mess. But a detailed study we have made in our company shows that for every dollar our stockholders keep we are sending $28 to $30 in taxes to Federal, State, and local governments.

We want to clear up, once and for always, the fact that our magazines, and the magazines as a whole, are not a financial burden to the Postal Service or to the nation's taxpayers. If all magazines went out of business tomorrow the Postal Service deficit would be greater—not less—and the Government's own figures sustain this.

Neither is it true that higher postage rates will lower taxes. What's really going to happen, unless Congress stops the trends of our times, is that both taxes and postal rates will be pushed as high as the traffic will bear.

Such large postal rate increases are a serious mistake, but the drastic consequences we are predicting will result from the much higher future increases which are inevitable under the present system. Basically, the present U.S. Postal Service philosophy is an attack on the communication system that made American self-government possible.

It is strange that we find it necessary to argue that easy access to information is an essential ingredient of self-government. This principle of freedom was given the highest possible priority by the Founding Fathers; it was enshrined in the Bill of Rights; its implications have been expounded by wise men for 200 years.

John Adams, second President of the United States, expressed it this way: "The preservation of the means of knowledge among the lowest ranks is of more importance than all of the property of rich men in the country."

Our fourth President, James Madison, said: "Knowledge will forever govern ignorance, and a people who mean to be their own governors must arm themselves with the power that knowledge gives. A popular government without popular information is but a prologue to a tragedy."

Congress has frequently reaffirmed that there was a strong national interest in the circulation of magazines, newspapers, and books at low cost during the 19th century and the first two-thirds of this century. During these years our elected officials in Washington did not see the postal system as a business, nor as a means of raising revenue for the Government.

They saw it in its higher role as a fundamental weapon in the armory of an informed public. Their philosophy stimulated an extraordinary increase in the diversity of magazines, books, and newspapers, and in the size and reach of their circulation. This historic approach had and still has particular significance for the South, where libraries, bookstores, and newsstands are not plentiful.

We have lost sight of many values—values treasured by our Founding Fathers—in the unprecedented turmoil of the past few years, whether for good reasons or bad. Congress has relinquished direct control of what had been a fundamental ingredient of self-government in turning the post office system over to the U.S. Postal Service.

The U.S. Postal Service claims that mail users are charged exactly what it costs to

process and deliver their mail. This is not true.

At present, the Postal Service attributes about half its costs to classes of mail. The other half is defined as institutional. These institutional costs are assigned judgmentally to various classes of mail. In the many years Congress fixed postal rates, no issue was more controversial than post office cost accounting procedures. Does anybody really think that a solution to the problem has been worked out and that every citizen pays exactly what it costs to deliver his mail?

More people are affected, and the Postal Service and Congressmen receive more complaints, when first-class postage rates go up than when other classes are increased. Obviously this is a powerful influence on the judgment of those involved in allocating costs.

The Kappel Commission's long and intensive study of the postal system was the most comprehensive review we know of, and it was largely accepted by the Congress. That Commission, itself, recognized the faults of postal system cost-ascertainment systems and took a strong position against any fully allocated cost system.

This concept must eventually lead to differential mail rates and to the closing of post offices that lose money, many of which are in the Southern States. Can you imagine what this ill-founded system will eventually determine to be the cost of delivering a package to the more remote regions of the country. Half the U.S. rural population lives in the South, making the Southern States some of the most rural states in the nation. It would be difficult to overestimate how important this matter is to people who live in this region.

Many Southern rural post offices are losing money. That's a well known fact. With the Postal Service running "like a business," with fully allocated costs, why not close those money-losing post offices? Or is it in the public interest to keep those offices open? Of course it is. So they are subsidized, as they should be.

Contradictions are everywhere in the new U.S. Postal Service. One of the principal arguments of proponents of the new postal organization was that the new postal service would be removed from politics. But there is much evidence that it is more deeply involved in Washington politics than ever. We have seen copies of propaganda their lobbyists used with U.S. Senators and Congressmen.

These same people also said that the new system would provide continuity and stability of management. The results are just the opposite. For example, the Postal Rate Commission has had three chairmen in three years, and the turnover of commissioners has been high. So far as we know, none of the commissioners has had postal experience, nor does any of them have the needed understanding of, or experience in, publishing or any other heavy mailing business.

It is also contradictory to hear our President point to the inadequacies of TV for covering national news and other developments, while he is endorsing policies which further weaken the medium of responsible printed words. This is done when higher and higher postal rates interfere with the balance we had for many years among the mass media.

The perspective of history may reveal that this Administration and the Congress will make their greatest mistake if Postal Service policy is allowed to destroy the unique "easy-dissemination-of-information" feature of the American way of life.

We all know that the executive branch has gained power in relation to the legislative branch. Too much so, we think, and many Congressmen seem to agree. The biggest transfer of potential power ever released by Congress was shifting the Postal Service from Congress to a control by boards and commissioners appointed by the executive branch.

What that did was to put the machinery in place for a President to control the press. Not by censorship, but in a much simpler, quicker way—economic strangulation of the troublemakers.

Advocating this change in the American system, Postal Service spokesmen have stated repeatedly that there is no longer a need to bind the nation together through an inexpensive communications system. We doubt that they ever understood, much less agreed with the Jeffersonian rationale, which is that more general diffusion of knowledge will yield a better social and political order. It is ironic that these Postal Service people miss the significance of the indispensable role played in our society by the Postal Service.

This trend toward restraining the flow of information to the masses will be tragic if it continues unbridled. About 10 years from now, here is what is likely to happen: Some Congressman will introduce a bill calling for Government action to fill the information void. And he will be able to make a strong case. The facts will support his contention that the written press is controlled by and read by the elite who can afford to pay exorbitant prices for good magazines, out-of-town newspapers, and books. He will propose that the Government fill that void. It will be interesting to see how Congressmen who supported a "pay-its-way" postal service back in 1973–74 will vote on his bill.

When that bill passes there will be no way to separate politics and propaganda from the material designed to fill the information void. And the cost of such a Government information program will be staggering in comparison to what it would cost right now to preserve a two-centuries-old system of easy-flowing information.

A concerned and dedicated Congress, many years ago, made possible our philosophy of "free and easy dissemination of information." This philosophy helped to make America great. It helped make every farmer's mailbox a university. It helped make rural America the most productive area of its kind in the world. And now, Congress has an opportunity to change a national misdirection in policy that threatens to destroy that priceless philosophy. Emory O. Cunningham, President and Publisher.

We believe this message is important; not so much for Progressive Farmer but for all the yet unborn ideas, books, newspapers, and magazines that might not draw their first breath of life unless there is due regard for the basic principle of freedom of communication.

Should you want to share this view with others, write us for a limited number of free reprints. And communicate your views to your U.S. Senators and Congressmen. The Editors, Progressive Farmer, Box 2581, Birmingham, AL 35202.

LONG PRESENTS TAXES, ASSETS DATA

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. LONG of Maryland. Mr. Speaker, I am presenting financial data beyond the law's requirements to make clear my tax position and my assets.

In 1973, I paid $14,906.50 in taxes on a gross income of $48,569.77—$10,233 in Federal taxes, $4,673.46 in State and local taxes.

In 1972, I paid $14,129.21 in taxes on a gross income of $45,158.69—$9,152.64 in Federal taxes and $4,976.57 in State and local taxes.

In 1971, I paid $14,953.70 in taxes on a gross income of $48,759.90—$10,165.39 in Federal taxes, $4,788.21 in State and local taxes.

My major source of income is my $42,500 per annum salary as a Member of Congress. My main non-Government income is an annuity from my service at the Johns Hopkins University and rent from the farm I own in Harford County, Md.

My current stock holdings include 100 shares of General Motors, 100 shares of Digital Equipment, 100 shares of Textron, and 100 shares of John B. Abt Corp. I estimate their total market value at $18,000.

In addition, I own my home in Ruxton, Md., which I purchased in 1946 for $32,000. That home has a $13,500 mortgage. I also own a farm in Hartford County, Md., consisting of 112 acres. That property was purchased in 1965 for $118,000 and currently has a $44,000 mortgage.

My contribution to the Federal retirement system totals $28,993.09. This is, of course, not a liquid asset.

My remaining assets include two 1970 automobiles and the furnishings of my home in Ruxton, Md.

NASHVILLE BANNER EDITORIAL SAYS: "TENNESSEE CONGRESSMEN'S VIEWS SOUND ON APPROACH TO IMPEACHMENT ISSUE"

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. EVINS of Tennessee. Mr. Speaker, Columnist Lee Bandy, of the Nashville Banner, reported in a recent article that the members of the Tennessee House delegation are "keeping their options open" and reserving judgment on the issue of impeachment until the facts and evidence have been developed and fully evaluated.

Subsequently, an editorial appeared in the Banner which commented on this article and on an opinion poll by the Banner which indicated that 80.3 percent of those responding to the poll did not favor impeachment of the President.

The editorial concluded:

It is this newspaper's strong belief that Tennessee's congressmen are acting responsibly when they insist on knowing all of the facts before reaching a decision on how they will vote.

Because of the interest of my colleagues and the American people in this most important matter, I place the article by Mr. Bandy and the editorial in the RECORD.

The article and editorial follow:

[From the Nashville (Tenn.) Banner, May 22, 1974]

STATE CONGRESSMEN NOT READY TO IMPEACH

(By Lee Bandy)

WASHINGTON.—While Tennessee House members are generally disturbed by the tone of the edited White House transcripts, none is yet prepared to vote for the impeachment of President Nixon.

In their reading to date of the 1,300-odd pages of transcript of taped presidential conversations, the Tennessee lawmakers have failed to uncover any evidence which in their opinion would warrant the removal of the chief executive from office.

However, all of them stress they're approaching the impeachment question with the awareness all evidence has not surfaced in the Watergate scandal. Hence, members are keeping their options open.

The House Judiciary Committee is currently being presented evidence as compiled by its legal staff. The panel is expected to report its findings the latter part of next month. And predictions are the committee will vote articles of impeachment.

LINES OF SPLIT

None of the Tennesseans says he'll vote for impeachment just because the committee might recommend it. It's a decision each will have to make based on what he thinks is an impeachable offense. And this is where the house delegation splits—almost down party lines.

The Democrats tend to subscribe to the so-called broad interpretation of impeachment which suggests a President can be removed from office simply for gross misconduct.

The Republicans, on the other hand, lean towards the narrow view which says a President can only be impeached for an indictable crime as spelled out in the Constitution. This is the interpretation to which the White House subscribes.

"I believe in reading the Constitution on impeachment and living with it literally," said Rep. Dan Kuykendall, R-Tenn.

The Constitution says a President can only be removed from office for conviction of treason, bribery, or other high crimes and misdemeanors.

FULTON WAITING

Rep. Richard Fulton, D-Tenn., says he will not make any determination about impeachment until the Judiciary Committee has reported to the membership.

"If I think the facts as presented to us demand a vote for impeachment, I'll vote for it. If I don't think the facts justify such a vote, I will vote against impeachment."

The Nashville Democrat termed as "unacceptable" the President's release of censored transcripts rather than the tapes themselves. As a juror, he said, he would like to hear the tone of the conversations. However, Fulton would not go so far as to suggest that Nixon's refusal to comply with the committee subpoena constitutes an impeachment offense.

But the congressman indicated he subscribes to the broad view of interpretation. He expressed the opinion that impeachment should not be confined to "high crimes."

BROAD VIEW

Rep. Joe L. Evins, D-Tenn., the delegation dean, said he subscribes to the constitutional remedy for removing a president from office, but tends to give it a broad interpretation.

"I will wait until all the evidence is in before deciding how I will vote," he stressed.

Rep. Robin Beard, R-Tenn., said, "I'm basing my impeachment vote strictly on the indictable crime concept," and criticized the Judiciary Committee "for already making up its mind" to impeach the President.

He said Nixon could be "scot clean" and the panel "would still vote for impeachment."

The Brentwood Republican indicated he is approaching the impeachment question "with an open mind." He added, "I only hope and pray Nixon is innocent like I would for any president."

However, Beard acknowledged the atmosphere in the GOP ranks "is one of total confusion and apprehension." He said, "the members don't know what to do" about impeachment. "We have people screaming for impeachment and others urging us to stand firm. It's be damned if you do and be damned if you don't."

The freshman congressman admitted "all of us are looking for something to rationalize. We're trying honestly to do what's right. The major frustration is 'am I doing the right thing?'"

NOT THE TIME

Rep. John Duncan, R-Tenn. said, "it would be totally irresponsible to say which way I would go on impeachment. We need to keep quiet."

The Knoxville Republican voiced the opinion that Nixon made a grave mistake in releasing the transcripts in the first place. "I'm a strong believer in the separation of powers," he explained.

But from what he's read of the transcripts, Duncan said he hasn't found anything in them to incriminate the President.

Rep. Ed Jones, D-Tenn., who favors Nixon stepping aside and letting vice president Gerald Ford serve as acting president until the impeachment question is resolved, said he hasn't made up his mind how he would vote should the matter reach the House floor.

"I will wait until the evidence is presented and I have polled my constituency. Then, my decision will be made," the Yorkville Democrat said.

While he leans toward the indictable crime concept at the moment, Jones indicated he was keeping an open mind on that question.

"Impeachment is a pretty serious situation," he said, and "gross misconduct" would have to be considered as possible grounds for removing the President.

EVIDENCE WANTED

Rep. Lamar Baker, R-Tenn., said, "I'm favorable to the President. I would like for him to be clean. But if we have charges significant to support impeachment, I'd have to consider my vote on the basis of the evidence presented."

The Chattanooga lawmaker indicated his views on impeachment include a combination of the broad and narrow interpretations. "If the President incapacitated himself through the use of alcohol or drugs, and did not commit an indictable crime, removal from office would be in order. But I don't think you can remove him for a flimsy offense."

Rep. James H. Quillen, R-Tenn., charged that allegations made against Nixon have a partisanship ring to them. "There's no question that they're partisan," he contended.

Subscribing to the narrow view of impeachment, the Republican lawmaker said, "I've always felt the facts at hand do not reveal any impeachable offense."

However, he stressed he's maintaining an open mind and will take "a good look" at the evidence when it's presented. But Quillen added, "It must be within the framework of the Constitution, I would not vote to impeach the President based on the present facts."

MOVE WAS DARING

Kuykendall conceded the tone of the transcripts is "tough stuff." He called their release "a daring move" on the President's part. The Memphis Republican expressed the opinion that Nixon ended up "buffeted, scarred, and innocent" by their content. Anyone not reaching the same conclusion, Kuykendall charged, is simply not being fair.

He criticized members saying they have an open mind on impeachment. "You can't go into this thing neutral. This is a criminal case. A man is innocent until proven guilty. I don't have any choice in this matter. No, my mind is not open."

Kuykendall voiced the opinion that Republicans and conservatives who were looking for some place to hang their hats "got it" when Nixon released the edited transcripts.

TENNESSEE CONGRESSMEN'S VIEWS SOUND

The results of *The Banner's* "You Decide" balloting show most of those readers responding are overwhelmingly opposed to the impeachment of President Nixon and his resignation, and most think the transcripts of taped presidential conversations exonerate him in the Watergate scandal.

Of 4,175 replies to the question of impeachment, 80.3 per cent said "no."

Of 3,981 replies to the question of resignation, 88.5 per cent said "no."

Of 3,331 replies, 67.2 per cent said the transcripts did exonerate the President.

These responses are startling in the face of a recent Harris Poll which showed 49 to 41 per cent that those surveyed thought Mr. Nixon should be impeached. Sixty per cent did not believe the President "had no knowledge of the coverup," in the poll of 1,555 persons.

Nor do the "You Decide" responses agree with a Roper Poll, which showed 53 per cent of 1,934 persons interviewed believed impeachment was the answer.

It should be pointed out that our "You Decide" poll is not necessarily a statistically pure survey in that only ballots returned by readers, at their discretion, are involved.

But a Sindlinger & Co. poll, based on 1,677 interviews, indicates that 54.3 per cent of those responding felt Mr. Nixon should continue in office. The poll showed 57.9 per cent felt he should not be impeached.

This wide divergence of opinion, even among the professional polls, may indicate one of two theories: That there is a changing mood on the part of the American people about faith in the United States Constitution and that there are particular areas in which support of the President is higher than in others.

This newspaper has vigorously opposed any partisan persecution of the President in the Watergate tragedy.

The Banner hopes the investigation and deliberations of the House Judiciary Committee, as it begins its part of the constitutional process that could lead to impeachment, will be thorough, fair and carried out swiftly, reflecting the "impartial justice" guaranteed to Mr. Nixon or to any other president.

On May 10 we said we could not agree that the transcripts exonerate Mr. Nixon of complicity in a shameful scheme to mislead the American people about corruption at the highest levels of their government.

We still firmly hold that view.

We also hold the view that the Constitution of these United States should be followed to the letter in the search for justice, a belief obviously shared by members of Tennessee's congressional delegation, who have declared they are not yet prepared to vote for Mr. Nixon's impeachment.

While there may be a split down party lines on terminology, the Tennesseans are together on one point—they are waiting until all the evidence is in before making a decision.

One of Watergate's sadder aspects has been the obvious pre-judgment by some members of both the House and the Senate before the evidence is presented.

It is this newspaper's strong belief that Tennessee's congressmen are acting responsibly when they insist on knowing all of the facts before reaching a decision on how they will vote.

Under the provisions of the Constitution of the United States, every man has a right to fair trial.

So does the President.

YOUNG AMERICANS SHOW STRONG PATRIOTISM

HON. JAMES R. GROVER, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. GROVER. Mr. Speaker, one of the most repeated and least valid assumptions today is that young people in America are turned off and cynical in regard to their country and its institutions.

From my observations, nothing is further from the truth. In fact, Mr. Speaker, I find the young people with greater interest than ever and great confidence that we can have world peace, prosperity, and respected and respectable Government.

As an outstanding example of the zeal and dedication of young Americans I am submitting for the RECORD the winning essay, written by Miss Cindy Noble, of Bay Shore, N.Y., that was entered in an Americanism essay contest, sponsored by the Brentwood Republican Club, open to 6th-grade students in 16 Brentwood elementary schools.

I am proud of Miss Noble, as well as the other contestants, and their parents, and I do believe they represent the majority of American citizens.

The essay follows:

AMERICANISM

(By Cindy Noble)

A great president said, "Ask not what your country can do for you—ask what you can do for your country."

America is a land that has been made great by the contributions of millions of people. These people took the resources that this land was blessed with and developed them into the most powerful nation on earth.

As an American, it is my duty to my country to respect, participate and contribute.

I show my respect for my country whenever I say the Pledge of Allegiance or sing our National Anthem. The Pledge of Allegiance is a statement of my belief of what America stands for and the National Anthem reminds us of the sacrifices made by many Americans so that I may live in a free country.

As an American, I believe it my responsibility to keep myself informed on all the issues and events affecting our local and national government.

As an American it is my duty to support the candidate of my choice and inform my elected officials of my beliefs.

It is my responsibility to work for and vote for the people I feel could best govern our land.

As an American, I should attempt to develop myself into a producive and contributing member of my country, speaking out on those issues that effect all Americans.

I must also strive to see my hopes and dreams for our country come true.

As an American, I hope that my country will continue to be one of the world's great leaders in the pursuit of freedom, liberty, and justice for all.

As an American, I believe we must continue to help underdeveloped nations achieve free government and we must continue to be a good neighbor to all.

Americanism is not just a feeling, a belief. It is a desire. It is a hope for the future, a salute to the past, and a great obligation to the present.

Without our support and guidance, it will not remain a desire, and hope for the future.

As an American, I must constantly ask, "What can I do for my country" This is what Americanism means to me.

THE OLDER AMERICANS ACT

HON. SAMUEL H. YOUNG

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. YOUNG of Illinois. Mr. Speaker, the people of the United States are concerned about their senior citizens. Approximately one-tenth of our population is over 65 years of age. The Older Americans Act which this Congress has passed and continues to support, is an example of the reflection of public concern through the Congress.

There are many agencies, both public and private, that are trying to provide and create a fuller life, a more satisfying life, for our senior citizens.

The Presbyterian Home of Evanston, Ill., is one of these private agencies that provides a meaningful lifestyle for approximately 500 residents in three operating components with a full-time staff of over 250 persons.

The Geneva Place provides separate rooms and housing for 120 persons and has a library, music room, auditorium and shopping facilities.

Westminster Place consists of 60 cottage units, 57 townhouses and 130 apartments.

The Mary McGaw Infirmary and Louise Wilson Infirmary contain a total of 176 beds, 6 clinics and X-ray and laboratory departments.

The officers and directors of the Presbyterian Home are dedicated persons who have a great concern for their fellow man and they are doing something about it.

On May 6, 1974, the Presbyterian Home celebrated its 60th anniversary. On this occasion, four outstanding individuals were presented with the "Foster G. and Mary W. McGaw Awards."

Speaking on such occasion, Elliot Richardson, former Attorney General, gave a very inspiring address on concern for senior citizens.

Donald Sharp, president, made an appropriate report on the history and development of the Presbyterian Home and its plans to raise an additional $9 million to match a $3 million challenge gift by Foster G. and Mary W. McGaw.

Brainard Chapman, chairman of the National Presbyterian Home, described these recipients of the "Foster G. and Mary W. McGaw Awards" as follows:

ADDRESS BY BRAINARD CHAPMAN

William McCormick Blair is the son of a distinguished Chicago family and founder of the investment banking firm which bears his name. He has devoted much to the growth of Chicago in the arts, sciences and higher education. The presence of his life-size portrait in the Chicago Club bespeaks his stature among the leaders of that city; and his international standing was apparent when he brought the Versailles Exhibition to the Chicago Art Institute.

The Presbyterian Home especially salutes Mr. Blair for his many years as President of the Congregation of the Fourth Presbyterian Church, for his gift of the magnificant Blair Chapel to that institution, and for his personal democracy and humility.

By authority of the Board of Directors, the Presbyterian Home joyfully bestows upon William McCormick Blair the Foster G. and Mary W. McGaw Award.

Dr. Karl Menninger is a physician, teacher, author, and humanist, whose contributions to medicine, psychiatry, mental health and prison reform are legion. He has devoted more than half a century to the service of mankind. To Dr. Menninger, closed doors have been a challenge, and the horizons of knowledge have been no barrier to his passion to isolate, analyze and solve problems in human behavior which have baffled lesser men. Dr. Menninger's vocation and avocations have overlapped, and he has succeeded in them all.

In these days when society's emphasis is on the masses and large numbers, we are particularly grateful to him for his understanding consideration of the individual.

By authority of the Board of Directors, the Presbyterian Home is honored to bestow upon Dr. Karl Menninger the Foster G. and Mary W. McGaw Award.

Dr. James Roscoe Miller is a student, cardiologist, teacher, dean, president and chancellor of a great university, his life has been one of personal growth and service. And as he grew, the university grew; and as the university grew, its operating budget grew—more than six-fold since he became president; and to keep its budget in balance, its benevolences grew—and that was his department. Northwestern's growth has been financially sound because of his even-handed execution of his open-handed policy. The Presbyterian Home congratulates Dr. Miller.

And all the while, Dr. Miller's counterparts in business and finance, who were not content that he limit his talents to the academe, invited him to share with them his wisdom; and he generously acquiesced. As a long, close friend of the man and woman in whose names the McGaw Medal has been cast, it is particularly appropriate that Dr. Miller is one of its first recipients.

By authority of the Board of Directors, the Presbyterian Home proudly bestows upon Dr. James Roscoe Miller the Foster G. and Mary W. McGaw Award.

W. Clement Stone is an original and provocative thinker, philosopher, author, tireless advocate, competent executive and human dynamo. He founded and built a great insurance company through his industry and abiding faith in a positive mental attitude. He has assiduously sought to teach our nation's youth how to duplicate his record, and he has brought his multiple talents and philanthropy to bear in many problem areas of our society, perhaps most importantly, in the field of mental health.

In common with the other men whom The Presbyterian Home salutes tonight, Mr. Stone lost his life only to find it and he has found fulfillment in helping others. But, in Mr. Stone's case, the Presbyterian Home has a particular pleasure because, as a member of a local Presbyterian congregation, the Presby-

terian Home not only saluates a friend, but also a neighbor.

By authority of the Board of Directors, the Presbyterian Home happily bestows upon W. Clement Stone, the Foster G. and Mary W. McGaw Award.

LIBERATING OUR SERVICE ACADEMIES—CONGRESSMAN SAMUEL S. STRATTON'S PERSUASIVE ARGUMENT

HON. CHARLES H. WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. CHARLES H. WILSON of California. Mr. Speaker, as a member of the Manpower Subcommittee of the House Armed Services Committee, chaired by the distinguished Congressman from Texas, Mr. O. C. FISHER, I have been concerned with improving the quality and capability of the All-Volunteer Army. To this end, I have long been a supporter of legislation to admit women to our Nation's service academies and applaud the Merchant Marine Academy for taking the first step in this direction.

At our opening session on May 29 to consider H.R. 11268, I was greatly impressed by the testimony offered by Congressman SAMUEL S. STRATTON, a senior member of the full committtee, in support of this important legislation. Congressman STRATTON pulled no punches in answering, eloquently and cogently, all the arguments I have ever heard against admitting women to our service academies.

For the benefit of those colleagues who are not yet convinced that, as Congressman STRATTON states, "The services need qualified women today more than the women need the services," I would like at this point to share Congressman STRATTON's very persuasive views:

TESTIMONY OF CONGRESSMAN SAMUEL S. STRATTON IN SUPPORT OF H.R. 11268, TO ADMIT WOMEN TO THE SERVICE ACADEMIES

Mr. Chairman, I appear here this morning as a co-sponsor of H.R. 11268, to urge the committee to approve the bill. I speak as a senior member of the Committee, who indeed is often classed as belonging to the committee's more conservative and militant wing. I also speak as a long-time member of the Board of Visitors of the U.S. Naval Academy, and as a long-time member with over 31 years, 6 of those on active duty, of the U.S. Naval Reserve.

I have long favored the admission of women to the service academies, long before it became so fashionable in the House and the Senate, and as a member of the Naval Academy's Board of Visitors I urged some three years ago the admission of women and warned Academy officials they were opposing the inevitable, and instead of thinking up reasons to keep women out, they ought to be making plans to make their admission a simpler and less traumatic experience.

Mr. Chairman, let me say in all candor that I do not regard the official Department of Defense report on our bill as a serious document or even as worthy of what should regularly and predictably be the intellectual level of the Department of Defense. They have no official arguments, only excuses. In fact their official response makes it clearer than ever that the overwhelming bulk of the opposition to women in the service academies is based on nothing more than inertia and resistance to change.

Actually, as members of this distinguished subcommittee are well aware, there is nothing new about women in the U.S. Armed Forces. We had them in World War I, and we had them in far greater numbers in World War II—nurses, administrators, yeomen, ferry pilots. And in recent years, under pressure from the women's movement and Members of Congress, we are enlisting women in all our services, admitting them to ROTC, to the Navy's Officer Candidate School at Newport, Rhode Island; the Navy has commissioned two women as pilots; we have a woman admiral and several women generals now; in the Army a woman has been placed in command of male troops stationed overseas; and the Merchant Marine Academy, one of the nation's traditional service academies, has already opened its ranks to women applicants.

So what is all the fuss about? If women can do all these things—including attend the Merchant Marine Academy—what is so unique or forbidding that the Republic would somehow crumble overnight if women were to be admitted to West Point, Annapolis, or the Air Force Academy at Colorado Springs? In general three reasons have been given for opposing such admission: (1) need for added facilities, (2) the service academies train only combat personnel, and (3) the "discipline", if we use a polite euphemism, of the academies' procedures would be unduly harsh on women cadets and midshipmen. Let me examine each of these in order.

First, with respect to facilities. This is utter nonsense. If women want to go to the service academies they must be prepared to live under the ascetic conditions that prevail there. The only physical changes that would be required would be the addition, or conversion, of a few female bathroom facilities. Compared to the normal milcon budget originating from the three academies each year this expense would be peanuts.

Second, the matter of academy "discipline," or what is really involved, academy "Mickey Mouse." These are the sophomoric, neanderthal traditional practices that still apply at West Point and Colorado Springs, and to a somewhat lesser degree at Annapolis, designed to inflict physical and psychological punishment on new plebe cadets and midshipmen to "condition" them to the rigid disciplinary procedures of service academy life as contrasted with civilian life on the outside. Actually, there is no excuse for these practices in the military academies anyway. The Navy has taken some steps to modify them. They ought to be abolished altogether, and if the admission of women is needed to do it we ought to admit women to the academies for that purpose alone. No such procedures apply in ROTC and very few apply in OCS. Yet there is no statistical proof whatsoever that "Beast Barracks" at West Point leads to significantly improved intellectual or combat capabilities when West Point graduates reach the combat field. Discipline is a necessary part of military life, and must apply to women as well as men. In fact most women exceed men in their ability to adhere to such rigid procedures. Childish abuse, designed primarily to allow sophomores to take out on the freshmen the indignities that they themselves endured a year ago, is totally indefensible in the academies whether we ever admit women or not.

Finally, the argument about combat. It is alleged that the service academies train only for combat careers. This is unmitigated nonsense. Graduates of Annapolis who cannot meet the eye test are commissioned in the Supply Corps; some of these may go to sea, but so do Navy nurses now. Some whose color vision proves defective, like Roger Staubach, don't even have to serve; they can move directly into a career in professional football. Until this year the Naval Academy had a premedical program. Its participants became doctors, not combat line officers. The program was terminated this year, probably because its existence—as I have pointed out to the Navy on many occasions—was a living refutation of their constant claim—still embodied in the DOD report on our bill—that all Academy graduates are programmed for combat line careers. The Air Force Academy has a similar pre-med program.

While I do not have the precise statistics—and you will probably find them hard to get while these hearings are under way—the same is true for the Air Force and the Army. Only a portion of Air Force Academy graduates fly. And only a portion of them end up flying in combat, believe it or not. Many Air Force Academy graduates end up in missile sites in North Dakota, or as ground officers on air bases. Are these really combat roles in any meaningful sense of the word? A woman silo officer could be killed in a direct hit on a silo, but so could a lot of other civilian women with the same hit on the same North Dakota missile site.

The same is true of the Army. Some day we ought to figure just how many men in a typical combat infantry division ever really fire a rifle. I spent two years overseas in World War II, most of it with the Army, as an intelligence officer. I went ashore in 3 combat landings, I interrogated prisoners in the front lines, I dug foxholes and ducked falling bombs and never once fired a shot in anger. I try to convince my children I was some kind of war hero, but I have often wondered privately how much of my job could probably have been performed just as well by a qualified woman. Almost all of it, I'm afraid.

I'm not suggesting that we ought to have women in combat, Mr. Chairman. They don't even have women firing rifles in the Israeli Army. But the fact of the matter is that the definition of combat is a whole lot narrower than many people—especially those who have never been in combat—think it is. There are an infinite number of very important combat support assignments that women can fill, in the combat zone, without ever having to fire a rifle—intelligence, medical, aviation, auto maintenance, communications, logistics. For that matter there are an awful lot of shipboard jobs in the Navy that don't involve direct "combat", including our whole nuclear Polaris fleet. Do women have to automatically be disqualified from such assignments? To be sure they might themselves be killed, but as we learned in Britain and Germany and Russia in World War II, the front lines in modern warfare include the home front. Women and children died in those conflicts even though they never saw a uniform much less a service academy.

The fact of the matter is, Mr. Chairman, the services need qualified women today more than the women need the services. We on this Committee know all too well that the volunteer army is not working out. We need more volunteers. We need more highly qualified and more highly motivated volunteers. This is what women can do for us today in the armed services. And if we enlist them as privates and apprentice seamen then we also have an obligation to allow them to serve as officers as well. If we do accept them as officers they deserve to be trained at the same academies—as well as the same universities—as the men. We can't relegate women in the service to some female ghetto.

Frankly, I don't expect that even if we pass this bill we are going to be deluged with women applicants. But I believe the women we do get will add a great deal, in brains and in enthusiasm, to our service academies. It is time for us to pass this bill, Mr. Chairman, and it's time for us to tell the Service Academies to grow up, get rid of their Mickey Mouse, and catch up with the rest of America and the rest of the world.

A TIME FOR ACTION

HON. ANGELO D. RONCALLO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. RONCALLO of New York. Mr. Speaker, many persons have contended that American policies, both foreign and domestic, are reactions rather than actions and are not consistent with the great American traditions of world leadership and fundamental principles as put forth in our great National Documents.

Proponents of this idea have further asserted that our political leadership is more concerned with the polemics of the political rhetoric of peace than with viable programs to establish peaceful settlement of differences between nations on the basis of understanding and dealing with human need. Such viewpoints are often exaggerated but they should serve as cause for deep thought.

"A Time for Action," an essay written by Bruno Andrews, a Rotarian of my constituency, is an eloquent plea for humanity. He contends that—

What the mind of man can conceive and believe man can achieve.

His thesis is that man has invented war and that man has the infinite mental capabilities to invent peace. Mr. Andrews suggests the establishment of a Rotary International College for World Peace with graduate fellowships offered to citizens of every nation of the world.

Originally presented to the Rotary Club of Massapequa, Long Island, the essay was then circulated among 400 Rotarian leaders in 150 nations representing 778,000 Rotarians and resulted in a great outpouring of affirmative response. Especially gratifying was the fact that the Cairo, Egypt, Rotary Club and the Haifa, Israel, Rotary Club maintained open communication in a cooperative pursuit of this ideal while their nations were engaged in mortal combat.

The essay follows:

A TIME FOR ACTION

(By Bruno Andrews)

Dear Fellow Rotarian: This year we are observing the 68th anniversary of Rotary International. We can reflect with pride on the monumental growth from its meager beginning of 4 members to its present strength of 15,500 Rotary Clubs and 728,000 Rotarians in 149 countries.

To commemorate the phenomenal development, I believe, Rotary International should reach high and initiate a program commensurate in scope and humanitarian importance with its universality of membership, accelerated rate of growth and basic fundamental principles. We need to focus our combined effort on the human problem. Each of us need to make much greater effort to avoid continued misery of mass slaughter and maiming of humanity in our world.

Based on a firm belief that the similarities between people are more important and create a bond of strength superior to the power of cleavage caused by their differences, we, as Rotarians, should cross the threshold of the 20th century and light the way to achievement of man's eternal dream of universal peace.

It is a sad commentary on our technologically advanced society that man has learned to propel himself to the moon and back, but has yet to learn to live at peace in harmony on planet earth. Where is the sanity of worrying about balancing our check book when all of humanity can be incinerated in a nuclear flash?

The world is too dangerous for Rotarians to live life as if it is a comfortable room. If we are to avoid future mass slaughter and maiming of humanity each of us must commit ourselves to something larger than himself.

The difficulties in enforcing the peace terms in Vietnam point to a terrifying fact about human society. Men know far less about the making of peace than about the making of war. On a global scale they maintain academies to teach war strategy and tactics. They carry out far flung programs to train soldiers to fight. They spend billions of dollars on weapons and bombs. They require men to give a year or more of their lives in compulsory military service.

What about peace? No one is compelled to study peace or to work for peace. There are no government peace academies for educating people in the difficult and intricate arts of peace making and peace keeping. In terms of human thought, action or commitment, the tragic truth is that peace has never been as important as war.

The United Nations is a dramatic example of the secondary role of peace in human affairs. It was founded in 1945 for the purpose of eradicating the "scourge of war"—in the words of the preamble to the U.N. charter.

Yet, the world organization has never been given the means to fulfill that purpose. The statesmen, especially from the major nations, make grandiose speeches about the importance of the United Nations, but they carefully deprive it of authority for carrying out its mandate. The United Nations as a world organization has no lawmaking or law enforcing powers. It is severely limited in its ability to deal with world anarchy.

The finanial support given to the United Nations by its members is an all too accurate reflection of the value they attach to a peace keeping mechanism. The United States pays the highest dues, by far, of any of the members of the United Nations yet, the United States has spent more for an average single day of warfare in Vietnam than its full year payment to the United Nations.

We must learn to pay the price for peace for we get what we pay for—in peace as in everything else. Presidents Nixon, Johnson, Kennedy and Eisenhower have said that the eradication of war is the most vital business on earth. Yet our payment to the United Nations has been slashed. The budget for the United Nations—the only agency inside the U.S. Government specifically charged with the responsibility for finding ways to bring effective arms control and disarmament in the world—has been cut to ribbons.

Meanwhile, our military budget has been increased—despite the end of the war effort in Vietnam and the recent detente with the Chinese and the Russians.

It is not just national governments that give far more attention to war making than peace making. Peace is the most neglected subject in the American educational curriculum. Not more than a dozen American colleges and universities have instituted systematic world peace studies. Manhattan College, Duke University, Colgate University and the University of Michigan are among the pioneers in American higher education recognizing the fact that people must be educated in the nature and management of peace if peace is to become a reality.

The ultimate test of civilization is whether or not it contributes to growth—improvement—of mankind. Does it uplift, inspire, stimulate and develop the best in man? There is really no other right purpose of world community except to provide an environment and an opportunity to develop a better people.

Unless the world community works for humanity it is not working at all. We must think and plan and program not alone in terms of schools, highways, streets, offices, the marketplaces, or even dwelling units, but we must plan and program with the fundamental purpose of making the world community into a neighborhood where a man, his wife and family can live and work and above all else, grow—grow in character, in personality, in love of God and neighbor.

Without the development of a world community which exists to serve human life and not detract from it, our complex civilization cannot survive.

Fellow Rotarians, there can be no more noble concept in our society than service above self to a worthy person or worthy ideal for the benefit of humanity. Therefore, I pray that the Rotary Club of Massapequa will seize this opportune moment to initiate in the district through the International Service Division and the Rotary Foundation the adoption of a program to establish a Rotary International College for World Peace based on the fundamental basic humanistic principles of Rotary . . . to issue a broad appeal for support and involvement on a world wide scale. Enrollment of qualified graduate students on a fellowship basis, establish enrollment quotas for every nation in the world regardless of its form of government. Its object would be to train people to become International Civil Servants, especially in complicated matters of peace keeping through world understanding among nations through the peaceful settlement of differences between nations.

A study of human behavior can only lead to the conclusion that, war need not be inevitable, peace has a mind of its own and does not automatically follow the cessation of hostilities, it will not go away by itself. When enough people come to understand that peace is a science, and are prepared to meet its stern demands, there is an excellent chance that war can be abolished. Until then it is difficult for the human race to regard itself truly civilized.

When Rotarians become personally committed and involved in the progressive realization of this high ideal of service to world humanity we will feel spiritually enriched—more alive in Rotary. We will better understand that one Rotarian does make a difference and what the individual Rotarian can bring to the construction of social progress and to peace for world humanity.

THE SUGAR ACT SHOULD BE TERMINATED

HON. PETER A. PEYSER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. PEYSER. Mr. Speaker, today I joined with my colleagues, Mr. REUSS, Mr. VAN DEERLIN, Mr. EILBERG, and Mr. FINDLEY in sponsoring the following letter, which I thought would be of interest to the Members of the House:

DEAR COLLEAGUE: The bill to extend the Sugar Act, H.R. 14747, is scheduled for consideration on the House floor on Tuesday, June 4.

In our opinion, it should be rejected.

Price fixing, quotas, government decrees, international trade barriers, uneconomical production, subsidies, and bureaucracy are all hallmarks of this forty-year-old program that long ago outlived its usefulness.

The program has not kept prices from running wild. On the contrary, by providing some foreign nations with privileged and arbitrary access to the U.S. market, it is responsible for the volatile world price of sugar. Sugar is now more than double the price the program is supposed to assure. Experts forecast that demand in relation to supply will remain so strong for several years that prices will remain well above the Act's objective.

It has not assured adequate supplies at stable prices. Quotas, which in times of surplus assured both supplies and prices, now go unfilled as domestic producers turn to more profitable crops and foreign producers to other markets. Witness the recent erratic action of the Philippines, our largest foreign supplier. World conditions are unstable and unpredictable; at such a time neither the quota system nor arbitrary domestic production controls serve any useful purpose. Congress should abandon both.

Producers and users of sugar—and taxpayers as well—will be better off if the existing program is allowed to expire on December 31. Without the program, income will remain strong for producers—domestic and foreign alike. Production and prices will respond more precisely to market conditions, free of legislated distortions. Permanent law in the form of tariff and price-support authority (in the Agricultural Adjustment Act which will not expire) will provide producers with adequate standby protection.

We invite your help in terminating this unwise and outdated program.

POLYGRAPH AND TELEPHONE MONITORING HEARINGS

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. MOORHEAD of Pennsylvania. Mr. Speaker, during the early 1960's, the House Foreign Operations and Government Information Subcommittee conducted studies on the Federal Government's use of polygraphs—popularly known as "lie detectors"—and telephone monitoring devices.

At that time, the subcommittee strongly criticized both practices, pointing out the dangers in the proliferation of such snooping.

Recently, the subcommittee circulated a questionnaire to Federal agencies on the current use of these devices. Certain technological changes have occurred within the last few years which require an updating of the subcommittee's investigation in these two fields.

The current mood of the Nation on questions of invasion of privacy also calls for these hearings so Congress will have the latest information available for whatever action it deems necessary.

Therefore, as chairman of the subcommittee, I have scheduled public investigative hearings on polygraphs for June 4 and June 5 and similar sessions on telephone monitoring for June 11 and 13. All hearings will begin at 10 a.m. in room 2203 of the Rayburn Building and include both agency and outside witnesses. The findings and recommendations will later be contained in a report submitted for consideration by the Committee on Government Operations.

MAYC OF EAGLE LAKE, TEX.

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. PICKLE. Mr. Speaker, some months ago, I attended the 1974 scholarship dinner for the Mexican-American Youth Council in Eagle Lake, Tex.

This is an impressive concept, Mr. Speaker, of the youth and adults of a town joining together in self-help for Mexican-American youth.

I feel this is a unique group and only their bylaws can truly tell their story.

I include the constitution and bylaws of Mexican-American Youth Council, MAYC, in the RECORD:

CONSTITUTION AND BYLAWS OF MEXICAN-AMERICAN YOUTH COUNCIL (MAYC)

ARTICLE I

Purposes and goals

The purpose will be threefold:

A. To unite and organize the Mexican American Community into a self-help type organization.

B. To devise and implement a program that will have as its goals:

1. To encourage and assist the youth to participate in and take full advantage of all available educational opportunities.

2. To provide activities and projects that will build personality, character, good sportsmanship, healthy bodies and better citizens.

3. To give spiritual guidance that will instill in the minds of youth a sense of the need, value and practice of the Christian faith in all areas of life.

4. To build a positive attitude of constructive confidence in Mexican American youth and citizens.

C. The primary thrust of this program will be directed to Mexican American youth.

ARTICLE II

Location of activities

The location of the Mexican American Youth Council, here-in-after referred to as MAYC, will be centered in Eagle Lake, Texas, and will cover the same area as the Rice Consolidated Independent School District. However, this is not to limit the Board of Directors the right to pursue projects and activities involving youth and adults in any area they see fit.

ARTICLE III

Membership

Section 1: All persons age 18 and over interested in the advancement of Mexican American youth are eligible to membership. However, this minimum age does not apply to youth directors.

Section 2: Membership dues shall be set by the Board of Directors.

Section 3: The Board of Directors may, at its discretion, provide for other types or classes of membership including both youth and adult.

ARTICLE IV

Annual meeting of membership

Section 1: Time and place. The regular annual meeting of the membership shall be held in Eagle Lake, Texas, or at any other place within the area served by MAYC as may be designated by the Board of Directors. Such meeting shall be held within thirty days of the close of the fiscal year and at a time and place specified by the Board of Directors. Special meetings may be called by the Board of Directors.

Section 2: Notice of meetings. Written or printed notice of all membership meetings, stating the nature, time, place and purpose thereof shall be mailed to each member at least ten days prior to the time of the meeting.

Section 3: Voting rights and quorum. Each member is entitled to one vote and voting by proxy shall not be permitted. The number present at any regular or special meeting of MAYC duly called and held shall constitute a quorum for the transaction of business.

Section 4: The purpose of the annual membership meeting will be to review activities of the preceeding year, receive reports of officers and committees, review plans for the upcoming year, ratify action of the Board of Directors, elect a new Board of Directors, complete any unfinished business and/or to consider any new business.

ARTICLE V

Board of directors

Section 1: Duties and number. The management of the business, program and activities shall be vested in and exercised by a Board of Directors. The Board of Directors, hereinafter referred to as the Board, shall consist of no more than seventeen (17) members, as follows:

A. At-large positions: There shall be up to seven At-large Directors who will be designated by alphabetical position. These seven alphabetical positions will include representatives of any sponsoring organization as provided for in Article VIII herein.

B. Regular Members: There shall be up to ten (10) regular members designated both by numbered position and by area of responsibility as per Attachment A.

Section 2: Election of Directors. The Board of Directors shall appoint a nominating committee which will make nominations of directors to the annual membership meeting. The nominating committee will consider specific areas of responsibilities in making its recommendations.

Section 3: Election and terms of office. At the first annual membership meeting, Directors shall be elected to succeed the first Board that was appointed by the Steering Committee which was created by action of the Andrew Men's Club of the Guadalupe Catholic Church. At the first annual membership meeting the number of Directors shall be fixed as herein stated and that number shall be elected to serve until the end of the current fiscal year as fixed in Article IX, except a Board position may remain vacant by action of the Board as in Article V, Section 8. Directors shall be members of MAYC. Thereafter, Directors shall hold office until their successors have been duly elected. Directors shall not hold more than three (3) consecutive one (1) year terms.

Section 4: Meetings. The first meeting of a newly elected Board shall be held within ten (10) days of the annual membership meeting, at which meeting, officers of the Board shall be elected. The Board shall hold at least one meeting every three (3) months. Special meetings of the Board shall be held when called by the Chairman or President or by a majority of Directors.

Section 5: Notice of meetings of the Board of Directors shall be mailed to each Director at least five (5) days prior to time for such meeting.

Section 6: Vacancies. If a vacancy shall occur in the office of any directorship, such vacancy may be filled by an appointment made by the Board who will serve until the next annual membership meeting.

Section 7: The Executive Committee of the Board shall consist of the Chairman, Presi-

dent, Vice President, Secretary, and Treasurer and may exercise the power and authority of the Board between sessions of the Board and subject to the will of the Board.

Section 8: In the event the Board determines to not have an active project in a specific area of responsibility as indicated in Attachment A, then such numbered position should remain vacant.

ARTICLE VI

Officers

Section 1: The Board of Directors shall elect from its number, a Chairman, President, Vice President, Secretary and Treasurer and such other officers and subcommittees as deemed advisable.

Section 2: The term of officers will be for one (1) year and shall be the same as that of the Directors. Officers shall serve without compensation and until their successors are elected. Nominations for election of officers may be by secret balloting or by Nominating Committee and/or from the floor. Election of officers must be by secret ballot when there is more than one nominee for the vacancy to be filled.

ARTICLE VII

Duties of officers

Section 1: Duties of Chairman. The Chairman shall preside over all meetings of the Board of Directors, call regular and special meetings of the Board.

Section 2: Duties of President. The president shall serve as Vice Chairman of the Board, he shall be coordinator of all projects and activities, he shall be the executive officer and ex-officio member of all committees.

Section 3: Duties of Vice President. In the absence or disability of the President, the Vice President shall perform the duties of the President.

Section 4: Duties of Secretary. The Secretary shall keep a complete record of meetings of the Board of Directors. He shall have charge and supervision of all books and records of MAYC. He shall serve all notices of meetings as required by the by-laws.

Section 5: Duties of Treasurer. The treasurer shall keep an accurate account of all funds, dues, income and expenses, and perform all duties with respect to the finances of MAYC.

Section 6: Other officers and committees may be appointed and their duties prescribed by the Board.

ARTICLE VIII

Sponsorship

In order to assist in the program and in the implementation of specific projects, the Board may seek and accept two types of sponsors as follows:

A. General Sponsor: A General Sponsor will be limited to an organization or institution. The purposes, goals and motives of any sponsoring organization or institution must be in harmony and be compatible with the purposes and goals as expressed in Article I herein. Board approval is required for the appointment of a General Sponsor.

B. Project Sponsors: Project sponsors may include individuals, businesses, organizations, institutions, agencies and clubs who have special interests and capabilities that would be valuable in the implementation of specific projects. Board approval is required for the appointment of project sponsors. However, the responsible Director may actively seek and tentatively approve project sponsors.

ARTICLE IX

The Fiscal Year Shall Begin Feb. 1 and End Jan. 31.

ARTICLE X

Amendments

These by-laws may be altered or amended by a vote of a majority of the members attending an annual or special membership meeting. However, notice of any proposed change shall be given in the notice of the meeting.

HOUSING FOR THE ELDERLY

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. RANGEL. Mr. Speaker, this is a time of optimism in our dealings with the national housing quandary. The two omnibus bills presently in Congress have created new hope toward solving the riddles of public housing, urban renewal and Federal subsidization policy. However, in the midst of this optimism and fervor to "get something through," we must not lose sight of all the needs that are to be answered by this legislation. Perhaps the most crying need of all is that of the elderly.

There are presently 20 million Americans over the age of 65; 6 million of these people live in substandard dwellings; 1.6 million must cope with the discomforts of inadequate plumbing. A large percentage of this group are poor, relying entirely upon their social security payments for support. Many are members of various minority groups and are subjected to all the intrinsic discrimination that comes with being black in our society. They are often disabled and must count upon the effective delivery of nutritional, health, transport, and other essential services. In short, millions of our senior citizens require subsidization in order to attain accommodations suitable to their needs at prices they can afford.

At present, there are a mere 350,000 units of public housing designed to suit the needs of the aged. We must not be indifferent toward the needs of people who have spent their lives in service to our Nation. With this in mind, I wish to submit a summary of the housing report of the 1971 White House Conference on Aging (WHCOA). This report outlines a sound housing policy for the aged which would be valid for the next 10 years. Because of the urgency of this concern, I am submitting a statement outlining the viewpoints of several organizations representing the aged.

The Senate bill, (S. 3066), contains several provisions for the updating and expanding of section 202 of the Housing Act of 1959. These provisions embody several of the recommendations of the WHCOA report. For example, a trust fund would be established for housing loans to the elderly and handicapped. It is my hope that the House Committee on Banking and Currency will see to it that H.R. 10036, when submitted to the floor, will contain similar provisions. The time is short, and the current mood is to delete all but the most basic elements of the housing legislation. However, when the final act emerges from the House-Senate conference sessions, it must come to grips with the needs of our elderly. As the following report explains, "If we are indifferent toward the last years of life, we diminish the dreams of all our people:

PROCEEDING OF THE 1971 WHITE HOUSE CONFERENCE ON AGING

INTRODUCTION

There were 362 Delegates named to the Housing Section. Some 327 of these filled out an advanced registration form, and of these, 25 percent indicated that they were already retired. Approximately a fifth of the registrants of the Section were members of one of the minority groups.

The various professional and technical groups concerned with different aspects of housing the elderly were represented by highly experienced persons. The most numerous of these were administrators of old-age or retirement homes. Others were public housing authorities and directors, architects, builders, realtors, legislators, model cities personnel, bankers and brokers, nursing home administrators, housing planners and consultants.

Interested organizations were also strongly represented. Among them were unions, religious groups, associations of homes for the aged, cooperatives, nursing homes, boarding homes, and resident care homes. Delegates who were providers of services related to housing included dietitians, social workers, physicians and nurses, religious leaders, and environmental planners.

The recommendations produced by this complex and sophisticated group of Delegates, guided by the preferences expressed by the older people among them, reflect the desires and thinking initiated in the State and local White House Conferences on Aging, the earlier Older American Forums, and National Organization Task Forces.

Altogether, the Section approved 25 recommendations addressed to such critical policy questions as the funding of elderly housing, eligibility for occupancy of publicly assisted housing, types of housing needed to meet the diversified and changing needs of aging persons, financial aid programs for homeowners and renters, standards, and research and manpower needs to insure quality of facilities and of their management.

Within these recommendations will be found policy guidelines for feasible action in the area of housing which, if implemented at national, State and local levels, by public and private resources, will not only increase the quantity of housing available to older people, but concomitantly will improve the quality of their lives.

SECTION REPORT

PREAMBLE

A national policy on housing for the elderly worthy of this Nation must enjoy a high priority and must embrace not only shelter, but needed services of quality that extend the span of independent living in comfort and dignity, in and outside of institutions, as a right wherever the elderly live or choose to live.

Of particular concern and priority are the poor, the minority groups, the disabled, and the aged located in isolated rural areas.

Availability of housing in great variety is imperative. Such housing should respond to health and income needs and provide a choice of living arrangements. It should include sales and rental housing, new and rehabilitated housing, large and small concentrations. It should be produced by public agencies and by private profit and nonprofit sponsors, with incentives to encourage such housing in all communities.

Funds to support a massive and varied housing program and mechanisms for assuring appropriate services are imperative to

the well-being of the elderly of this Nation. A decent and safe living environment is an inherent right of all elderly citizens. It should become an actuality at the earliest possible time.

RECOMMENDATIONS

Recommendation I.—Earmarked Funds for elderly housing

A fixed proportion of all government funds—Federal, State, and local—allocated to housing and related services, shall be earmarked for housing for the elderly, with a minimum production of 120,000 units per year.

Recommendation II.—New Eligibility Criterion

Eligibility for the benefits of publicly assisted low and moderate income housing and related services shall be based on economic, social and health needs. Recipients having incomes above an established minimum level shall pay for benefits on a sliding scale related to their income.

Recommendation III.—Housing production based on need

The Federal Government shall ensure that State, regional, and local governments and private nonprofit groups produce suitable housing for the elderly on the basis of documented need. The Federal Government shall encourage production through the uniform application and use of appropriate incentives.

Recommendation IV.—Variety of Housing with related services

A variety of living arrangements shall be made available to meet changing needs of the elderly. Such arrangements shall include residentially oriented settings for those who need different levels of assistance in daily living. The range shall include long-term care facilities for the sick; facilities with limited medical, food and homemaker services; congregate housing with food and personal services and housing for independent living and recreational and activity programs.

Recommendation V.—Supportive and outreach services

Supportive services are essential in the total community and in congregate housing. Emphasis shall be given to providing more congregate housing for the elderly, which shall include the services needed by residents and provide outreach services to the elderly living in adjacent neighborhoods when needed to help older people remain in their own homes.

Recommendation VI.—Property tax relief

The State or Federal Government shall provide mechanisms to make possible local property tax relief for the elderly homeowner and renter.

Recommendation VII.—Elimination of procedural delays

Every effort shall be made to eliminate red tape and procedural delay in the production of housing for the elderly.

Recommendation VIII.—Allocation of housing to minority groups

Particular attention shall be given to the needs of all minority groups and the hard-core poor elderly. At least 25 percent of the elderly housing shall be for the hardcore poor elderly, those with incomes at the poverty level or less per year.

Recommendation IX.—Multidisciplinary review teams

All Federal agencies dealing with housing for the elderly shall be required to establish multidisciplinary teams to formulate guidelines for architectural standards based on the needs of the elderly. The multidisciplinary teams shall also have authority to review and approve innovative proposals.

Recommendation X.—Development of housing by minority groups

Minority nonprofit groups shall be encouraged and assisted in developing housing for the elderly.

Recommendation XI.—Relocation and replacement

When housing units for the elderly are eliminated for any reason, adequate replacement units must be available and relocation programs provided before such persons are displaced.

Recommendation XII.—New definition of family needed

Congress should revise the definition of a family in the National Housing Act to include single persons 55 and over.

Recommendation XIII.—Preservation of neighborhoods

The Federal Government shall encourage the preservation of neighborhoods of special character through rehabilitation, and selective replacement of substandard dwellings with new dwellings, with full provision for the elderly of the area to remain in their familiar environment.

Recommendation XIV.—Direct loan housing program

Housing funds now impounded by the Administration should be released and the highly effective Section 202 of the Housing Act with its special guidelines related to space, design, construction, and particularly favorable financing, restored.

New Section 202 projects should be established by recirculating monies now being sent to the United States Treasury from mortgage payments and Section 202 conversions to Section 236 or like programs. Such conversions of current Section 202's should be encouraged by establishing incentives.

The Senior Housing Loan Section 202 administrative component of the Department of Housing and Urban Development should have management audit responsibility for all Section 202 projects and all Section 236 elderly projects.

Recommendation XV.—Rent supplement

The rent supplement program shall be increased in dollars and eligibility.

Recommendation XVI.—Housing and related services

Financial incentives shall be available to families providing housing and related care in their own homes, or in appropriate accommodations, for their elderly relatives.

Recommendation XVII.—Property tax exemption for nonprofit housing sponsors

The Federal Government shall provide financial incentives to State and local governments to encourage property tax exemption of voluntary, nonprofit sponsored elderly housing projects.

Recommendation XVIII.—Assistance for home maintenance

The inability of the elderly to financially maintain their homes because of high maintenance cost and increasing taxes resulted in the recommendation that interest-free, nonamortized loans be made available, the amount of the loan to be related to income, with repayment either upon the death of the borrower or the transfer of the property.

As an additional element of national policy, it is proposed that ways or mechanisms be researched to enable older homeowners to voluntarily utilize the equities in their homes to increase their discretionary income while remaining in their own homes.

Recommendations XIX, XX, XXI.—Government organization for housing

(XIX) Congressional action shall be taken to establish within the Department of Housing and Urban Development an Office of Assistant Secretary of Housing for Elderly. This office shall have statutory authority and adequate funding to provide overall direction toward the implementation of a national policy and the production of housing for the elderly.

(XX) Executive action shall be taken to create an Executive Office on Aging within the Office of the President.

(XXI) Congressional action shall be taken to create a Special Committee on Aging in the House of Representatives.

Recommendation XXII.—Protection for elderly homeowner

The Congress shall enact legislation to safeguard the elderly property owner or purchaser from unscrupulous real estate developers and/or promoters.

Recommendation XXIII.—Housing for rural and Indian elderly

The Congress shall enact legislation providing special funds for adequate housing and supportive programs to meet the unique needs of rural elderly Americans, including those on Indian reservations.

Recommendation XXIV.—Housing standards

Standards for physical and environmental security should be developed and applied as an integral and basic element of all housing projects serving the elderly.

Recommendation XXV.—Housing research and training

Competent service to the elderly in housing requires sound research widely disseminated and utilized, covering many aspects of their living arrangements. Such research shall be undertaken to cover the health, physical, psychological, and social aspects of environment in urban and rural areas; to delineate the needs of elderly over 80 years of age; to determine the needs of transient elderly; to establish the importance of selecting appropriate locations; and to provide safe and adequate construction. Particular attention is directed to the consequences to vulnerable older people of improper sales methods and inadequate housing arrangements. There also shall be undertaken a well-conceived and well-financed program of training for professional and semiprofessional staff to develop efficient and competent management in developments for the elderly.

KEMPER HONORED BY NATIONAL COUNCIL ON ALCOHOLISM

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. CRANE. Mr. Speaker, on May 2, James S. Kemper, Jr., president and chief executive officer of Kemper Insurance and Financial Cos. received the Gold Key, the National Council on Alcoholism's highest award.

It gives me great pleasure to extend congratulations to Mr. Kemper who has long been a leader in the effort to fight the disease of alcoholism in this country.

Jim Kemper has been a member of the board of directors of the National Council on Alcoholism since 1959 and, while he has been active in all phases of NCA's operations, his most recent contribution has been in the area of health insurance coverage for alcoholism.

At one time alcoholism, not considered the illness which it is, was excluded from standard health insurance policies. Today, as a result in part of the efforts of Jim Kemper, many major plans

throughout the country include coverage for alcoholism just as they do for other diseases.

Under Jim Kemper's leadership, Kemper Insurance has been a pioneer in the development and utilization of effective corporate programs dealing with the rehabilitation of alcoholics, as well as with other drug abusers. In 1973, his companies were the first to extend coverage for alcoholism care under group accident and health policies to State licensed alcoholism treatment centers. Alcoholism care in hospitals has been part of Kemper health policies for many years.

It has long been Jim Kemper's belief that American business cannot thrive in a vacuum. Only in a healthy and strong society can business achieve its real potential, and only by assisting men and women to do the best which their abilities will permit can our society fulfill its real promise. To help to make our society a healthy one, Jim Kemper has served in many different capacities, including service as a member of the Department of Health, Education, and Welfare's National Advisory Council on Alcohol Abuse and Alcoholism.

In the past, only seven Gold Key Awards have been made in the 30-year history of the National Council on Alcoholism. Previous recipients have been Alcoholics Anonymous, the late E. M. Jellinek, the late Raymond G. McCarthy, R. Brinkley Smithers, Mrs. Marty Mann, Senator HAROLD HUGHES, and Mercedes McCambridge.

A free society is only as decent a place as the men and women who make it up. Jim Kemper has been a real source of such strength, dedication, and civic mindedness and he is to be congratulated for a job well done.

THE HERO OF HUNGARY

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 29, 1974

Mr. ZWACH. Mr. Speaker, Josef Cardinal Mindszenty is truly a pillar of the ideals of individual freedom that we, as Americans, cherish.

Ordained in 1915, Cardinal Mindszenty's private life is one of meditation, prayer, and fasting. His public life is a constant struggle against fascism, communism, and atheism.

His campaign against communism began in 1919 against the terror tactics used in the first move toward the foundation of a commune in Hungary.

During World War II, he was one of a few priests arrested and jailed for his anti-Nazi sermons and letters and his intercessions on behalf of the persecuted Jews.

His fight against communism continued shortly after the war when he was named Prince Primate of Hungary. He was offered free passage to the West by the Communists but preferred to remain in Hungary, despite his full understanding that his decision would probably cost him his life.

He was arrested on December 26, 1948, by the secret police and imprisoned until he was freed by rebels in 1956.

He gained asylum with the U.S. Mission in Budapest where he remained for 15 years. He refused to leave his flock. He believed it his duty to remain in his homeland.

He finally agreed to the will of the Vatican and departed from Hungary in September of 1971. His departure marked the beginning of coexistence between the Roman Catholic Church and the Hungarian State. Cardinal Mindszenty's departure and dethronement was a psychological gain for the Communists in attaining their goal of complete dominance over the lives of the Hungarian people. This fact was certified by a statement from the Hungarian Freedom Fighters Federation expressing their dismay at Cardinal Mindszenty's removal.

I ask that you, my follow colleagues, join me in honoring this stalwart hero of freedom and personal dignity.

ARTHRITIS PREVENTION, TREATMENT, AND REHABILITATION ACT

HON. GARNER E. SHRIVER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. SHRIVER. Mr. Speaker, today I have introduced legislation designed to expand and improve the treatment received in this country by the more than 20 million people who suffer from arthritis. As more and more of our resources are directed toward health research, it is important that the Nation's No. 1 crippling disease not be forgotten.

Arthritis costs the American economy over $9 billion each year in lost wages, disability benefits, premature deaths, medical expenses, and lost tax revenues. More important, arthritis costs millions of Americans many hours of suffering from pain and disabilities. For many, the retirement years which should be rewarding have become filled with anxiety and discomfort. Many younger persons are also affected.

At present, less than 1 percent of the budget of the National Institutes of Health is used for arthritis research. The Arthritis Foundation estimates that there are approximately 50,000 arthritics in the Fourth Congressional District of Kansas which I represent and a similar number in every other congressional district. I am certain that to these people the expenditure of $18 million of a total NIH budget of nearly $2 billion is inadequate for arthritis research.

My bill would upgrade research activities aimed at finding better ways of treating and preventing arthritis and rehabilitating arthritics. It would strengthen research programs and provide training opportunities to encourage physicians and allied health personnel to enter the field of arthritis research. A National Commission on Arthritis and Musculoskeletal Diseases would be set up to develop a long-range arthritis plan, similar in purpose to the national cancer plan.

There must be a concerted effort to end this major disabling disease, and I urge that action be scheduled on this bill by the Public Health and Environmental Subcommittee of the House Interstate and Foreign Commerce Committee.

MODIFIED OPEN RULE

HON. GILBERT GUDE

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. GUDE. Mr. Speaker, the House will shortly have before it the Oil and Gas Energy Tax Act of 1974. Consideration of this measure provides us with an important, even historic, opportunity not only to restore a measure of tax equity long laid aside, but also to strike a blow for openness and democracy in House proceedings. By that I refer to the modified open rule which the Democratic caucus has instructed the majority members of the Rules Committee to approve.

It has long been recognized that complex tax bills could not be fairly dealt with under a completely open rule, that such a procedure enables bills to become "Christman trees" decorated with special interest ornaments and only a bit of tinsel in the way of reform.

It is also clear, however, that a closed rule is contrary to democratic principles and frequently thwarts the will of the majority of the Members. A closed rule gives to the committee which authored the bill sole power in determining vital legislation of interest to the whole country. It is undemocratic in the extreme that other Members of Congress should have no influence on the development of such legislation except through their "yes" or "no" vote on the finished product. A fair and progressive compromise between these two extremes is the modified open rule permitting certain amendments announced in advance.

This procedure allows all Members to consider important legislation on the merits of each of its parts rather than as a whole, and it gives committee members who may have lost a vote in committee an opportunity to take their case to the whole House.

The justice of such a rule is clearly illustrated in the vote of the Democratic caucus to instruct the Rules Committee to permit votes on the Green and Vanik amendments to H.R. 14462. The Green amendment would provide for an immediate end to the oil depletion allowance rather than the phase-out called for in the bill, and the Vanik amendment would change the tax credit on foreign produced oil to a regular deduction and eliminate the deduction on intangible drilling costs. It makes no sense whatever that all Members of Congress should be denied an opportunity to vote on two fundamental amendments to a landmark piece of legislation.

I support the amendments in question and with them attached I support the

bill, but more importantly, I support the rule which would permit consideration of these amendments. Opening committee doors to the public is an important step forward which to the credit of the House, it has largely made, but it is not enough. We must also open House procedures to the will of the majority, and I urge all Members, regardless of their positions on the Green and Vanik amendments, to support a modified open rule on H.R. 14462 and to permit free and open debate to take place.

PUERTO RICAN GOVERNOR CALLS FOR CLOSE PERMANENT TIES WITH UNITED STATES

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. HARRINGTON. Mr. Speaker, the relationship between the Commonwealth of Puerto Rico and the United States is an evolving one, dynamic not static, and not immutable to change. Since the establishment of this unique governmental compact in 1952, the arrangement has been subject to reevaluation so that it could better reflect the needs of both parties to the compact.

In an effort to achieve a stronger bond between two friendly governments, an Ad Hoc Advisory Group on Puerto Rico, whose members were appointed by the President of the United States and the Governor of Puerto Rico, has been reexamining this compact. It was before this committee that the Governor of Puerto Rico, the Honorable Rafael Hernandez Colon testified, and his views were inserted in the May 3, 1974, CONGRESSIONAL RECORD. I commend his remarks to the attention of my colleagues, and want to assure the Governor that his ideas will receive serious consideration from those of us in the U.S. House of Representatives who have the welfare of the people of Puerto Rico very much in mind.

Mr. Speaker, I would like to insert in the CONGRESSIONAL RECORD an editorial from the May 10, 1974, Christian Science Monitor which points out the importance of Gov. Hernandez Colon's statement before the Ad Hoc Advisory Group on Puerto Rico:

PUERTO RICO'S MATURING STATUS

All United States federal legislation, under current procedure, automaticaly applies to Puerto Rico unless the Caribbean island is specifically exempted. Puerto Rico's Gov. Rafael Hernandez Colon wants to change this arrangement, automatically excluding the island unless it is purposely written into legislation before Congress.

This is only one of a number of steps that Governor Hernandez Colon mentions as "needed revisions" in the commonwealth arrangement under which Puerto Rico is linked to the U.S. These revisions add up to a plea for "local control over matters fundamentally local in nature."

They amount to a call for greater self-government, more autonomy for the sun-drenched island in the Caribbean. But Governor Hernandez Colon is quick to say he wants no loosening of ties with the U.S. Those ties, he said recently, are "a unique experience in interdependence . . . many decades ahead of its time."

The overwhelming majority of Puerto Ricans, at least 95 percent, favor retention of the ties. But this majority also supports revisions in the arrangement and Governor Hernandez Colon is obviously on solid ground when he makes his new plea. If implemented, the changes he seeks would recognize the vastly different requirements of Puerto Rico and the U.S. Economic differences, for example, between the crowded, resource-poor island with 875 people per square mile and a huge, wealthy continental nation with only 57 people per square mile result in dissimilar problems and solutions.

Without representation in Congress, Puerto Rico has long found that many decisions produce policies which, while beneficial to the mainland, are inadvertently detrimental to the best interests of the people of Puerto Rico. For this reason, there is much logic in what Governor Hernandez Colon seeks. The ad hoc U.S.-Puerto Rico committee now looking into the commonwealth arrangement ought to weigh his words carefully and come up with recommendations aimed at meeting the problems he mentions..

PATIENT REFERRAL IRREGULARITIES

HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. ROYBAL. Mr. Speaker, the results of several recent studies have indicated that some doctors have not always had the health of their patients in mind when they have prescribed treatment or medication. It has been alleged in one study that 20 percent of all operations were unnecessary for the patient's well-being. Another found that doctors have prescribed unnecessary drugs and required excess visits for their medicare and medicaid patients. Since these reports have been made public, steps have been taken to correct these practices.

However, recent developments have demonstrated that there is another pernicious practice known as "patient selling" being carried out in some of our largest cities. Some private community hospitals, funded by groups of doctors, are finding it difficult to fill their beds and operate at a profit. They have, therefore, contracted with doctors to pay a referral fee or kickback to any doctor who refers a patient for treatment. This has led some doctors to refer healthy patients to hospitals for costly stays or minor operations that were not necessary. The referring doctor takes his fee, the hospital charges exorbitant rates for unnecessary services and the patient often faces financial ruin without receiving meaningful health care.

Today, I have introduced a bill which represents a partial solution to the problem. My bill would prohibit hospitals which receive Federal aid from compensating physicians or other people for referring patients for treatment. The Secretary of HEW is charged with making regulations for the enforcement of this policy.

My bill, however, cannot reach the totality of the problem. Many of these private community hospitals do not depend on Federal support and will remain outside the purview of the statute. Currently, some 17 States have statutes which prohibit fee splitting by physicians. I am hopeful that when the "patient selling" problem is aired at hearings on my bill, other States will also act to prevent this pernicious practice.

WATERGATE—REQUIEM FOR A PRESIDENT

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. DERWINSKI. Mr. Speaker, we do recognize that here in Washington, the press is not truly representative of the thinking across the country as a whole.

I do believe that their views, especially the obvious personal attacks toward the President, are not shared by all the press across the country.

As an example of this belief, an article by Ted Weckel in the Oak Lawn-Evergreen Park News of Thursday, May 23, gives his personal views on the impeachment issue:

WATERGATE—REQUIEM FOR A PRESIDENT

(By Ted Weckel)

As I sat watching "The Making of a President" last week on my local TV outlet, namely my family room couch, I could not help from reflecting how far a man could come back from adversity and conversely how far a man could sink to the brink of ruin, all within a decade.

For those of you who were not privileged to have viewed the show, it was the documentary of John F. Kennedy's campaign for the Democratic nomination for President, as well as his campaign for President against R. M. Nixon in the memorable election of 1960, I am referring, of course, to one Richard M. Nixon, our now embattled President elect who is not only fighting for his political life but who well may be serving, as our president, his last few months in office.

Tomes of words have been written about the many faces of Dick Nixon. Most of which our readers are more than familiar with, but where did it all start and why did he allow it to happen. These are the questions that are uppermost in the nation's minds. This writer, being a neophyte in the great game of politics, will not speculate on the why's or how's of Watergate, for I will leave these observations and comments to the professionals who make a living at their trade.

I would like, if I may, to take a quick look at the human side of our President. Yes, good people, he is a human being just like you and me and I think the humaness of our President has somehow been lost in the overwhelming lust for certain factions of our nation who are seeking to destroy not only the man but the office of President as well.

Unfortunately for President Nixon, and for those who will follow, our political system is not that sophisticated that any one man can possibly control the myriad of committees and their particular functions on an "in depth" capacity, that surrounds the highest office in the land. Consequently, due to the humaness of any President, he must choose and select people who he believes will operate their particular segment of a campaign in an honest and forthright manner. Now, no matter how sage a human being may be, the margin for error in judgment in selecting a number of "bad apples", in this vast

multitude of workers, is extremely prevalent. Needless to say, in the "Watergate Horror", this has never been more evident.

Now the question has been posed—so many, many times—can a President be held accountable for the actions of these "Bad Apples" that have been "caught with the goods"? But let's take that supposition a wee bit further. Can any President be held accountable for being "caught in the act" of a system that we, the people of the U.S. of A. have created? How many public officials have not been caught. That is the question. How can we as a nation, and more specifically, the "uncaught" public officials now have a "Holier Than Thou" attitude, when the quarters and dollars are still hanging from the sides of their mouths from their daily trips to the trough. No—two wrongs don't make a right and I hope they never will, but all of this self righteousness and "goody-two-shoes" attitude that is being displayed by the politicians on both sides, as well as the Press and Television, just has to be the height of hypocrisy.

I somehow feel that Mr. Nixon, at this point in time, is "Taking the Pipe" so to speak, for all of the past Presidents' sins and errors, from good old George Washington down to L.B.J. I somehow get the feeling that we are all about to witness an old fashioned lynching. The unruly and unthinking crowds, worked up to a fever pitch, are about to take the prisoner from the jail, throw the rope over the old Oak tree and proceed with the hanging. After it is all over, the crowds look in sullen silence, hang their heads and shuffle off, each to their own thoughts. Most wondering whether it was the right thing to do.

I will not sit in judgment of Dick Nixon, for some day all of us will be judged on our own individual merits, from the leaders of the world to the lowest caste of India. All will be judged accordingly and in their proper perspective. But for those who cry "Impeach, Impeach"—let them cast the first stone—but perhaps a more proper epitaph for the Presidency of Richard M. Nixon might read—"Father forgive them—for they know not what they do".

PERSONAL STATEMENT

HON. PETER A. PEYSER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. PEYSER. Mr. Speaker, because of the concern with the financial status of all public officials expressed by the media as well as certain public groups, I am disclosing at this time pertinent segments of my 1973 income tax.

My total earned income for 1973 was $58,152.32. This is a decrease from my 1972 income of $3,186.88. Fourteen thousand nine hundred and thirty-nine dollars comes from life insurance renewals—renewals represent a deferred commission on life insurance policies that I sold prior to becoming a Member of the U.S. Congress. The earnings on these renewals will decrease every year. I earned $710 in honorariums. In Federal, State, and local taxes I paid $15,621.39. I contributed $925.65 to charity. Due to a change in the tax regulations, I had to report on my tax form the amount of money contributed to the 23d Congressional District educational fund. This figure added $10,500 to my total income. All of this money, with the exception of $4.58, was spent for services to the district such as newsletters, et cetera. I had personal expenses directly related to my job as a Congressman—namely the maintenance of an apartment in Washington while my family still lives in our home in New York, food, travel, et cetera—of $5,500 for which I am not compensated. I do receive a $3,000 deduction from my total income for my expenses incurred living in Washington. I own no tax free bonds or other securities. I have filed a full report of my earnings and sources of earnings with the Clerk of the House every year I have been in Congress.

"COOKIE" GOSPODARIC NAMED UNICO CITIZEN OF THE YEAR

HON. GEORGE M. O'BRIEN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. O'BRIEN. Mr. Speaker, I would like to publicly congratulate Frank J. "Cookie" Gospodaric, a gentleman from my hometown of Joliet on being named 1974 Citizen of the Year by the Joliet Chapter of UNICO.

No one deserves this honor more than "Cookie," as he is affectionately known. His generosity and outstanding service to the community over the years have won him friends throughout Joliet and the country. UNICO stands for unity, neighborliness, integrity, charity, and opportunity and there can be no doubt that "Cookie" embodies all those qualities, although he would be the last to say so.

I would like to take this opportunity to submit for the record an article that ran in the Joliet Herald-News describing the award presentation and I would also like to congratulate Miss Patricia Baron, who was UNICO's 1974 scholarship winner.

The article follows:

ONE OF GREATEST MOMENTS: GOSPODARIC

Unpretentious as always, and with a catch in his voice, Frank J. "Cookie" Gospodaric, honored Sunday night as UNICO's 1974 Citizen of the Year declared "I feel this is one of the greatest moments of my life."

Insisting that others were more deserving of the award, he told the overflow audience of some 600 "Through you I became somebody." He accepted the engraved trophy presented to him by UNICO president Ralph Bada "in the name of the community as well as myself."

Miss Patricia (Pat) Baron, an honor student at Joliet West, shared honors with Gospodaric at the 18th annual dinner-dance program of the Joliet Chapter at the Sheraton-Joliet Motor Inn. She is the chapter's 1974 scholarship winner. The honor student, who is enrolled in the Loyola University School of Nursing in Chicago, was presented with a $1,000 scholarship. Paul Trizzino, vice president, made the presentation.

Pat, poised and with her brown eyes sparkling, expressed gratitude to the selection committee and to her teacher and counselors at West. "I'll do the best to bring credit to UNICO, to Joliet West and to the nursing profession," she pledged.

Her widowed mother, Mrs. Helen Baron, accompanied her and was a special guest.

Toastmaster Louis R. Bertani ushered in the program with the observation "Where but in America would an Italian service club honor a Slovenian as Man of the Year and give a scholarship to a young lady of Ukrainian descent."

Two surprise awards were made to Gospodaric during the program. Frank Lewandowski, representing the Retail Liquor Dealers of Will County and Area 36 presented him with a plaque denoting his friendship and the generosity to the dealers. The plaque notes that "no person is ever honored for what he received but for what he gives."

State Rep. Harry Leinenweber presented Gospodaric with a copy of House Bill 897 as adopted by the Illinois House of Representatives May 14 honoring him for the Man of the Year designation and outlining his many community accomplishments during the last 50 years.

It was Bill Lipsey, the 1973 Man of the Year, who presented the "unpublished accomplishments" of Gospodaric which qualified him for the 1974 honor. He used UNICO's theme in his litany of performances, stressing that "Cookie is a very humble person."

Lipsey told of the Unity in Gospodaric's family and its close-knit relationship.

N, he said, stands for neighborliness and noted that Cookie has friends all over the United States. He also declared that the honoree is "miserly when it comes to friends. He makes new ones but never forgets the old ones."

I, said Lipsey is for integrity and stressed that not once was Gospodaric's integrity questioned. "He is above reproach," added Lipsey.

C is for charity and he proceeded to tell of several of Cookie's charitable deeds with Cookie requesting that they be given no publicity. "This is the truest form of charity," said Lipsey.

"O is for Cookie's uncanny ability to recognize opportunity, to assess situation for what it is and turn a liability into an asset." "He makes his own opportunities," said Lipsey.

In his response Cookie mixed his usual wit with his informal remarks, some of which he tried to read but quickly abandoned for "off the cuff remarks."

In a serious moment he commended UNICO for "its wonderful work." He paid tribute to Miss Baron, the scholarship winner and commended the club for awarding such a scholarship. "It's wonderful for the community and it has earned you the respect of the community. UNICO is wonderful," he concluded in expressing his gratitude for the honor.

In the audience were princes of the church, federal and circuit jurists, professional people and men and women from all walks of life.

AN IMPORTANT OPINION

HON. STEWART B. McKINNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. McKINNEY. Mr. Speaker, amidst the variety of opinions on the legalities and practicalities of recent events, I believe a clear and well-reasoned position on the subject of Presidential resignation merits our attention. The following editorial, broadcast by Mr. Ray Colonari, vice president and general manager of WICC radio, Bridgeport, Conn., reflects a view with which some may not agree but which must be presented to appraise the public of both sides of this important

issue. Especially now, when it is so necessary for the public to be informed, the press and media are charged with the responsibility of delivering the complex facts of today's news to a large and diverse audience. I think WICC, and Mr. Colonari, serve the people of Connecticut's largest city well in this capacity.

The editorial, broadcast May 16, follows:

WICC hopes President Nixon does not resign. The arguments made that he should, do not outweigh the reasons why he should stay on as the possible impeachment process determines his guilt or innocence. For him to resign now would leave major questions unanswered. We have seen government turnovers recently in England, France, Israel, Denmark, West Germany, in most cases because the people or the elected governments took issue with the failures of the various administrations' policies. In this country Presidents are elected to serve for four years with the voters given the oportunity to make the choice for the next four years. We do not think the future will be served by the establishment of a precedent whereby an extremely unpopular President is houndetd out of office. Both the President and the country are due a complete and public airing of all the facts.

NATIONAL RADIO MONTH

HON. GUS YATRON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. YATRON. Mr. Speaker, May has traditionally been recognized as Radio Month throughout the United States—a fitting time during which to reflect on the important role played by radio in our lives.

Today, the manager of the local radio station is an integral part of the community. Like any small businessman, he must battle the encroachment of Federal Government into our lives. He must recognize the relation of the major issues and current events to everyday living. And, he approaches these problems with objectivity and compassion.

He is usually his own program director, sales manager, and many times, chief announcer and news director—quite an extensive list of responsibilities. The radio station manager belongs to virtually every service organization in the town and he is involved with his community in a very personal way.

Perhaps the most significant aspect of the small station operation is the vital role it plays in public service.

Whenever there is an emergency in the town, when disaster or tragedy strikes, the record of local radio stations is unparalleled and impressive. It is a record of service to which the entire broadcasting industry can point with pride.

In our complex society, the local radio station provides not only a bridge to reality and information, but a door to life itself—to the world in which we live and to the problems, needs, and achievements of people. When disaster occurs and modern science is often incapable of providing immediate solutions, we can look to the radio and its public services to the community.

No better example exists than the quality and character of public service performed by Pennsylvania stations during the flood disasters of hurricane Agnes in 1972. With unselfish dedication—and I have firsthand knowledge that this is so—local radio stations went about the business of broadcasting warnings, helping to protect life and property, and offering encouragement.

Radio was the only link between flood victims and the rescue operation in most cases.

On a day-to-day basis, the station manager is an actual part of every local event, large or small, as well as a part of national and international matters. He knows his business and is aware of his responsibilities to the community. The station manager responds to the needs of the people. Unfortunately, his achievements sometimes go unrecognized, even in his own community.

In the Sixth District of Pennsylvania—Berks, Schuylkill, and Northumberland Counties—we have an unusually outstanding group of radio stations. They provide civic and cultural direction and I am honored to list these stations below.

It is a privilege to commend their outstanding work to the attention of my congressional colleaguues.

Radio—disseminating information to the people, offering enjoyable entertaining, and providing responsible reporting. A window to the world.

Radio stations in Pennsylvania's Sixth Congressional District:

BERKS COUNTY

WEEU Broadcasting Company, Reading.
WRAW Radio, Reading.
WBYO Radio, Boyertown.
WHUM Radio, Reading.
WRFY-FM, Reading.

SCHUYLKILL COUNTY

WAVT Radio, Pottsville.
WPPA Radio, Pottsville.
WZTA Radio, Tamaqua.
WPAM Radio, Pottsville.
WMBT Radio, Shenandoah.

NORTHUMBERLAND COUNTY

WMIM Radio, Mount Carmel.

SUPPORT FOR CUYAHOGA NATIONAL PARK CONTINUES

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. VANIK. Mr. Speaker, the distinguished chairman of the House Subcommittee on Parks and Recreation (Mr. TAYLOR) has scheduled a field hearing for June 8 for further consideration of H.R. 7077, a bill to create the Cuyahoga Valley National Historical Park and Recreation Area in Ohio. That bill, now with 48 House cosponsors, will preserve up to 20,000 acres of undeveloped land between Cleveland and Akron.

The Cuyahoga Park has enjoyed wide support from all aspects of the community. The Cleveland newspapers, including the Cleveland Plain Dealer, have consistently supported the park and have given excellent coverage to both House and Senate legislative deliberations.

I would like to include in the RECORD the Plain Dealer's latest editorial, published May 29, in support of the park. The editorial follows:

WHY OHIO NEEDS CUYAHOGA PARK

Since 1965 the state of Ohio has committed $125 million to acquiring parklands and developing them for use. But even counting public parks now owned by the state, Ohio is still one of the five states with the lowest ratio of parks to people.

The federal government has attempted to use the state's relatively new dedication to improving outdoor recreation as an argument against designating the Cuyahoga River Valley as a national historical park and recreation area. The state, says the federal government, already is doing a splendid job of buying land in the valley under a 50–50 funding program with the federal government.

The federal position conveniently overlooks a report by the National Park Service in 1972 that emphatically recommended federal park status for the Cuyahoga Valley area to preserve it against imminent threats to its rural, semiwild nature. If the state perseveres in buying land in the valley under the 50–50 arrangement, it is estimated that 20 years will be needed to acquire the proposed park area. By that time irreparable changes may have been made in the landscape.

It cannot be argued either that local effort is a criterion that the federal government has used in the past in establishing national park sites. Of the other four states at the low end of the park-per-person scale, Texas has three national parks, North Carolina has two, plus national forests, and Massachusetts has one. Only Rhode Island, the smallest state has none, but four national parks are closer to its residents than any are to Ohioans.

Ohio is the sixth largest state, and with Indiana, Illinois, Michigan and Wisconsin is in an area where one-fifth of the total population of the nation is concentrated. Yet Ohio has no national park, and only 1 percent of all federally administered recreation areas are located within the five-state region.

The National Park Service controls 24,560,000 acres nationwide. If each state had an equal share, Ohio would have 491,213 acres of national parks. That is not how national parks are established, and it should not be a factor. But it is true that Ohioans must travel long distances to use the national park system.

A congressional committee will be in the valley, at Blossom Music Center, June 8 for a hearing on the proposed national park. The Plain Dealer knows that committee members will be deeply impressed with the beauty of the area and urges all those who want the park to become a reality to attend the hearing and register their support, either as witnesses or by written statements.

THE LANGUAGE PROBLEM

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. RANGEL. Mr. Speaker, it is difficult to comprehend the disillusionment experienced by a frightened child who is believed by his teachers to be retarded. This is the plight of many monolingual Spanish-American youngsters. When a student is branded as ignorant, his self-esteem falters; with this, goals and expectations diminished.

This tragic cycle of failure and frustration must be broken. Bilingual education is a viable solution but has not re-

ceived the support it deserves. I would therefore like to submit for the attention of my colleagues, the following newspaper column by Jose Torres which recently appeared in the New York Post. It illustrates the kind of success that can be realized by bilingual education projects:

THE LANGUAGE PROBLEM

(By Jose Torres)

Have you heard about the Puerto Rican boy who couldn't speak a word of English, went to school here and, when he reached the fourth grade, was officially branded retarded.

In the first grade, Raulito's (not his real name) teacher said he was too slow; in the second grade, he was considered ignorant; in the third grade, the teacher said he was stupid; and, before he completed the fourth grade, Raulito was sent to an institution for retarded children.

Then, by sheer accident, broadcaster Geraldo Rivera discovered this young boy. Not only did he find Raulito not to be retarded, to the contrary, he thought Raulito was a highly intelligent child.

What had happened to Raulito was simply that he couldn't communicate, and nobody bothered or was able to find out why. He had been a victim of his language—Spanish.

Raulito's case is not an isolated one. It has happened to other Puerto Ricans. That's why there are so many Puerto Rican dropouts from our public schools. And there are implications which go beyond the teacher-student relationship, which affect Puerto Rican homes.

To illustrate: There is a fiery struggle by many Puerto Rican educators to convince the school system to certify bilingual programs in public schools. Paradoxically, many Puerto Rican parents are against it. And many of these parents who oppose bilingual education, it should be noted, themselves can't speak English.

Non-Puerto Rican authorities are puzzled by this, and Puerto Ricans involved in the school system are trying to convince parents of the Puerto Rican child's need for bilingual education.

The problem, as I see it, is psychological but not all that complicated. These Puerto Rican parents see their own language as a barrier, an enemy, the English language as their nemesis. It's the reason for their poverty, their social status.

It's not a strange thing for a Puerto Rican mother to tell a neighbor in Puerto Rico, "My son speaks English," as a sign of intelligence and superiority.

In Raulito's case, he began as a slow student and wound up as "stupid." Doubtless, his IQ shrank as he advanced in grades. Understandably, learning the English language became more difficult as he moved up through the grades.

To prevent more Raulitos, more dropouts, things are being done by Puerto Ricans within the school system. I've visited many schools where bilingual experiments are taking place. I've seen the determination of many young Puerto Rican teachers who see bilingualism as a must for the thousands of Hispanic children who flood our schools.

Annette Fuentes is a teacher at CS 211, the Bronx school involved in bilingual education. She is a Puerto Rican mother with muscle in her words, proud of her heritage, determined to advance her people. And she is not alone.

With her in the struggle are 39 other teachers and principal Carmen Rivera, also Puerto Rican. They have 600 students in 23 bilingual classes. Although the children are mostly Puerto Rican, they have black classmates who are learning the Spanish language of their neighbors.

"This unique and innovative school program," said Carmen Rivera, "offers all its children the opportunity to learn a second language—English to the Spanish-dominant and Spanish to the English monolingual and bilingual children. In addition, there is the commitment to maintain, strengthen and develop the children's vernacular skills—Spanish for the Spanish-dominant and English for the English-dominant."

Walking with Annette Fuentes through the three-story mattress warehouse-turned school building, she showed me the classes the innovative teaching methods, the children's interest.

But the school faces serious problems. Located in District 10, it serves children from District 12, so 50 per cent of its pupils are bused in while many of the others walk long blocks to school. The school must also maintain a roster of 750 children to qualify for federal funds.

"In September," Annette Fuentes said, "District 12 is opening four new community schools, none of them bilingual. This could mean the end for us."

The implication is that since CS 211 pupils are from District 12's area, their parents may elect to send them to the new schools within walking distance rather than continue busing them in. I have talked with community leaders throughout the city, asked them to look into the situation. It would be tragic if CS 211's work should go down the drain.

NS "SAVANNAH" TO BE USED AS MODEL FOR TANKERS

HON. BO GINN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. GINN. Mr. Speaker, in its work to seek the answers to the many problems that confront our Nation, the Congress often funds pilot projects and demonstration programs to test new ideas. All too often these programs sink into oblivion. But on occasion they set the stage for a revolutionary new approach to needs of the present and demands of the future.

The Congressional program that led to the construction of the nuclear ship *Savannah* in 1962 was such a program. This great ship was the testing ground for the feasibility of nuclear-powered merchant shipping. The NS *Savannah* itself has been retired now after completing its mission of proving the promise of nuclear power for commercial vessels. It rests now in Savannah's harbor in my district.

With the energy crisis and the spiraling cost of petroleum our Nation's merchant fleets are searching now for new fuel sources. They are looking to nuclear power, and thanks to the NS *Savannah*, the answer to their search is near at hand. On May 22, George P. Livanos, president of Seres Shipping, Inc., announced his intention to build nuclear-powered tankers using the technology learned through the NS *Savannah*.

This is a dramatic development for all Americans, and I would like to share with my colleagues an excellent article concerning Mr. Livanos' plan. The story was written by Ms. Barbara Dlugozima, one of the outstanding staff writers of the Savannah Morning News-Evening Press. I would also like to include in the RECORD a copy of Mr. Livanos' statement of May 22.

The article follows:

"SAVANNAH" TO BE USED AS MODEL FOR TANKERS

(By Barbara Dlugozima)

An American shipping company executive announced here this morning his firm has made application to build three nuclear-powered oil tankers using the Nuclear Ship Savannah as a model.

George P. Livanos, president of Seres Shipping Inc. of New York City took the occasion of National Maritime Day, which is today, to make announcement on board the N.S. Savannah.

He said that hopefully by May 29 his firm will have applied to the U.S. Maritime Administration for permission to construct three ultra-large crude-oil carriers of 600,000-ton capacity.

The vessels—he referred to them as "super nukes"—will enter service in the early 1980s and will fly the American flag and be manned by American crews.

"NOT DEPENDENT"

Livanos said the purpose of the ships will be "to demonstrate to the world that the United States is not dependent on the energy resources of other nations to power the vessels required for its ocean commerce."

He predicted that the tankers will be money-making, saying this is also a purpose of the venture.

$40 MILLION

The cost of the nuclear plant on each ship will run as high as $40 million.

In making the announcement, Livanos said he wants to see that America does not slip back into the "mediocrity" in shipping, that he said the nation experienced in the late 1960s.

He noted that the N.S. Savannah proved that nuclear powered ships, and the atom itself, could be used for peaceful purposes.

He said he was saddened by the fact that the ship is now sitting idle.

He said he envisioned the ship as "the forerunner of a new generation of commercial nuclear ships with capabilities which even Jules Verne would have considered a dream."

He added, "The N.S. Savannah, displacing roughly 10,000 tons, traveled approximately a half million miles, burning only 165 pounds of uranium. Today, as a result of advances in the state of the art which the Savannah made possible we can obtain six times its power output and drive on ultra-large crude carriers of 600,000 tons going ten times around the globe on a single fuel loading."

Livanos said he foresees his ships, if approved by the federal government, helping to ease the gas shortage.

OFF SHORE PORTS

He outlined what he called "the piston theory." He said his ships would load up with oil in the Persian Gulf and bring it (the oil) to offshore ports in this country in the Atlantic Ocean and the Gulf of Mexico for unloading.

In this way the oil carriers would not pose environmental or safety dangers to anyone and "in fact, nobody would see them (the tankers) except at their gas stations they would be paying less for gas."

Accompanying Livanos at the press conference today were Dr. Zelvin Levine, director of the U.S. Maritime Administration Advanced Ship Development Office, and D. L. Crook, director of the National Maritime Research Center in Galveston, Tex.

Levine said the Maritime Administration is eager to get such a venture as the one outlined by Livanos going.

"We are getting pressure right now from people from all kinds of countries who want to buy our capability (using nuclear-powered

vessels). Eventually, we will sell it to somebody, but we want it for the United States first."

TEXT OF PRESS STATEMENT BY GEORGE P. LIVANOS

LIVANOS, SERES SHIPPING HEAD, ANNOUNCES FILING FOR THREE "SUPER-NUKE" TANKERS ON BOARD "NS SAVANNAH" ON NATIONAL MARITIME DAY

MAY 22—America's National Maritime Day—commemorates a truly historic event: On that date, May 22, 1819, the "S. S. Savannah"—the Steam Ship "Savannah"—lifted anchor in this harbor and embarked on a voyage which marked the first major change in man's mastery of the seven seas since Biblical times. After several thousand years of reliance on the power of the winds to drive sails, supplemented by muscle-power on the oars, the "S. S. Savannah", flying the American flag, bound for Liverpool, first harnessed steam for propulsion in ocean commerce.

A hundred and forty three years later, May 22, 1962, this beautiful ship on which we stand today, the "N. S. Nuclear Ship, Savannah", entered the very same harbor of Savannah, in Georgia and thus opened another era in the history of marine propulsion for ocean-going merchant vessels.

The power of the atom, a truly historic accomplishment, was first harnessed through the pioneering efforts of the United States Navy, under the leadership of a great American, Admiral Hyman Rickover. When the submarine "Nautilus" radioed back, "underway on nuclear power", 20 years ago, the atom was first harnessed for warships.

Just as the "Nautilus" was the forerunner of more than a hundred nuclear vessels which fly the flag of the U.S. Navy, on and under the oceans and the great Arctic icecap that cover three-fifths of the earth, the "N. S. Savannah" should have been, and can still be, the forerunner of a new generation of commercial nuclear ships, with capabilities which even Jules Verne would have considered an impossible dream.

Christened by Mrs. Eisenhower, the "N. S. Savannah", displacing roughly only 10,000 tons, traveled almost a half-million miles, entered 46 world ports without accident or incident, burning only 165 pounds of uranium fuel.

Today, as a result of advanced state-of-the-art which the "N. S. Savannah" made possible, we can obtain 6 times its power output and drive an Ultra Large Crude Carrier (ULCC) of 600,000 tons, longer than the World Trade Center is tall, 10 times around the earth on a single fuel loading.

Other nations also have learned the lessons of the American "N. S. Savannah"—indeed, we Americans, with customary generosity, published all of the know-how of the 'N. S. Savannah" for all the nations of the world to use as they saw fit. Germany has built her own "Savannah", christened the "N. S. Otto Hahn", which has been in service as an ore carrier for 6 years, performing perfectly. Japan, too, has built her first nuclear vessel, the "N. S. Mutsu", but she is not yet in service. France, the United Kingdom, Italy, and other maritime nations are actively pushing the development of their first nuclear ships.

The Soviets have a nuclear ice-breaker, the "N.S. Lenin", in service in the Arctic regions, and three more under construction.

But the sobering fact is that there are more nuclear warships today flying the flags of other nations, than American; and in the equally vital area of merchant shipping, the American flag flies only on this mothballed ship, a museum, still not even open to the public.

In light of the worldwide pursuit of nuclear merchant shipping, as we stand here on board this beautiful "Savannah", her reactor dismantled and deactivated, I cannot help but wonder if she is to represent not only our finest hour of maritime history, but also our surrender of the leadership we once held.

Built as dramatic demonstration of President Eisenhower's "Atoms-for-Peace" program, never intended to be economically viable, she wrote "Mission Accomplished" on her primary task of technology and safety and efficiency.

But while the "N.S. Savannah" carried our flag triumphantly around the world, during the decade of the 60s in which she operated, those years were a decade of decline and defeat and surrender for the American Merchant Marine. From our position of Number One in maritime affairs at the end of World War II, the U.S. had declined to the point where, in 1968, we had become an almost insignificant factor in world shipping. Less than 5% of our ocean commerce was carried in U.S. ships in 1968. In short, apathy, default, defeat had replaced the spirit of bold venture that marked two centuries of this nation's history.

I was born in New Orleans, and so I know the meaning of rivers and harbors to the history of America. Today's headlines cloud our heritage, our history, and our future. Wherever we look above the horizons of this beautiful and historic city of Savannah, rich in the culture and the economy of the Old and New South, there is a pall of troubled smoke, swirling up out of these troubled times.

After forty years of bloody entanglement of the wars of the rest of the world, there is the faint glimmer of hope for "a generation of peace"—but a peace that is still so precarious that we must think first of nuclear power for the Navy, before we dare focus a high priority on merchant shipping.

Our own nation is torn with suspicion and passions which have not brought the bloodshed of civil war, but certainly the agonies run deep, as erosion becomes corrosion of our institutions and our ideals.

Militarily, our position as the world's leading power for peace is challenged. In the world economy, our leadership has been eroded, corroded, also as the plight of the American Dollar is linked almost by seismograph to the soaring values of a new currency called, "The Petro Dollar". From crude oil to steel, shortages afflict our affluent society and our "effluent economy".

At such a time, two years away from our Bicentennial, I believe all Americans should face and answer this question:

Is mediocrity—second-place surrender—to become the Spirit of '76?

For me, the answer must be an emphatic "NO!"

And standing here on this magnificent, but mothballed "Nuclear Ship Savannah", I say we still possess the brainpower and the will power—the head and the heart to be first again—certainly in shipping.

Standing here on this first nuclear merchant ship, whose proud name spans the history of steam propulsion, I say that America has the technology to capture on the oceans of the world the same leadership that Made-in-America jet engines gave us in the skies. From the C–47 through the 747, Made-in-America jets provide more than 90% of the airlift for the Free World. Made-in-America "nukes" can match that leadership on the high seas.

And I can report to you that I can feel the reawakening of that American spirit in our merchant marine. From the ebb tide of 1968, there is a distant rumble of a rising force. Strong leadership in Washington—in Congress and the White House—and in the ranks and the leadership of American seamen—from all these sources and resources of American strength of will, came the Merchant Marine Act of 1970, which has stimulated a dramatic revival of American shipbuilding—however, I would remind you that the Act of 1970 is at long last an improvement of the Act of 1936, and there were the 34 becalmed years in between.

Today, we have new shipyard facilities, new types of ships, aggressive Research and Development and—most important of all—we have a growing national recognition that America is a maritime nation.

We have now the highest level of shipbuilding activity in our peacetime history. In maritime affairs, America is on the road back to leadership! I feel it. I know it.

And in that spirit, I want to use this place, and this date—Maritime Day—on board the "N.S. Savannah"—I want to announce a business decision, and I emphasize that word "business" decision:

Whenever possible, I try to make business based on hard facts, free from emotion. The decision that we are announcing today is that Seres Shipping Inc., and its nuclear subsidiary, has applied to the United States Maritime Administration for authorization to construct 3 ULCC tankers—Ultra Large Crude Carriers of 600,000 DWT.

These "super nukes" will be planned to enter service on a piston run between the Persian Gulf and some American offshore superport—still not located or funded, still of undetermined parentage or control.

The Seres super nukes will be built in American shipyards—they will fly the American flag—and they will be manned by American crews. They will seek only the CDS—Construction Differential Subsidy—that applies to conventional ships.

But because the soaring cost of fossil fuels has already crossed the costs of nuclear power, we will seek no Government operating subsidy.

By computer and seat-of-my pants, I know the super nukes will make money—pay good American wages to the best seamen in the world—pay taxes—pay dividends to owners and operators and to the American system of free enterprise and freedom of the seas.

It has been forgotten that the "N.S. Savannah", one-sixtieth the size of the super nukes, was first designed as a tanker; as such, it might have been a profitable ship, in more ways than diplomacy and safety and efficiency.

As an American, I am proud of this beautiful and graceful ship. As a businessman, I am grateful for its pioneering achievements, without which the option of nuclear power would not exist. You, the citizens of Savannah, enjoy and have nurtured a rich maritime heritage, which this ship exemplifies. I salute you for the foresight you have shown in bringing her here to this honorable and still inspiring retirement.

With the support of port cities like Savannah, on the oceans that guard and enrich our East and West, and the great rivers that are vital arteries of our nation, this "N.S. Savannah" will have finally spawned a peaceful nuclear age on the seven seas, and under the American flag!

MEMORIAL DAY

HON. BURT L. TALCOTT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. TALCOTT. Mr. Speaker, the best I read or heard on Memorial Day was a poem first read by Mrs. Elma Dean at the dedication of the Brittany Memorial to Americans who died in World War II:

MEMORIAL DAY

Let them in, Peter, they are very tired;
Give them the couches where the angels sleep.
Let them wake whole again to new dawns fired
With sun not war. And may their peace be deep.
Remember where the broken bodies lie . . .
And give them things they like. Let them make noise.

God knows how young they were to have to die!
Give swing bands, not gold harps to these our boys.
Let them love, Peter—they have had no time—
Girls sweet as meadow wind, with flowering hair . . .
They should have trees and bird song, hills to climb—
The taste of summer in a ripened pear.
Tell them how they are missed. Say not to fear;
It's going to be all right with us down here.

I am grateful to Lewis and Thomas Saltz for republishing this beautiful, timeless poem.

EX-IM BANK'S LOAN POLICY IS UN-AMERICAN

HON. JOHN H. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. DENT. Mr. Speaker, I am sure that my colleagues are aware by now of the extension of $180 million in credit to the Occidental Petroleum Company by the U.S. Export-Import Bank, for the express purpose of financing a chemical fertilizer deal with the Soviet Union.

Certainly we know that this $180 million loan represents the largest such credit ever extended by Ex-Im Bank. But perhaps we have not all been apprised of the current situation of Ex-Im loans, set forth in an article in The Wall Street Journal dated May 24, 1974, just 2 days after the Occidental-Soviet loan was approved.

EX-IM BANK HEAD SAYS LENDING PROGRAM FACES CUT DUE TO RISING INTEREST RATES

WASHINGTON.—Rising interest rates may force sharp cutbacks in the Export-Import Bank's lending program for the rest of this year, the head of the U.S. export-credit agency disclosed.

The chief victims, said Ex-Im Bank Chairman William J. Casey, may be the bank's principal customers, U.S. manufacturers of commercial jet aircraft, which already face steep financial and competitive pressures.

Mr. Casey said that until next January, the Ex-Im Bank may "face a very real prospect" of rejecting "one out of every three or four loans we would have made in the past." He said the recent general escalation in interest rates has brought a surge of applications for Ex-Im Bank loans, which carry a 7% interest rate, much lower than the prevailing rate from commercial banks.

As a result, the bank's loan limit of $3.8 billion for the fiscal year ending June 30 already has been reached, Mr. Casey said. Indeed, he said, the agency already has made or received recommendations from its staff for about $4.8 billion in loans. This means $1 billion in loans will have to be turned down or included in the fiscal 1975 authorization, which Congress hasn't yet cleared.

"Unless next year's authorization is higher than this year's, even wtihout the usual and indeed the necessary increase in exports, we would find ourselves forced to turn down one out of every three or four loans and, if I'm any judge of trends, the reality would be a lot closer to two out of five," Mr. Casey told the Aerospace Industries Association of America, meeting in Williamsburg, Va.

Mr. Casey said the bank hasn't yet decided how it will respond to the loan pressures, although he said it probably will have to reject some loan applications. He said the bank may have to reduce its role in loan-participation or loan-guarantee programs.

He indicated the agency may have to cut the participation in aircraft loans to 30% from 45%, which would increase interest costs to the purchaser of an aircraft to 9.8% annually from about 8.6%, counting the Ex-Im Bank share and the share the purchaser borrows from a commercial bank. This, however, could bring the interest burden on credit sales by domestic aircraft producers "dangerously above" that which Europeans and Japanese competitors can offer.

About 26% of the Ex-Im Bank loans so far this year have helped finance commercial jet exports. At the beginning of this year, the bank had provided $4.2 billion in loans covering the export sales of more than 1,000 commercial jets, valued at about $10 billion. In addition, bank loans of $275 million have been made to help finance the sales of 748 other aircraft.

Mr. Speaker, I will simply add here that Ex-Im Bank's loan policy seems curiously un-American.

CONGRESSMAN DRINAN ENDORSES THE STATEMENTS OF THE COMBINED JEWISH PHILANTHROPIES AND JEWISH COMMUNITY COUNCIL OF METROPOLITAN BOSTON AND OF THE NEWTON CLERGY ASSOCIATION ON ARAB TERRORISM IN THE MIDDLE EAST

HON. ROBERT F. DRINAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. DRINAN. Mr. Speaker, 2 weeks ago people around the world expressed their horror in response to the cold and senseless killings of schoolchildren at the village of Maalot in Israel. Within this outrage, responsible voices were heard to call not only for an end to acts of terrorism but for an end to cooperation with these groups by governments who harbor and protect them.

Mr. Speaker, I urge my colleagues to take note of the eloquent statement on the Maalot tragedy issued by the Combined Jewish Philanthropies and Jewish Community Council of Metropolitan Boston Joint Committee on Mideast Policy. It calls for a comprehensive and active approach by the United States against terrorism and those governments who support it. The text of the statement follows:

The following statement was adopted today, (Thursday, May 16), by the Joint Mid-East Policy Committee of the Combined Jewish Philanthropies of Greater Boston and the Jewish Community Council of Metropolitan Boston.

"Thoughtful people all over the world have been overwhelmed by the barbaric acts perpetrated by Arab terrorists in Ma'alot. Today's strong U.S. criticism of the Arab terrorists' seizure and murder of Israeli school children is not enough. Only two weeks ago, the immoral U.S. vote in the Security Council of the United Nations had the effect of encouraging further Arab terrorist outrages. Ma'alot was the inevitable sequel to Kiryat Shemona and the bitter fruit of the UN vote.

"No government and no people can pretend to moral leadership by condemning only the criminal acts of a few barbarians. The Arab terrorists would not exist or function without the encouragement and support of Arab governments. Lebanon, Syria, Iraq and Libya provide essential training and staging facilities while Saudi Arabia, the Persian Gulf sheikdoms and others enthusiastically finance their crimes.

"Our government must finally recognize these realities. We know to our sorrow that terrorism once condoned knows no boundaries. The government of the United States must forthrightly condemn the actions of Arab governments that support and nourish the criminal activities of Arab terrorists and it must give visible effect to our national revulsion. Our leadership in the cause of world peace demands no less."

In a statement of my own, printed in the May 16, 1974, CONGRESSIONAL RECORD, I was careful to note the need to link the current emerging Middle East peace agreements to a long overdue suppression of terrorism. Since then I have been contacted by many of my constituents urging action in support of Israel and against terrorism. A thoughtful statement, which I have received from Rabbi Terry R. Bard, Rev. Harold Pulley, Rev. Polly Laughland, and Father Robert Connors of the Newton Clergy Association in Newton, Mass., follows:

THE MASSACRE AT MA'ALOT

With indignation and anger we respond to the senseless killings at Ma'Alot, Israel. The members of the Newton Clergy Association demand that the United Nations take action to insure that just and secure borders be guaranteed for Israel, and that any acts of terrorism be treated with the most severe means at its disposal. We call upon all people of good will to come forward and to condemn these inhumane atrocities and to build bridges of conciliation that will eliminate such acts of terrorism and the need for retaliation.

Rabbi TERRY R. BARD,
Rev. HAROLD PULLEY,
Rev. POLLY LAUGHLAND,
Fr. ROBERT CONNORS.

Mr. Speaker, I wish to echo and endorse this sentiment. Let us hope that the United Nations can overcome the black mark it earned by its callous and one-sided reaction to the terrorist attack at Kiryat Shemona with a more positive response.

ENERGY, ECOLOGY, AND ECONOMICS

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. BROWN of California. Mr. Speaker, I highly recommend that every Member of Congress read a recent article by Howard T. Odum, Ph. D., that was published in the January–February issue of Industrial Development. Dr. Odum is a noted ecologist, and is a pioneer in his field. Ecology, as Webster's dictionary reminds us, is the totality or pattern of relations between organisms and their environment.

In recent years we have heard the expressions of frustration from segments of our society that ecology should include economics. Not so frequently we have heard the explanation of how it does. Dr. Odum has done a masterful job of explaining the relationships of energy, ecology, and economics. His views challenge the assumptions of most advocate groups, including many environmentalists. I intend to investigate many of the questions that Dr. Odum raises in his

article, and I urge others to compare their own views with those of Dr. Odum. I insert this extremely helpful article in the RECORD for consideration by others:

[From Industrial Development, January–February 1974]

ENERGY, ECOLOGY, AND ECONOMICS

(By Dr. Howard T. Odum, Environmental Engineering Sciences, the University of Florida)

(NOTE.—Figures referred to in text, are not printed.)

How much does energy really cost us? Tally the tab for extraction and production with the toll on the environment, and the costs may override the benefits, says a noted ecologist. Here, Dr. Howard Odum provides a balance sheet to weigh the true costs of energy against the net value that can be applied to a better quality of life. He explores proposals for the "steady state" as a means to avert catalytic catastrophe in a world that is bankrupting its energy assets.

As long predicted energy shortages appear, as questions about the interaction of energy and environment are raised in legislatures and parliaments, and as energy-related inflation dominates public concern, many are beginning to see that there is a unity of the single system of energy, ecology and economics.

The world's leadership, however, is mainly advised by specialists who study only a part of the system at a time. Instead of a single systems understanding, we have adversary arguments dangerous to the welfare of nations and the role of man as the earth's information bearer and programmatic custodian. Many economic models ignore the changing force of energy regarding effects of energy sources as an external constant; eco-activists cause governments to waste energy in unnecessary technology; and the false gods of growth and medical ethics make famine, disease and catalytic collapse more and more likely for much of the world. Some energy specialists consider the environment as an antagonist instead of a major energy ally in supporting the biosphere.

Instead of the confusion that comes from the western civilization's characteristic educational approach of isolating variables in tunnel-vision thinking, let us seek a common sense overview which comes from overall energetics. Very simple overall energy diagrams clarify issues quantitatively, indicating what is possible. The diagrams and symbols are explained further in a recent book (Odum, 1971).[1]

For example, Fig. 1 shows the basis of production in interaction of fuel reserves, steady energies of solar origin and feedback of work from system's structure. Fig. 1-a is the computer simulation of this model for our existence showing a steady state after our current growing period. As the fuel tank is drained, we return to a lower solar base of simpler agriculture. Simple macroscopic minimodels based on overview of world energy provide the same kind of trend curves as the detailed models of Forrester and Meadows (see Meadows et al., 1972).[2] With major changes confronting us, let us consider here some of the main points that we must comprehend so they may be prepared for.

1. The true value of energy to society is the net energy, which is the yield after energy costs of getting and concentrating that energy are subtracted.

Many forms of energy are low grade because they have to be concentrated, transported, dug from deep in the earth or pumped from far at sea. Much energy has to be used directly and indirectly to support the machinery, people, supply systems, etc., to deliver the energy. If it takes 10 units of energy to bring 10 units of energy to the point of use, then there is no net energy. Right now we dig further and further, deeper and deeper, and go for energies that are more and more dilute in the rocks. Sunlight is also a dilute energy that requires work to harness.

We are still expanding our rate of consumption of gross energy, but since we are feeding a higher and higher percentage back into the energy seeking process, we are decreasing our percentage of net energy production. Many of our proposed alternative energy sources take more energy feedback than present processes. Fig 2 shows net energy emerging beyond the work and structural maintenance costs of energy processing.

2. World-wide inflation is driven in part by the increasing fraction of our fossil fuels that have to be used in getting more fossil and other fuels.

If the money circulating is the same or increasing, and if the quality energy reaching society for its general work is less because so much energy has to go immediately into the energy getting process, then the real work to society per unit money circulated is less. Money buys less real work of other types and thus money is worth less. Because the economy and total energy utilization is still expanding, we are misled to think the total value is expanding, and we allow more money to circulate which makes the money-to-work ratio even larger. Fig. 3 shows the circulation of money that constitutes the GNP in a counter-current to the energy flow.

3. Many calculations of energy reserves which are supposed to offer years of supply are as gross energy rather than net energy and thus may be of much shorter duration than often stated.

Suppose for every 10 units of some quality of oil shale proposed as an energy source there were required nine units of energy to mine, process, concentrate, transport and meet environmental requirements. Such a reserve would deliver one-tenth as much net energy and last one-tenth as long as was calculated. Leaders should demand of our estimators of energy reserves that they make their energy calculations in units of net energy. The net reserves of fossil fuels are mainly unknown, but they are much smaller than the gross reserves which have been the basis of public discussions and decisions that imply that growth can continue.

4. Societies compete for economic survival by Lotka's Principle, which says that systems win and dominate that maximize their useful total power from all sources and flexibly distribute this power toward needs affecting survival.

The programs of forests, seas, cities and countries survive that maximize their systems' power for useful purposes. The first requirement is that opportunities to gain inflowing power be maximized, and the second requirement is that energy utilization be effective and not wasteful as compared to competitors or alternatives. For further discussion see Lotka (1922)[3] and Odum (1971).[1]

5. During times when there are opportunities to expand one's power inflows, the survival premium by Lotka's Principle is on rapid growth even though there may be waste.

We observe dog-eat-dog growth competition every time a new vegetation colonizes a bare field where the immediate survival premium is first placed on rapid expansion to cover the available energy receiving surfaces. The early growth ecosystems put out weeds of poor structure and quality, which are wasteful in their energy capturing efficiencies, but effective in getting growth even though the structures are not long lasting. Most recent modern communities of man have been in 200 years of colonizing growth, expanding to new energy sources such as fossil fuels, new agricultural lands and other special energy sources. Western culture and more recently Eastern and Third World cultures are locked into a mode of belief in growth as necessary to survival. Grow or perish is what Lotka's principle requires, but only during periods when there are energy sources that are not yet tapped. Fig. 3 shows the structure that must be built in order to be competitive in processing energy.

6. During times when energy flows have been tapped and there are no new sources, Lotka's Principle requires that those systems win that do not attempt fruitless growth, but instead use all available energies in long-staying, high diversity, steady state works.

Whenever an ecosystem reaches its steady state after periods of succession, the rapid net growth specialists are replaced by a new team of higher diversity, higher quality, longer living, better controlled and stable components. Collectively, through division of labor and specialization, the climax team gets more energy out of the steady flow of available source energy than those specialized in fast growth could.

Our system of man and nature will soon be shifting from rapid growth as a criterion of economic survival to steady state nongrowth as the criterion of maximizing one's work for economic survival (Fig. 1). The timing depends only on the reality of one or two possibly high-yielding nuclear energy processes (fusion and breeder reactions), which may or may not be very yielding.

Ecologists are familiar with both growth states and steady state and observe both in natural systems in their work routinely, but economists were all trained in their subject during rapid growth, and most don't even know there is such a thing as steady state. Most economic advisors have never seen a steady state even though most of man's million-year history was close to steady state. Only the last two centuries have seen a burst of temporary growth because of temporary use of special energy supplies that accumulated over long periods of geologic time.

7. High quality of life for humans and equitable economic distribution may be more closely approximated in steady state than in growth periods.

In growth, emphasis is on competition, and large differences in economic and energetic welfare develop; competitive exclusion, instability, poverty and unequal wealth are characteristic. During the steady state, competition is controlled and eliminated, being replaced with regulatory systems, high division and diversity of labor, uniform energy distributions, little change and growth only for replacement purposes. Love of stable system quality replaces love of net gain. Religious ethics adopt something closer to that of those primitive peoples that were formerly dominant in zones of the world with cultures based on the steady energy flows from the sun. Socialistic ideals about distribution are more consistent with steady state than growth.

8. The successfully competing economy must use its net input of richer quality energy flows to subsidize the poorer quality energy flow so that total power is maximized.

In ecosystems, diversity of species develop that allow more of the energies to be tapped. Many of the species that are specialist in getting lesser and residual energies receive subsidies from the richer components. For example, the sun leaves on top of trees transport fuels that help the shaded leaves so they can get some additional energy from the last rays of dim light reaching the forest floor. The system that uses its excess energies in getting a little more energy even from sources that would not be yet yielding alone, develops more total work and more resources for total survival. In similar ways, we now use our rich fossil fuels to keep all kinds of

[1] Odum, H. T. 1971, *Environment, Power and Society*, John Wiley, 336 pp.

[2] Meadows, D. H., D. L. Meadows, J. Randry and W. W. Behrens, III. 1972. *The Limits of Growth*, Universe Books, New York.

[3] Lotka, A. J. 1922. Contribution to the energetics of evolution. Proc. Natl. Acad. Sci.,

goods and services of our economy cheap so that the marginal kinds of energies may receive the subsidy benefit that makes them yielders, whereas they would not be able to generate much without the subsidy. Fig. 4 shows the role of diversity in tapping auxiliary energies and maintaining flexibility to changing sources.

9. Energy sources which are now marginal, being supported by hidden subsidies based on fossil fuel, become less economic when the hidden subsidy is removed.

A corollary of the previous principle of using rich energies to subsidize marginal ones is that the marginal energy sources will not be as net yielding later since there will be no subsidy. This truth is often stated backwards in economists' concepts because there is inadequate recognition of external changes in energy quality. Often they propose that marginal energy sources will be economic later when the rich sources are gone. An energy source is not a source unless it is contributing to net yields, and ability of marginal sources to yield goes down as the other sources of subsidy become poorer. Fig. 4 shows these relationships.

10. Increasing energy efficiency with new technology is not an energy solution, since most technological innovations are really diversions of cheap energy into hidden subsidies in the form of fancy, energy-expensive structures.

Most of our century of progress with increasing efficiencies of engines has really been spent developing mechanisms to subsidize a process with a second energy source. Many calculations of efficiency omit these energy inputs. We build better engines by putting more energy into the complex factories for manufacturing the equipment. The percentage of energy yield in terms of all the energies incoming may be less, not greater. Making energy net yielding is the only process not amenable to high energy-based technology.

11. Even in urban areas, more than half of the useful work on which our society is based comes from the natural flows of sun, wind, waters, waves, etc., that act through broad areas of seas and landscapes without money payment. To compete and survive an economy must maximize its use of these energies, not destroying their enormous free subsidies. Necessity of environmental inputs are often not realized until they are displaced.

When an area first grows, it may add some new energy sources in fuels and electric power, but when it gets to about 50 percent of the area developed it begins to destroy and diminish as much necessary life support work that was free and unnoticed as it adds. At this point, further growth may produce a poor ability in economic competition because the area now has higher energy drains. For example, areas that grow too dense with urban developments may pave over the areas that formerly accepted and reprocessed waste waters. As a consequence, special tertiary waste treatments become necessary, and monetary and energy drains are diverted from useful works to works that were formerly supplied free.

12. Environmental technology which duplicates the work available from the ecological sector is an economic handicap.

As growth of urban areas has become concentrated, much of our energies and research and development work has been going into developing energy-costing technology to protect the environment from wastes, whereas most wastes are themselves rich energy sources for which there are, in most cases, ecosystems capable of using and recycling wastes as a partner of the city without drain on the scarce fossil fuels. Soils take up carbon monoxide, forests absorb nutrients, swamps accept and regulate floodwaters. If growth is so dense that environmental technology is required, then it is too dense to be economically vital for the combined system of man and nature there. The growth needs to be arrested or it will arrest itself with depressed, poorly competing economy of man and of his environs. For example, there is rarely excuse for tertiary treatment because there is no excuse for such dense packing of growth that the natural buffer lands cannot be a good cheap recycling partner. Man as a partner of nature must use nature well, and this does not mean crowd it out and pave it over; nor does it mean developing industries that compete with nature for the waters and wastes that would be an energy contributor to the survival of both.

13. Solar energy is very dilute, and the inherent energy cost of concentrating solar energy into form for human use has already been maximized by forests and food-producing plants. Without energy subsidy there is no yield from the sun possible beyond the familiar yields from forestry and agriculture.

Advocates of major new energies available from the sun don't understand that the concentrations quality of solar energy is very low, being only 10^{-16} kilocalories per cubic centimeter. Much of this has to be used up in upgrading to food quality. Plants build tiny microscopic semiconductor photon receptors that are the same in principle as the solar cells advocated at vastly greater expense by some solar advocates. The plants have already maximized use of sunlight, by which they support an ecosystem whose diverse work helps maximize this conversion as shown in Fig. 5a. If man and his work are substituted for much of the ecosystem so that he and his farm animals do the recycling and management, higher yield results as in sacred cow agriculture (Fig. 5b). Higher yields require large fossil fuel subsidies in doing some of the work, as in making the solar receiving structures (Fig. 5c), whereas the plants and ecosystem make their equipment out of the energy budget they process. Since man has already learned how to subsidize agriculture and forestry with fossil fuels when he has it, solar technology becomes a duplication. The reason major solar technology has not and will not be a major contributor or substitute for fossil fuels is that it will not compete without energy subsidy from fossil fuel economy. Some energy savings are possible in house heating on a minor scale.

14. Nuclear energy is now mainly subsidized with fossil fuels and barely yields net energy.

High costs of mining, processing fuels, developing costly plants, storing wastes, operating complex safety systems and operating government agencies make present nuclear energy one of the marginal sources which add some energy now while they are subsidized by a rich economy. A self-contained isolated nuclear energy does not now exist. Since the present nuclear energy is marginal while it uses the cream of rich fuels accumulated during times of rich fossil fuel excess, and because the present rich reserves of nuclear fuel will last no longer than fossil fuels, there may not be a major long-range effect of present nuclear technology on economic survival. High energy cost of nuclear construction may be a factor accelerating the exhaustion of the richer fuels. Fig. 4 illustrates the principle.

BREEDER PROCESS

The Breeder Process is now being given its first tests of economic effectiveness and we don't yet know how *net* yielding it will be. The present nuclear plants are using up the rich fuels that could support the breeder reactors if these turn out to be net yielders over and beyond the expected high energy costs in safety costs, occasional accidents, reprocessing plants, etc. Should we use the last of our rich fossil fuel wealth for the high research and development costs and high capital investments of processes too late to develop a net yield?

FUSION

The big question is will fusion be a major net yield? The feasibility of pilot plants with the fusion process is unknown. There is no knowledge yet as to the net energy in fusion or the amounts of energy subsidy fusion may require. Because of this uncertainty, we cannot be sure about the otherwise sure—leveling and decline in total energies flow that may soon be the pattern for our world.

15. Substantial energy storages are required for stability of an economy against fluctuations of economies, or of natural causes, and of military threats.

The frantic rush to use the last of the rich oils and gas that are easy to harvest for a little more growth and tourism is not the way to maintain power stability or political and military security for the world community of nations as a whole. World stability requires a de-energizing of capabilities of vast war, and an evenly distributed power basis for regular defense establishments, which need to be evenly balanced without great power gradients that encourage change of military boundaries. A two-year storage is required for stability of a component.

16. The total tendency for net favorable balance of payments of a country relative to others depends on the relative net energy of that country, including its natural and fuel-based energies minus its wastes and non-production energy uses.

Countries with their own rich energies can export goods and services with less requirement for money than those that have to use their money to buy their fuels, those countries with inferior energy flows into useful work become subordinate energy dependents to other countries. A country that sells oil but does not use it within its boundaries to develop useful work is equally subordinate, since a major flow of necesary high quality energy in the form of technical goods and services is external in this case. The country with the strongest position is the one with a combination of internal source of rich energies and internal sources of developed structure and information based on the energy. The relations of energy sources to payment balance are given in Fig. 6.

During periods when expansion of energy sources is not possible, then the many high density and growth-promoting policies and structures become an energy liability because their high energy cost is no longer accelerating energy yield.

Many pump priming properties of fast growing economies have been naturally selected and remain in procedures of government and culture. Urban concentrations, high use of cars, economic subsidy to growth, oil depletion allowances, subsidies to population growth, advertising, high-rise buildings, etc. are costly in energy for their operation and maintenance, but favor economic vitality as long as their role as pump primers is successful in increasing the flow of energy over and beyond their special cost. Intensely concentrated densities of power use have been economic in the past because their activities have accelerated the system's growth during a period when there were new energy sources to encompass.

During periods of expanding energy availabilities, many kinds of growth-priming activities may favor economic vitality and the economy's ability to compete. Institutions, customs and economic policies aid by accelerating energy consumption in an autocatalytic way.

The pattern of urban concentration and the policies of economic growth simulation that were necessary and successful in energy growth competition periods are soon to shift. There will be a premium against the use of pump priming characteristics, since there will be no more unpumped energy to prime. What did work before will no longer work, and the opposite becomes the pattern that is economically successful. All this makes sense and is commonplace to those who study various kinds of ecosystems, but the economic advisors will be sorely pressed and lose some confidence until they learn about the

steady state and its criteria for economic success. Countries with great costly investments in concentrated economic activity, excessive transportation customs and subsidies to industrial expansion will have severe stresses. Even now, the countries who have not gone so far in rapid successional growth are setting out to do so at the very time when their former more steady state culture is about to begin to become in more favored economic state comparatively.

Systems in nature are known that shift from fast growth to steady state gradually with programmatic substitution. But other instances are known in which the shift is marked by total crash and destruction of the growth system before the emergence of the succeeding steady state regime.

Because energies and monies for research, development, and thinking are abundant only during growth and not during energy leveling or decline, there is a great danger that means for developing the steady state will not be ready when they are needed, which may be no more than five years away but probably more like 20 years. (If fusion energy is a large net energy yielder, there may be a later growth period when the intensity of human power development begins to affect and reduce the main life support systems of the oceans, atmospheres and general biosphere).

The humanitarian customs of the earth's countries now in regard to medical aid, famine and epidemic is such that no country is allowed to develop major food and other critical energy shortage because the others rush in their reserves. This practice has insured that no country will starve in a major way until we all starve together when the reserves are no longer there.

Chronic disease was evolved in man as his regulator, normally being a device for infant mortality and merciful old age death. It provided on the average an impersonal and accurate energy testing of body vitalities, adjusting the survival rate to the energy resources. Even in the modern period of high energy medical miracles, the energy for total medical care systems is a function of the total country's energies, and as energies per capita fall again so will the energy for medicine per capita, and the role of disease will again develop its larger role in the population regulation system. Chronic disease at its best was and is a very energy-inexpensive regulator.

Epidemic disease is something else. Nature's systems normally use the principle of diversity to eliminate epidemics. Vice versa, epidemic disease is nature's device to eliminate monoculture, which may be inherently unstable. Man is presently allowed the special high yields of various monocultures including his own high density population, his paper pine trees and his miracle rice only so long as he has special energies to protect these artificial ways and substitute them for the disease which would restore the high diversity system, ultimately the more stable flow of energy.

The terrible possibility that is before us is that there will be the continued insistence on growth with our last energies, by the economic advisors that don't understand so that there are no reserves with which to make a change, to hold order and to cushion a period when populations must drop. Disease reduction of man and of his plant production systems could be planetary and sudden if the ratio of population to food and medical systems is pushed to the maximum at a time of falling net energy. At some point the great gaunt towers of nuclear energy installations, oil drillings and urban cluster will stand empty in the wind for lack of enough level of technology to keep them running. A new cycle of dinosaurs will have passed its way. Man will survive as he reprograms readily to that which the ecosystem needs of him so long as he does not forget who is serving whom. What is done well for the ecosystem is good for man. However, the cultures that say only what is good for man is good for nature may pass and be forgotten like the rest.

There was a famous theory in paleoecology called orthogenesis which suggested that some of the great animals of the past were part of systems that were locked into evolutionary mechanisms by which the larger ones took over from smaller ones. The mechanisms then become so fixed that they carried the size trend beyond the point of survival, whereupon the species went extinct. Perhaps this is the main question of ecology, economics and energy. Has the human system frozen its direction into orthogenetic path to cultural crash, or is the great creative activity of the current energy-rich world already sensing the need for change? Are alternatives already being tested by our youth so they will be ready for the gradual transition to a fine steady state that carries the best of our recent cultural evolution into new, more miniaturized, more dilute and more delicate ways of man nature?

In looking ahead, the U.S. and some other countries may be lucky to be forced by changing energy availabilities to examine themselves, level their growth, and change their culture towards the steady state early enough so as to be ready with some tested designs before the world as a whole is forced to this. A most fearful sight is the behavior of Germany and Japan who have little native energies and rush crazily into boom and bust economy on temporary and borrowed pipelines and tankers, throwing out what was stable and safe to become rich for a short period; monkey see, monkey do. Consider also Sweden that once before boomed and busted in its age of Baltic Ships while cutting its virgin timber. Later it was completely stable on water power and agriculture, but now for a few years of growth became like the rest, another bunch of engines on another set of oil flows, a culture that may not be long for this world.

What is the general answer? Eject economic expansionism, stop growth, use available energies for cultural conversion to steady state, seek out the condition now that will come anyway, but by our service be our biosphere's hand maiden anew.

ADDENDUM

The preceding paper was invited by the Royal Swedish Academy of Science. Previous work of the author include A Tropical Rain Forest and Environment, Power and Society. Dr. Odum's work on energy balance and environmental conservation merited a Distinguished Service Award from the Environmental Planning Guide and the Industrial Development Research Council in 1973.

WHAT'S RICHT WITH AMERICA?

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. GAYDOS. Mr. Speaker, the series of economical and governmental "wrongs" which have stunned the country have many people wondering if there is anything "right" with America. I assure them, there is.

I saw what's "right" with America less than 2 weeks ago at a "congressional workshop" I conducted in Bethel Park Borough. It is customary to open these public information meetings with a Pledge of Allegiance, led by several Boy or Girl Scouts. The flag salute always ignites a spark of patriotism among those in the audience.

But the outdoor ceremony conducted by the Scouts of Bethel Park fanned that spark into a glowing flame of pride. It was the most stirring demonstration of patriotism I have seen in a long time.

Approximately 35 members of Boy Scout Troop 215 and Cub Pack 217 participated in the ceremony. They stood at attention while the flag was raised to the top of its standard. They held their salute while it ascended and I wish you could have seen the look on the faces of these young Americans.

There was no sign of discouragement with their Government; no look of shame, no embarrassment. They stood straight and tall, heads erect, and their eyes reflected nothing but pride; pride at being an American; pride in their flag and pride in their country.

I came away from the ceremony convinced that as long as America continues to produce citizens like the Scouts of Bethel Park, I have no fear for the future.

Mr. Speaker, I am inserting the names of these Scouts and their leaders into the RECORD. I want my colleagues to become acquainted with 35 good examples of what's right with America:

PARTICIPANTS

BOY SCOUT TROOP 215

Ron Beyer, Don Clingan, Doug Delestinne, Mark Donnelly, Joseph Garzarelli, Frank Giehll, James Giehll, Mark Griffith, Michael Griffith, Mark Guinn, Kirk Hanlon, Scott Hanlon, Scott Herrle, Alex Ivkovic, Brett W. Johnson, Thomas Krakosky, John Lappe, Whitten Little, James Longman, William Loughead, Scott Moore, William Mondora, Gene Nowak, Mark Nowak, Roy Price, David Reno, Craig Spence, Allen Walbert, Scoutmaster Louis Herrle, Assistant Scoutmaster Daniel Donnelly, Assistant Scoutmaster Donald Guinn and Committee member Donald McCarty, Sr.

CUB SCOUT PACK 217

William Beyer, John Beyer and Cubmaster Ronald Beyer.

MASSACHUSETTS LEGISLATURE MEMORIALIZES LEGISLATION TO PRECLUDE SOCIAL SECURITY BENEFITS FROM AFFECTING VETERANS' ADMINISTRATION PENSIONS

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. HARRINGTON. Mr. Speaker, I would like to bring to the attention of the House a resolution recently passed by the House of Representatives and the Senate of the Commonwealth of Massachusetts, calling for the U.S. House of Representatives to enact legislation to keep any change in social security payments from affecting a Veterans' Administration pension to veterans receiving both social security and veterans' pension. It seems to me that the House should take note of this resolution from the State Legislature of Massachusetts, for it is relevant to legislation, H.R. 12788, currently pending before the House Veterans' Affairs Committee.

The text follows:

RESOLUTIONS MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO ENACT LEGISLATION THAT WOULD PRECLUDE SOCIAL SECURITY BENEFITS FROM AFFECTING VETERANS' ADMINISTRATION PENSION PAYMENTS

Whereas, Many war veterans are receiving Social Security payments and Veterans Administration Pensions; and

Whereas, It would be unfair and unjust to allow any Social Security payments to decrease or eliminate the Veterans Administration Pensions to veterans receiving both; therefore be it

Resolved, That the Massachusetts General Court respectfully urges the Congress of the United States to enact legislation to preclude any change in Social Security payments from affecting any Veterans Administration Pension to veterans receiving both; and be it further

Resolved, That copies of these resolutions be transmitted forthwith by the Secretary of the Commonwealth to the President of the United States, to the presiding officer of each branch of Congress and to each member thereof from the Commonwealth.

TRIBUTE TO JOZSEF CARDINAL MINDSZENTY

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 29, 1974

Mr. DULSKI. Mr. Speaker, it is a pleasure to join my colleagues today in paying tribute to Cardinal Mindszenty, and I commend the gentleman from New York (Mr. HORTON) for obtaining this special order.

Long a symbol of spiritual freedom despite his years of physical bondage, the cardinal has been an inspiration to countless liberty-loving peoples around the world.

Although he cannot return to his fellow Hungarians behind the Iron Curtain, his travels in the free world have been a wonderful opportunity for Hungarian emigres as well as other nationalities to see him firsthand and hear his message.

Last week Cardinal Mindszenty was in western New York where he was warmly received. Particularly touching was the rapport between the 82-year-old prelate and the young people he addressed.

Accounts of his visit appeared in the Buffalo Evening News, and I would like to insert one article in the RECORD at this point:

THE MINDSZENTY MESSAGE TO CHILDREN: KEEP FAITH

(By Dick Burke)

Jozsef Cardinal Mindszenty, 82, frail by nature and heroic by conviction, met with several hundred school children in Western New York Wednesday.

To them the stern-faced, unsmiling Hungarian churchman, a world symbol of man against tyranny, was some venerable vestige of the past.

To the old priest the fresh-faced youngsters are part of the future, walking across the threshold of the Year 2000 "amid a world in crisis."

Last place he visited in his mid-morning mile-a-minute rush was Calasanctius Preparatory School for Gifted Children on Windsor Ave.

The school is concerned with a $150,000 scholarship fund campaign which continues through Sept. 1 and the cardinal remarked to a luncheon guest that as long as there are students with financial needs they should be aided by those with financial means.

Guests included Auxiliary Bishop Bernard J. McLaughlin of the Catholic Diocese of Buffalo and Episcopal Bishop Harold B. Robinson of Western New York Diocese.

Earlier the cardinal met another group of children in a different setting—scores of youngsters of Assumption Parish and nearby Queen of All Saints School—gathered along the curb in front of Assumption Church on Steelawanna Ave., within sight of the Bethlehem steel plant. Among them were black and Arab and Puerto Rican children from the school's bilingual class.

They waved American flags and some Hungarian flags.

In the small white interior of Assumption Church Cardinal Mindszenty celebrated Benediction with the Rev. Antol Olah-Toth, Hungarian-born pastor, and the cardinal's interpreter, Msgr. Tibor Meszaros. Also at the church was Msgr. Julius Szabo, former pastor there and in charge of the local Mindszenty Program Committee.

Cardinal Mindszenty talked quietly, intensely in Hungarian to the group crowded in the church.

In Dunkirk's Cardinal Mindszenty High School, he told 300 students gathered in the gym with faculty, staff and parents to hold to their Catholic faith firmly, saying: "First comes faith in Christ, then out of faith comes the moral strength of life."

He warned against many theories and ideas now prevalent "against God and humanity," and went on to remind them their "school and education system is based upon faith. Without faith no true life is possible."

In a strong voice and frequent thrusting of his right forefinger for emphasis he said from the stage rostrum: "You young people are educated for the next decades of human history. You will pass the threshold of the year 2000 . . .

"In my captivity I read in the newspapers of institutes named after me. I could not imagine the land, the people and the students," he said.

He also reminded his young listeners how his enemies "detracted and calumniated my name, defamed me and persecuted the church and the faith."

Hundred of students waving Hungarian flags greeted the old cardinal at the high school as his police-escorted entourage arrived. A sign on the school lawn read in Hungarian: "God Brought You, With Love We Greet You."

School Principal Joseph Wroblewski greeted the cardinal who also received felicitations from senior high class president Nancy Hart, Dunkirk Mayor Leon A. Damian and Chautauqua County Legislator Joseph Gerace.

En route through greening Chautauqua County Cardinal Mindszenty remarked he was "much impressed by this big and beautiful land."

In Buffalo on the way to Calasanctius Prep the Cardinal stopped briefly at the motherhouse of the Sisters of Social Service at 440 Linwood Ave. This Hungarian-founded order has been in this diocese the past 25 years.

At Niagara University, Father Slattery, president, told the cardinal: "This is Niagara's finest hour because we welcome a prince of the church, a hero of our times and a man who has spoken out against the enemies of the church.

"By your heroic suffering, you have truly ennobled all of humanity."

Cardinal Mindszenty said he was proud to receive an honorary degree because it comes from "a university of great name. I enjoy it because I know the professors and educators here are striving to keep up the Catholic way of life."

The cardinal was presented with an honorary doctor of laws degree by Father Slattery at a convocation in Dunleavy Hall. About 320 persons witness the presentation.

Msgr. James P. Foley, pastor of St. Bernard's Church, Youngstown, was presented the President's Medal earlier by Father Slattery.

A SOCIAL REVOLUTION

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. HAMILTON. Mr. Speaker, under leave to extend my remarks in the RECORD, I include my Washington Report entitled "A Social Revolution":

A SOCIAL REVOLUTION

This month the nation is scarcely noticing the 20th anniversary of the momentous event that set off a profound social revolution. In May, 1954, the United States Supreme Court, after surveying 17 states in which black children were forbidden to go to public school with white children, concluded in Brown vs. Board of Education of Topeka, that in the field of public education the doctrine of separate but equal had no place, and that separate educational facilities were inherently unequal. Striking down a pervasive inequality imposed by force of law, the Court said such facilities denied the equal protection of the laws guaranteed by the United States Constitution.

The results of that decision, with its new concept of the 14th Amendment, have been profound, reaching far beyond the dismantling of the South's dual public education system. The decision set in motion a social revolution that has yet to run its course. School districts have been desegregated, blacks have been elected in increasing numbers to public office (3,000 of them now hold public office, with 16 blacks in the U.S. Congress), public facilities have been desegregated, blacks have served in the cabinet and now serve in the Supreme Court, universities have dropped their restrictive color bars, and the Congress, prodded by President Lyndon Johnson, has enacted the Civil Rights and Voting Rights laws that have dramatically changed the roles of blacks in employment and the political process. Black aspirations and pride have soared. From a plea to attend the same schools as whites has flowed a whole series of events that has shaken the very roots of American society, and brought to the American scene personalities like Martin Luther King, Malcolm X, and "Bull" Connor, and events like the civil rights marches, the Freedom Riders, and, in Watts, a new form of urban violence.

In the two decades since the Brown decision enormous strides have been made by blacks, but the battle for equality is far from over. The dual school systems and the separate lunchrooms may be gone, but the civil rights movement has stalled in recent years as a new kind of segregation has appeared, especially in the North, a segregation based not so much on race as on economic and social class. Today, schools of the deep South are more thoroughly integrated than in the North. In the South 46% of the black children are in predominantly white schools. A pattern of impressive gains and bitter setbacks emerges in the South, with most rural schools desegregated, many urban systems still segregated, and several smoothly integrated. In the North the school systems of the large cities are largely segregated. This segregation is caused by housing patterns rather than overt political decisions about the placement of students and it may be the most painful social question facing the nation. It has prompted the most controversial form of integration which requires bus-

ing across metropolitan district lines. At the moment further action on busing is held in abeyance, while school districts await a Supreme Court decision in a Detroit case where a federal judge ordered busing for integration between city and suburban schools.

Strangely enough, after all the turmoil of this social revolution, the key assumption of desegregation, that the well-being of black children would improve with integration, is being challenged. Even the role of education in shaping citizens and the gain achieved by desegregation are being questioned, while the pain of the effort to desegregate is apparent. Some researchers have found that school integration, in itself, has very little effect on the academic achievements of either blacks or whites. Others have found that desegregation has a positive, although slight, effect on black achievement, and does not seem to damage white pupil performance. Still other researchers have found that integration can be made to work by changing the techniques and the atmosphere of the desegregated school. Some surveys show that integration helps young blacks move ahead, especially if the integration is with middle class whites. Overall, most of the experts agree that there just isn't enough information to judge finally the effects of integration, and there are no definitive answers to the value of integration. The real task ahead of the researchers appears to be to find out under what conditions desegregation works and when it does not.

As a result of the fights over busing, quotas, and affirmative action, prescriptions for solving the country's racial problems are out of fashion today. No one is really optimistic that the problems of race will be soon resolved. But all would agree that the nation has gained and learned in these 20 years and inched closer to the ideals of justice and equality that lie at the heart of what this nation is all about.

The anniversary of the Brown decision may be no reason for celebration, but it is a good time to pledge to build on the considerable, even if insufficient, gains that have been made.

TAX DEDUCTION FOR ADOPTION EXPENSES

HON. GARNER E. SHRIVER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. SHRIVER. Mr. Speaker, I am today joining more than 125 Members in the House in sponsoring legislation which would allow taxpayers a personal income tax deduction for expenses incurred in the adoption of a child.

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

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

The general range of adoption expenses is roughtly equal to the cost of childbirth, but while birth expenses are usually covered by some form of insurance or are tax deductable, adoption expenses are not.

This is not fair, and it is not wise. The Child Welfare League of America estimates that there are approximately 190,000 children in foster homes and institutions who have not been placed in permanent homes. These thousands of children represent a financial drain on society, and no purpose is served by continuing to support them with public funds or charities.

This bill would ease the burden on public funds while at the same time it could provide homes to homeless children and happiness to childess families.

Since the Ways and Means Committee is currently holding hearings and marking up tax reform legislation, it is my hope that the committee will consider the broad range of support for this bill as indicated by the many cosponsors and will include its provisions in its recommendations.

AUTOMOBILE SERVICING UNIT

HON. MANUEL LUJAN, JR.

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. LUJAN. Mr. Speaker, Mr. Stan Humphrey of Albuquerque, N. Mex., has conceived an idea which will aid in the recovery of waste oils. His "automobile servicing unit" offers a very interesting approach to the problem of collecting waste oil and would give every person who owns and operates an auto an opportunity to help in conserving and reusing oil.

The unit is installed in the ground over which an automobile may be positioned to allow a person access to the underside of the auto to change the oil in it or do whatever other work was necessary. The most interesting part of the whole idea is that the oil drained from the automobiles would be gathered in a central storage unit at the site and then transported back to the refineries to be reprocessed.

Not only would these prefabricated units alleviate some of the problems facing the do-it-yourselfer but would also help to conserve and recycle one of our most precious natural resources. Therefore, I have inserted the detailed explanation of Mr. Humphrey's invention in the RECORD herewith to show the achievements and inventiveness of this young man.

[U.S. Patent 3,603,046]

AUTOMOBILE SERVICING UNIT

[Illustration not printed in the RECORD]

Inventor: Stanley Humphrey, Jr., 2823-518 Kathryn, S.E., Albuquerque, N. Mex., 87106.
Appl. No. 35,752.
Filed: May 8, 1970.
Patented: Sept. 7, 1971.
Automobile Servicing Unit, 13 Claims, 1 Drawing Fig.
U.S. Cl., 52/173.
Int. Cl., E04h 14/00.
Field of Search, 52/173.

REFERENCES CITED

United States patents:
1,357,022, 10/1920, Bahls, 52/173.
3,533,200, 10/1970, Zoebelein, 52/173X.
Primary Examiner—Patrick D. Lawson.
Attorney—Richard A. Bachand.

Abstract: A unit to accommodate a person and over which an automobile may be positioned to allow the person access to the underside of the automobile, including an open enclosure having a stairway providing ingress and egress thereto, a doorway closable over the opening to prevent unauthorized access to the enclosure, and means for positioning the car at a location allowing access to the desired portions of the underside of the automobile.

BACKGROUND OF THE INVENTION

1. Field of the Invention.

This invention relates to improvements in apparatus for use in conjunction with automotive servicing, and more particularly to a prefabricated unit for servicing the undersides of an automobile.

2. Description of the Prior Art.

Soon after automobiles began increasing in popularity across the United States, service stations began springing up. Early service stations, prior to the introduction of hydraulic car lifts, commonly had a hole in the floor of the garage over which the car to be serviced was positioned. The mechanic servicing the car merely went into the hole for access to the underside and engine of the car. These so called "grease pits" were just a hole dug in the ground of depth sufficient to accommodate a mechanic. The mechanic, of course, would have to carry his tools and equipment into the pit.

As technology has advanced, the hydraulic lift has almost entirely replaced the formerly used grease pits in service stations, allowing a mechanic to merely drive the car to be serviced over the lift, and apply a hydraulic fluid to raise the car over the mechanic's head allowing him free access to the undersides of the car without having to crawl under it.

However, as technology further advanced, car service has become almost prohibitively expensive. As a result, many car owners, rather than have their cars serviced at service stations, do the work themselves as a hobby or to save expenses or for various other reasons. One problem, however, these do-it-yourselfers have found is the conspicuous absence of places or garages in which they may work on their cars. A do-it-yourself oil change, for example, in the driveway of one's house is messy and inconvenient, and, moreover, poses the additional problem of disposing of the old oil removed from the crank case of the car. In many localities, dumping used crankcase oil on the ground is illegal. Thus, a person changing his oil must find a proper oil dump or other safe way to dispose of the used oil.

BRIEF DESCRIPTION OF THE INVENTION

In light of the above, it is an object of the invention to provide a unit which is easily installable in which a do-it-yourselfer may conveniently service his automobile.

It is a further object of the invention to provide a unit which is coverable to prevent accidental or unauthorized access thereto.

It is a still further object of the invention to provide a unit which can easily be substantially prefabricated of a single piece of material.

These and other objects, features, and advantages of the invention will become apparent to those skilled in the art from the following description when read in conjunction with the appended claims and attached drawings.

The present invention is a five-wall unit for installation in the ground to provide an enclosure of dimensions sufficient to accommodate a person. Mounted in the enclosure is a stairway to allow ingress and egress from it, and covering the enclosure is a slidable door which may be mechanically or man-

ually operated to partially, or completely close off the enclosure. Additionally, a lip or wing is provided on the top of the enclosure having thereon means to direct and position a wheel of an automobile to properly locate the engine and other underside mechanisms of the car over a desired part of the enclosure for efficient servicing. An oil drain assembly and a grease gun assembly may be additionally prefabricated into the unit to provide an entirely prefabricated assembly.

BRIEF DESCRIPTION OF THE DRAWING

The invention is illustrated in the sole FIGURE of the drawing in which is illustrated a perspective view of a preferred embodiment of the invention, which has been partially cutaway to show the interior construction of the invention.

DETAILED DESCRIPTION OF THE INVENTION

As shown in the drawing, the unit 10 of the invention is made generally of five wall members making up the floor 20, and four walls 21, 22, 23, and 24. The floor and walls define a cavity open at the top, and intended for installation in an appropriate hole or cavity in the ground or other surface to allow an automobile to be driven or located over the enclosure. Of course, the dimensions of the enclosure may be varied as matter of engineering or design choice, but should be sufficient to accommodate at least one person to work on the car. The walls may be of any material; however, materials such as fiberglass, stainless steel, aluminum, or the like are especially desirable since they may be molded, blown, welded, or otherwise easily formed into the shape illustrated.

Around the top edge of the unit 10 is at least one lip, wing, or apron 25 extending outwardly from the enclosure and having formed along its surface means for positioning the car at a desired location over the enclosure. Such positioning means may conveniently be a guide rail assembly 26, which may be made of pipes or tubing, or formed as an extension of the wall, as illustrated. To properly position the automobile over the grease pit, a recess 29 may be formed in the wing 25 in which the front wheel of the car may be brought to rest. Alternatively, a single pipe (not shown) may be mounted on the wing perpendicular to the direction of the desired path of the wheel against which the wheel may be brought to rest. Appropriate pipe tubing which may be used as guide rails, if desired, may be of any material of substantial strength to withstand the forces exerted thereupon by the automobile tire, and may be made, for example, of steel, iron, or the like. Although the invention is illustrated with two similar guide rail assemblies 26 on each side of the assembly, since the width between automobile wheels varies among manufacturers, only one guide rail assembly may be preferred in particular installations.

Contained within the unit 10 is a staircase 30, which, like the walls and wings may be formed or molded of fiberglass, stainless steel, or the like, and which may be separately formed and installed, as illustrated, or may be formed integrally as a part of the overall unit 10. Thus, if the unit 10 is to be molded, it may be formed with floor 20, walls 21–24, wings 25 and 26, and staircase 30 all as a single unitary piece, as shown.

Covering the enclosure is a door 40 which may be of a slidable or foldable type, and which may be guided into position by guides 41 and 42 on opposite sides of the enclosure. Door 40 may fold down into a doorwell (not shown) mounted on the wall 22 of unit 10, and may be driven or controlled by an electrical motor (not shown) or, alternatively, by a piston arrangement (not shown) or may be manually operated. The door 40 may close the unit entirely, as would be preferable in a private installation to prevent unauthorized entry into the enclosure; alternatively, the door may only partially cover the enclosure, as would be preferable in a public installation, such as would be encountered in with respect to a vending machine type operation.

Within the enclosure of unit 10, on one of its walls, such as wall 24, may be mounted an oil-receiving assembly 45. Oil-receiving assemblies, such as assembly 45, being well known in the art and not described herein in detail may be a receiving bowl 46 mounted on flexible or movable pipe 47 to allow the bowl to be placed under the appropriate engine oil drain port. Connected to the pipe 47 external to the unit may be an oil sludge receptacle (not shown).

Additionally, a grease gun assembly 50 may be mounted on one of the walls, as wall 24. Such grease gun assemblies and mountings, being well known in the art, are not, therefore, described herein.

Although the invention has been described with a certain degree of particularity, it is understood that the present disclosure has been made only by way of example and that numerous changes in the details of the construction and the combination and arrangement of parts may be resorted to without the parting from the spirit and scope of the invention as hereinafter claimed.

What is claimed is:

1. A prefabricated unit for mounting in a hole in the ground to accommodate a person to allow him access to the undersides of a vehicle positioned over said unit comprising:

Five wall members joined together to form a box enclosure open at one side; at least one wing member joined to one of said walls at said opening to project outwardly from said opening;

Means on said at least one wing for guiding an automobile wheel along said wing; and

Means for retaining said wheel at a preselected position on said wing.

2. The unit of claim 1 further comprising:

A stair assembly in said unit to allow ingress and egress from the box enclosure of said unit, and means on said open portion of said box for covering said box.

3. The unit of claim 2 wherein said means for covering said box is a sliding door and means guiding said door along two of said five wall members.

4. The unit of claim 3 wherein said means for guiding said door extend in the direction of travel of said means for guiding an automobile wheel, and said door extends at least to said means for retaining said wheel.

5. The unit of claim 4 further comprising a grease gun assembly mounted on one of said five wall members and an oil drain assembly mounted on one of said five wall members.

6. The unit of claim 2 wherein said five wall members, said wing, and said stair assembly are formed of fiberglass.

7. The unit of claim 2 wherein said five wall members, said wing and said stair assembly are of steel.

8. The unit of claim 1 wherein said means for guiding an automobile wheel comprises at least one pipe disposed along the desired path of said automobile wheel.

9. The unit of claim 8 wherein said means for guiding an automobile wheel is two parallel pipes running along the desired path of said automobile wheel, spaced apart a distance to accommodate said wheel.

10. The unit of claim 6 wherein said unit is of a single piece of material.

11. A unit over which a car may be driven to contain a person to allow said person access to the undersides of said car comprising:

A unitary box including five walls forming an open enclosure;

A wing portion extending outwardly from the opening of said enclosure;

A stair member on an inside of one of said walls to provide a means of ingress and egress to said enclosure;

A door mounted on one of said walls, operable to close said enclosure of said box;

Means for guiding an automobile wheel along said wing;

Means for locating said automobile wheel at a desired position on said wing.

12. The unit of claim 11 further comprising a grease gun assembly mounted on one of said walls.

13. The unit of claim 12 further comprising an oil drain assembly mounted on one of said walls.

PROFESSORS PASS SIGNIFICANT RESOLUTIONS

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. RANGEL. Mr. Speaker, I would like to call the attention of my colleagues to a series of resolutions adopted in April by the American Association of University Professors. These resolutions deal with a variety of issues, from discrimination against minorities and women, to the faculty's role in governing universities. They reflect the association's deep concern about protecting the rights of individuals in our society.

RESOLUTIONS ADOPTED BY THE 60TH ANNUAL MEETING, AMERICAN ASSOCIATION OF UNIVERSITY PROFESSORS, APRIL 27, 1974, WASHINGTON, D.C.

RESOLUTION ON EDUCATIONAL OPPORTUNITY FOR MINORITY STUDENTS

We still live in a racist society, a society in which equal opportunity is far from realized. Following a long period of discrimination, justice is not achieved by merely asserting that henceforth all will be treated as equals. Such a posture is a facade which hides inequality of opportunity. That part of society which is being discriminated against is very likely to continue to face situations that perpetuate the disadvantages of discrimination.

Achieving true equality of opportunity requires a transition period in which institutions make special efforts to allow those who have been the victims of discrimination to demonstrate their potential. Therefore, the Sixtieth Annual Meeting of the American Association of University Professors applauds and endorses efforts on the part of institutions of higher education to provide minority students with increased access to and increased educational opportunities in undergraduate, graduate, and professional schools.

RESOLUTION ON FOREIGN STUDENTS

The American Association of University Professors has long recognized the value of student interchange among the countries of the world. The Sixtieth Annual Meeting regrets the Department of State's new requirement that an applicant for a foreign student visa present evidence of ability to provide, without recourse to employment, for all expenses during the entire period of study in the United States. Many foreign students come from families of limited financial means and depend upon part-time or summer employment to supplement their resources. It is important for educational, cultural, and diplomatic reasons that the United States continue to admit academically qualified students from all strata of society in other countries. This Meeting therefore calls upon the State Department's Bureau of Educational and Cultural Affairs to rescind the instructions contained in Visa Transmittal Letter-854 and return to the more flexible, encouraging, and realistic policy on student visa regulations previously in effect.

RESOLUTION ON THE EQUAL RIGHTS AMENDMENT

The Sixtieth Annual Meeting of the American Association of University Professors is concerned that the failure thus far of the Equal Rights Amendment to secure ratification is indicative of apathy, even hostility, to the concept of sex equality. This failure will impede efforts to end sex discrimination in higher education, as well as other areas of our society. The Annual Meeting urges those states which have not yet done so to ratify the proposed Twenty-Seventh Amendment to the Constitution of the United States.

RESOLUTION ON AFFIRMATIVE ACTION

The Sixtieth Annual Meeting of the American Association of University Professors reaffirms the resolutions of previous Annual Meetings urging the elimination of discrimination against minorities and women in higher education, and the rectificaiton of inequalities in rank, pay, promotion, and recruitment caused by past discrimination. We are concerned, however, that many institutions interpret affirmative action to require merely token compliance with the law.

This Meeting therefore calls upon the Secretary of Health, Education, and Welfare and other responsible government officials to enforce vigorously laws and policies on non-discrimination and affirmative action. We urge all institutions involved in higher education to pursue affirmative action in good faith, adhering to the spirit as well as the letter of the requirements.

RESOLUTION ON TITLE IX OF THE EDUCATION AMENDMENTS OF 1972

The Department of Health, Education, and Welfare has delayed the issuance of regulations to implement Title IX of the Education Amendments of 1972, which prohibits discrimination on grounds of sex in any educational institution receiving federal financial assistance. Almost two years have elapsed since this provision became law. However, the law has not been enforced because no guidelines have been approved to describe scope and enforcement procedures.

The Sixtieth Annual Meeting of the American Association of University Professors calls upon the Secretary of Health, Education, and Welfare to end immediately this inexcusable delay and to expedite the issuance of Title IX guidelines that will assure equal access to all programs in higher education, including athletics, without regard to sex.

RESOLUTION ON COLLEGE AND UNIVERSITY GOVERNMENT

This Meeting deplores recent instances of intervention by college and university administrations, governing boards, and external political agencies in determinations of academic policy and procedure without adequate regard for the professional competence and primary authority of the faculty in these areas. These interventions are particularly serious when they involve the areas of curriculum and faculty status, including appointments, reappointments, non-reappointments, conferrals of tenure, and dismissals.

The Sixtieth Annual Meeting of the American Association of University Professors calls upon governing boards to adopt as policy the 1966 *Statement on Government of Colleges and Universities*, and for boards, administrators, and faculty members to implement its principles.

RESOLUTION ON FACULTY INVOLVEMENT IN PLANNING AND ALLOCATION OF RESOURCES IN COLLEGES AND UNIVERSITIES

The Sixtieth Annual Meeting of the American Association of University Professors considers it imperative that colleges and universities establish appropriate mechanisms for full and effective participation by faculty-chosen tenured and non-tenured professors in decisions on educational planning, budgeting and allocation of resources at all levels of the installation. The need to implement the principles enunciated in *The Role of the Faculty in Budgetary and Salary Matters* (1972) grows yet more urgent as institutions face financial exigency, real or claimed, with resulting potential or actual reductions in faculty and staff, and cutbacks or elimination of educational programs. Meaningful faculty participation will help to protect the tenure, academic freedom, and general morale of the faculty, which are essential to the fulfillment of the institution's responsibility to society in maintaining the high standards of teaching, research, and service.

RESOLUTION ON REBUILDING OF CENTRAL STATE UNIVERSITY, WILBERFORCE UNIVERSITY, CEDARVILLE COLLEGE, WALKER COLLEGE, AND HANOVER COLLEGE

The entire academic community was dismayed when tornadoes recently heavily damaged the campuses of Central State University, Wilberforce University, and Cedarville College in Ohio, Walker College in Alabama, and Hanover College in Indiana. The Sixtieth Annual Meeting of the American Association of University Professors applauds the announced determination of the faculties, administrations, trustees, and state and federal government officials to rebuild the campuses of these institutions in order that they may continue their major contributions to education and to social progress.

RESOLUTION ON GRADUATE TRAINING OF MILITARY OFFICERS

A recent ruling by the Department of Defense has severely restricted the right of military officers to enroll for graduate work at colleges and universities which have dropped their ROTC programs. This action was taken after strong pressure from Representative F. Edward Hébert, Chairman of the House Armed Services Committee, and in spite of the elimination by Congress of statutory language to the same effect.

The Sixtieth Annual Meeting of the American Association of University Professors protests this intrusion on the independence and autonomy of colleges and universities. It urges the Department of Defense to rescind this restrictive ruling and to provide assurance that, in the future, selection of institutions for advanced work for military officers will be determined by academic considerations, not dictated by political pressures.

COMMITTEE ON RESOLUTIONS

Sandra W. Thornton (Political Science), Georgia Institute of Technology, *Chairman*.

J. Bunker Clark (Music History), University of Kansas.

Richard H. Hiers (Religion), University of Florida.

Nahmin Horwitz (Physics), Syracuse University.

Donald L. Pierce (Mathematics), Lincoln University.

William B. Woolf, Washington Office Staff.

THE FREE LIBRARY OF PHILADELPHIA

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. EILBERG. Mr. Speaker, the Free Library of Philadelphia has been designated as a "regional library" of the Foundation Center located in New York and Washington, D.C. As a local service, it will provide complete information on foundations and philanthropic organizations in the Delaware Valley and throughout the United States.

Among the publications provided will be the Foundation Grants Indexes, the Foundation News, and the Foundation Center Information Quarterly. In addition, the collection includes aperture cards for IRS 990 tax returns of philanthropic organizations in Pennsylvania, New Jersey, and Delaware. Also included are foundation annual reports on microfiche, abstracts of the annual reports on file cards, and other standard reference works.

The establishment of the collection will be welcomed by area foundation administrators, university development staffs, government officers, journalists, and fund-seeking human services institutions. Services now provided by the Philadelphia Free Library local foundation center were formerly offered only in the New York headquarters of the Foundation Center.

UNIVERSITY PARTICIPATION

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. PICKLE. Mr. Speaker, I have obtained a copy of remarks delivered by Dr. James M. McKie to the graduates of the College of Social and Behavioral Sciences of the University of Texas at Austin. Dr. McKie is dean of the college.

Even though Dr. McKie makes some astute remarks as to our changing social mores, the most important point, in my opinion, is the charge to the graduates. This charge is that a university should be a community made up of everyone, not just the students, faculty, and staff. Our universities should not be introverted, but extroverted—bringing into their counsel all of society for the university is society's tool.

I want to share these remarks with my colleagues, Mr. Speaker:

TO THE GRADUATING CLASS, COLLEGE OF SOCIAL AND BEHAVIORAL SCIENCES

It is customary on these occasions for the Dean to say a few words of congratulations and farewell to the graduating students and a few words of congratulation and welcome to their parents, relatives, and friends.

The students here today who came to the University at Austin four years ago are the first class to have entered the College of Social and Behavioral Sciences after its formation. The old College of Arts and Sciences, which many of your parents attended and which was the main undergraduate college here for many decades, is now phased out. It will take a little while for the world to get used to us, but we are now fairly launched.

It may be helpful to those in the auditorium who are not terribly familiar with the College to explain that the Social and Behavioral Sciences, represented by the distinguished faculty on this platform, are the disciplines that study human behavior, past and present, and the arrangements and social institutions that human beings have contrived to form and regulate their relations with each other and with the world around them. I said "past and present"; I should have added "future" because that is also a focus of what we study, and it is of course of primary interest to the young people here who are about to hurl themselves into it.

I don't know whether our graduates here, when they look back 25 or 30 years from now, when the future has become the past,

will feel that the University has done its part in preparing them to face the world to come. I am not referring now to getting jobs and developing careers; I expect that Mr. Jay Hull will have more to say about that a little later. I am talking about the ways that human society is likely to change over the next few decades. No doubt you will think that they will be changes for the worse—the time when one attended college seems to be regarded by almost everyone as the golden age. Well, maybe this age is only gilt, and tarnished at that, but nevertheless our society may be in for some difficult times ahead.

Perhaps my colleagues on the social science faculty will not think I am exaggerating too much in saying that we seem to be going through some fundamental changes in the orientation of Western society. For hundreds of years, especially during the last hundred and fifty, it has followed a course of exuberant growth. In America especially, the world has seemed to be boundless, with infinite psychological horizons. But while this graduating class was here in college, certain unmistakable signs of a new era have appeared. We have gone through a rather painful rethinking of our role of political leadership in the world; the contrast with 1960 and earlier is striking. We have packed up the exploration of space, and have resigned ourselves to living with each other on this small planet, alone in the universe, for a good many years to come. Most important of all, the energy crisis and the developing shortages of most other raw materials, and even of food, have signaled that exponential growth of production, technology, and population have at last encountered the inherent limits of a world with finite resources. Perhaps least important, we have had to turn off the fountains.

We can adapt to these emerging conditions, but at the cost of changes in the way we live and relate to each other. Many social scientists believe that the Western world is likely to turn from an extensive, space-using, waste-making, gadget-prone, resource-gobbling, rapidly growing system to one more conserving, inward-turned, concerned with cycles of renewal and preservation of a tolerable environment. The stresses on social institutions are likely to be severe. We will face pressing problems in devising adaptations in political and social institutions and behavior that can handle the extraordinary complexity and tensions of interpersonal relationships in such a difficult environment, without giving up what we cherish most.

Maybe no one is really prepared for the last quarter of the twentieth century. I hope that students in social and behavioral sciences will be better equipped for it, psychologically, than most. (A recent survey by one of our professors of psychology found that students in behavioral sciences believed more strongly than others that "external events shape peoples' lives." That at least is the beginning of wisdom; external events are certainly going to do that to all of us.)

When you come back for your children's commencement, as I hope you will, the University may be a very different place as a result of the changes that are now generating themselves out there in the "real" world. Probably your parents and relatives who were students here think it already is, compared to what it was 25 or 30 years ago, notwithstanding the presence of a few familiar faces among the faculty. I can sympathize with their feelings as they walk down the Drag and see theaters exhibiting movies that couldn't have been shown at an American Legion smoker then without provoking a police raid; with their observation that no one wears a dress any more except the Hare Krishna people; and even with the simple frustration of those mothers who twenty years ago had their daughters vaccinated in places that they thought wouldn't show. Life styles at the University have changed a lot.

And yet, much endures; the University seems to rise above its occasional travail and to adapt successfully to changed circumstances. After all, thirty years ago we were in the middle of a rather disruptive war. We were also suffering through a terrible conflict over the purposes and future of the University; yet no one can doubt its growth in excellence and reputation since that time. I feel confident that it will continue.

We want this University to be a place of which you, as alumni, can be proud, as I trust you are; but that is not all. We also want you to continue as members of the University community. It is much bigger than the campus at Austin with the faculty and students that happen to be on it now. The real community includes its graduates and alumni, of whom I think I see several generations in this auditorium. It includes the oncoming generations of students, some of whom are also here. These generations—of Texans and less fortunate people—are the University, too. Without their continuing loyalty, help, and support, the University would wither and die. All of us here on this platform hope to see you on the campus, in the University-sponsored activities around the state and nation, in the alumni associations, maybe even in the Legislature, and in due time in the side rows of this auditorium as your own descendants and younger friends receive their baccalaureates.

AN AMERICAN'S ANSWER TO GORDON SINCLAIR

HON. JOEL PRITCHARD

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. PRITCHARD. Mr. Speaker, perhaps the most positive outcome of the entire Watergate episode is that it has forced the average American citizen into more clearly defining his own individual values regarding what he has a right to expect from his government and his elected leaders. An interesting upshot of this is a growing sense of patriotism—manifesting itself in far different ways among individuals, but expressing wide belief that the strength of the American people will carry us through the temporary crisis. The public is disappointed, disillusioned, disheartened, disgusted. Yet the vast majority of citizens remain fiercely loyal to traditional American ideals and confident that the United States will sustain itself despite current ordeals.

In "An American's Answer to Gordon Sinclair," Charles Ashman, a gentleman I know, has written what I believe to be an eloquent expression of faith in our Nation and respect for our people. His message is refreshing in these difficult times, Mr. Speaker, and I commend "An American's Answer" to the attention of my colleagues:

AN AMERICAN'S ANSWER TO GORDON SINCLAIR

The other day, on radio, I heard your moving letter. You're right—we're down—but it's okay, we'll soon be doing better.

Your words were kind, and very true. Bless Canada for you, sir. But don't you worry—when we fail we know just what to do, sir.

You see . . . as a nation we're very young, but we've done a lot of living. And, yes, you're right again—our sin has always been in giving.

We've fought for causes not our own, crusaded, too, when needed; And when we've seen an unfair fight, we've cared, and interceded.

But, as you say, we get no thanks. Instead, somehow, we're hated. Time after time it's proven so—we're not appreciated.

But you know what? This world is made of givers and of takers. And we, it seems, were meant to give—to be doormats, peacemakers.

A fountain flowing freely, for just anyone to drink from—A strong and heavy golden chain that all would grab a link from.

We are aware that there are those who would not only break us. But spur the weakening of the chain, and someday, overtake us.

Too many times our fine young men have gone in droves, like cattle, Across the sea, to lose their lives in someone else's battle.

Our Arlingtons are not concerned with kings, dictators, bosses—But with unnecessary rows of neatly placed white crosses.

Remember—as a nation that's young, we're telling quite a story. We've left our footprints on the earth, and on the moon—Old Glory.

We are a nation under God, and surely He sustains us Through every setback that we have—through every war that drains us.

We're used to problems and to pain, and though they seem to hover, we work them out, and every time we manage to recover.

So, Gordon Sinclair, thanks a lot. Your words are reassuring. But don't you worry—we'll survive, and do some more maturing.

Our Teapot Domes—our Watergates—our every scrape and scandal Will not defeat us, but improve our skills in how to handle.

It may be that we are not wise to show the world our fumbles, Revealing all our inner strife—our discontents and grumbles.

But we are frank—perhaps naive—we do not hide our errors. No—we parade them honestly, with truths our standard-bearers.

Perhaps we will, in time, grow cold to the despairs of others, And learn we cannot feed the world, or be to all men brothers.

Yet, we would pray, if we should cease our universal mission, That caring would not be destroyed or lost in the transition.

We're glad that someone like yourself came forward, as you have, sir, To say the things we have not said. You've touched our wounds with salve, sir.

And so, from all Americans take this appreciation, With love, from the United States, this great world's Greatest Nation!

(Permission for use granted by Charles Ashman, 5-23-74.)

WORLD FOOD PROBLEMS

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. GILMAN. Mr. Speaker, today I am joining my distinguished colleague from Iowa (Mr. CULVER) in introducing a resolution urging our Nation's assistance to those areas of the world which are suffering from famine.

With malnutrition and threat of starvation prevalent in many parts of the world, as a world leader we have a humanitarian responsibility to help in alleviating the growing problem of dwindling food supplies affecting many of the less developed countries.

Recent news reports have noted the severe food deprivation in the Sahel des-

ert area of Western Africa. Less publicized but also threatening are the food shortages experienced in many parts of South Asia.

Historically, famine has periodically blighted our world. However, we live in a new world today, an interdependent world, a world where instant communication brings the problems of other peoples in once remote corners of the globe to our daily attention.

Improved communications not only make us aware of troublesome events in other parts of the world but also enable us to readily assist in contributing to the resolution of these difficulties. In his recent speech before the sixth session of the United Nations General Assembly, Secretary of State Kissinger, pledging our commitment to global prosperity, said:

> It must remain the subject of constant, unremitting efforts over the years and decades ahead.

Although our Nation cannot be expected to be the breadbasket for the rest of the world, the fact remains that we currently are the world's leading exporter of wheat, feedgrains, and rice as well as providing 90 percent of the world's soybean exports. Presently North American exportable grain surpluses, in which the United States is by far the leading exporter, even exceeds Middle East oil exports.

While the excessive dependence on U.S. agricultural products by other nations places these countries in vulnerable positions, it also places a heavy responsibility upon the United States, particularly due to the food emergencies existing in many parts of the world. The American people cannot condone death by starvation while food is abundant here at home. Hesitation in responding to the critical needs of starving children and adults in other parts of the world would be morally unconscionable.

Accordingly, the resolution we are introducing today clearly delineates the responsibility of the United States in lessening human suffering from food shortages. The measure calls upon our Nation to set its highest priority assistance to the lean nations through our Public Law 480 food for peace program. Additionally, the measure commits our Nation to provide the necessary technology to help the less developed countries help themselves. Finally, the resolution calls upon other rich nations to expand their food programs and calls upon the oil producing countries to increase their efforts at fertilizer production, which have recently been impeded by the steep increases in fuel prices.

Our goal of global prosperity cannot be reached by the resolution we are introducing. A special United Nations World Food Conference is scheduled for November 1974. At that time many of the world food problems will be discussed. The race between population and food production; the dwindling amount of cultivatable land; the shortened supplies of energy; the excessive costs of fertilizer and fuels; all of the significant problems of feeding the world's population.

However, in the interim, we cannot wait for the U.N. conference. There is a need for prompt action, there is a critical need to bring relief to those areas of the world where persons are starving today.

Accordingly, I urge my colleagues to lend their support to this resolution so that we can begin to lessen the suffering experienced by the underfed peoples of the world. We have the ability for providing assistance, but we must make this assistance available promptly, before the famine takes any heavier toll in human lives.

DEMOCRATS SIDETRACK COMMITTEE REFORMS

HON. JOHN B. ANDERSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. ANDERSON of Illinois. Mr. Speaker, we are now nearly three-quarters of the way through the 93d Congress and yet, a monumental undertaking we embarked on early last session seems to be further from realization than it was at that time. I am referring, of course, to the Committee Reform Amendments of 1974, House Resolution 988, the product of our bipartisan Select Committee on Committees to reform our archaic House committee structure. The reason for this sad twist of fate is a decision made by 111 House Democrats in caucus to "deep six" this proposal in a caucus task force, ostensibly to study it further. There is little question in my mind that if this decision is allowed to stand, this Congress will not have an opportunity to act on this meaningful and comprehensive reform proposal.

I recently read an excellent background "editorial memorandum" prepared by Common Cause on the action of the Democratic caucus. I think this analysis is worth sharing with my colleagues, and include the entire text of the memorandum at this point in the RECORD:

HOUSE DEMOCRATS VOTE IN SECRET TO SIDETRACK MAJOR COMMITTEE REFORMS

Meeting in secret and acting by secret vote, House Democrats May 9 sidetracked and tried to kill a major revision of the House's antiquated and creaky committee system.

The revision was proposed unanimously by the bipartisan Bolling-Martin committee. Common Cause has not given up the fight for the Bolling-Martin plan. We will work to have the full House vote on the proposal before Congress adjourns.

Ironically, the attempted homicide was committed by liberal Democrats, led by Rep. Phillip Burton (Calif.), who in the past have been leaders in efforts to make the House a more modern, responsive and accountable institution. They did it because they feared the plan would reduce their own growing power in the House. In effect, they joined members of the senior Democratic Establishment who have always resisted reform of ancient House methods because it would diminish their own spheres of authority.

Moreover, the attack on the committee reforms came in the Democratic caucus, the organization of all House Democrats, which these same liberal reformist Democrats have sought to make a tool of majority will. House Democrats, acting in caucus, have brought pressure on committees and chairmen who have refused to act on issues favored by a majority of the party; the primary example was anti-war proposals that were forced from the Foreign Affairs Committee in 1972.

In this case, however, the caucus was used to thwart majority sentiment in the House. There seems little doubt that Republicans and Democrats who favor the committee revisions together constitute a substantial majority in the House. But the plan was stopped at the starting gate by old line senior Democrats, who have been against committee change from the start, working with their new colleagues-in-arms: the more liberal Democrats who have been around long enough now to gain some clout of their own in House affairs and want to preserve the status quo. The principal figures among the old-line Democrats were powerful committee chairmen including Wilbur Mills (Ways and Means Committee), Wayne Hays (House Administration Committee), Harley Staggers (Commerce Committee), Chet Holifield (Government Operations Committee), and Leonor Sullivan (Merchant Marine and Fisheries Committee). The strategy was to have liberals such as Burton who have a reform reputation act as the public leaders for killing reform.

SENT TO HANSEN COMMITTEE

Technically, the Democrats did not kill the Bolling-Martin resolution. Instead, they voted to send the proposal to another committee, headed by Rep. Julia Butler Hansen (D-Wash.), for more study—a favorite way to try to kill something. The Hansen committee is to report back to the caucus by mid-July, but the intention of the opponents was clear—they hoped to send it to the political graveyard.

The Hansen unit, a committee of the Democratic caucus, was set up several years ago by senior House Democrats to deflect growing sentiment among rank-and-file Democrats for basic reform in House procedures. The committee made some recomemndations, which were adopted, but it has never been a hotbed of reform.

It is well stocked with senior Democrats and includes many members who would be adversely affected by the Bolling-Martin plan. Headed by Hansen, an appropriations subcommittee chairperson, the committee's other members are Burton, Hays, Frank Annunzio (Ill.), Barbara Jordan (Texas), Joe Waggonner (La.), Robert Jones (Ala), Phil Landrum (Ga.), James O'Hara (Mich.), Neal Smith (Iowa), and Frank Thompson (N.J.). It is significant that most of these persons are on legislative committees that would lose power and whose chairmen worked hard against the reform plan: Waggonner and Landrum on Ways and Means; O'Hara, Burton and Thompson on Education and Labor; Jones on Government Operations; Thompson, Annunzio, and Hays on House Administration.

With this membership any suggestions the Hansen unit comes up with will have approximately the potency of a placebo.

REFORMERS CHANGE COLORS

Behind this startling chameleon performance by Burton and other sometime-reformers is the Bolling-Martin committee's redistribution of jurisdiction, responsibilities and power in the House. Entrenched House Democrats (including Burton and his liberal allies), when faced with the choice of making the House function more responsibly or voting to undercut their own power bases, acted decisively in favor of their own influence.

The Los Angeles Times called the caucus action "a shabby performance." It raises serious doubts about the House Democrats' commitment to raise the prestige of Congress from its current bottom-of-the-barrel status with the public. The action once again proves the evils that flow from secret actions that bar accountability to the public. There is no question that the reforms would have been approved in caucus had the vote on them been public. It was for this reason that the vote was secret, and the Democrats went to unprecedented lengths to

keep it secret. House Democrats have repeatedly refused to adopt automatic recorded and public votes in their caucus, even though they make decisions on public issues. Often, however, the votes are recorded in the caucus and the results reach the public. But this time they went even a step beyond (to hide their actions) by taking the vote by secret ballot, so that not even their colleagues knew how they voted and there was no way the members could be held accountable for their actions.

Now, the only way that citizens will learn how their Representatives voted on this basic reform issue is by asking them directly.

REFORMS PROPOSED

The plan to restructure House committees came from the Select Committee on Committees, headed by Reps. Richard Bolling (D-Mo.) and Dave Martin (R-Neb.). Other committee members are Democrats Robert Stephens Jr. (Ga.), John C. Culver (Iowa), Lloyd Meeds (Wash.), and Paul S. Sarbanes (Md.), and Republicans Peter H. B. Frelinghuysen (N.J.), Charles E. Wiggins (Calif.), William A. Steiger (Wis.), and C. W. (Bill) Young (Fla.).

The committee held extensive hearings, spent some $700,000 in more than a year of work and carefully put together a unanimously backed plan to clear up the present hodge-podge of committee jurisdictions and concentrate responsibility for subjects that have become of major importance since the last committee reorganization in 1946, and to even the work load of existing committees.

Last year for example 14 of 21 House committees held hearings on energy proposals. The plan would focus responsibility for energy by converting the Interior Committee into a Committee on Energy and Environment with broad responsibility for energy matters. The overworked Ways and Means Committee would lose certain health, foreign trade, unemployment compensation and pension matters to other committees. That committee operates without subcommittees (enhancing its chairman's great power) which limits its ability to handle all the subjects it should; consequently urgent public business, such as tax reform, is neglected. The Education and Labor Committee would be split in two, a proposal strongly opposed by organized labor.

ACTION IN THE CAUCUS

The importance of the Bolling-Martin plan prompted Democrats to bring it before their caucus, even though it was a bipartisan resolution. Republicans, of course, had no say in the caucus.

The Bolling-Martin committee was ready with unanimous recommendations to present to the House. The caucus prevented this. A substantial number of House Republicans strongly favored the plan and were expected to vote for it. The Democratic caucus prevented this. The many members of both parties who realize Congress is an inept branch of government saw the Bolling-Martin plan as a major step in revitalizing the House. The caucus prevented this.

The Bolling-Martin plan was blocked because the caucus functioned in secret and because caucus rules were ignored.

Burton, leader of the opponents, proposed to the caucus that the plan be sent to the Hansen committee in order to try to kill it. His strategy was to keep the entire decision-making process secret because he knew he could not win if the votes were recorded and members were made accountable for their actions.

A Burton ally, Rep. William Clay (Mo.), moved that the pending vote on referring the plan to the Hansen committee be made by secret ballot. This was an unprecedented action in the caucus for voting on substantive issues. (Clay is on the Education and Labor Committee which the Bolling-Martin plan split in two, requiring members to give up one.) Clay's proposal carried by a 98–81 standing (that is, non-recorded) vote. Bolling immediately sought a recorded vote on whether it would be a secret vote to send it to the Hansen committee. Bolling was clearly entitled under the rules to a recorded vote. The chairman of the caucus, Olin Teague (Texas) rejected the request—an erroneous ruling that doomed committee reform. (Teague is a senior Democrat, having come to Congress in 1946, and is chairman of one committee and a member of two others. The Bolling-Martin plan would require Teague to leave one of those committees.)

House rules, which the caucus follows, always allow a Representative on the losing side of a nonrecorded vote to obtain a recorded tally. The caucus, meeting in secret did not have the benefit of advice from the House's parliamentary experts. Nevertheless, it strains credulity to think that any person who has been in the House almost three decades, and is a committee chairman, is unaware of the most elementary House rules. In fact, Teague later admitted that he was in error in denying Bolling's request for a recorded vote, according to Rep. Robert F. Drinan (Mass.) who was present. But a motion to reopen the question of an open or secret vote was not granted by Teague.

So, the caucus went on to vote by secret ballot on Burton's proposal to refer the matter to the Hansen committee. It was approved 111–95.

HEROES AND DEVILS

This battle, like most in Congress, featured some Representatives who deserve special praise for their efforts, and some who deserve the opposite. The pre-eminent figure in the latter group was Burton, a member of the Education and Labor and Interior Committees. With Education and Labor split, Burton would have to choose between one of the three resulting committees. (The Bolling-Martin plan prevents a member from serving on more than one of 15 designated "major" committees. The list includes Burton's three.) Burton's strategy of a secret vote is especially ironic because it was he who in 1973 helped lead the reformers' unsuccessful fight for open, recorded votes in the Democratic caucus on all substantive issues.

Burton was aided by other liberals who usually have supported reform but in recent years have moved up the seniority ladder. Included were Frank Thompson (N.J.), John Brademas (Ind.), and James O'Hara (Mich.) —2nd, 5th and 6th ranking Democrats, respectively, on Education and Labor. Clay also is on the committee. O'Hara, like Burton, also is on Interior.

Others were Bob Eckhardt (Texas) and John Dingell (Mich.) whose committees would have lost clout in the House. In addition, Dingell is maneuvering for a position on the Ways and Means Committee. Ways and Means Chairman Mills was a leader of the anti-reform forces because his committee would suffer the largest denuding of influence of any in the House. The plan also was opposed by many other old-line Democrats who are either committee chairmen or near the top of the heap. They were supported by a number of outside groups that usually don't agree on issues: the AFL-CIO, the U.S. Chamber of Commerce, the National Association of Manufacturers and a number of environmental groups.

On the other side of the issue, there were many Democrats who worked hard for the reforms. Speaker Carl Albert (Okla.) spent much effort attempting to round up support, as did Bolling and the other Democrats on his committee. Not all of the Democrats who in the past have been supporters of reform defected from the fold this time. Outstanding examples of those who stayed and worked hard for the Bolling-Martin plan were James V. Stanton (Ohio), Don Fraser (Minn.), Bob Bergland (Minn.) and Jim Wright (Texas). They were supported by the Citizens Committee on Natural Resources and the Americans for Democratic Action, in addition to Common Cause.

But many individuals and groups normally identified with reform defected and, with the usual foes of change, they prevailed. Democratic majority leader Thomas P. O'Neill (Mass.) summed it up for reporters: "The name of the game is power, and the boys don't want to give it up."

CONSUMERS BEWARE—BEEF INDUSTRY IN REAL TROUBLE

HON. GARNER E. SHRIVER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. SHRIVER. Mr. Speaker, the American beef industry is in real trouble, and so is the American consumer. Due largely to Government interference last year in the normal supply and demand operations of this industry, corrective Government action is now needed if we are not to face serious beef shortages and higher prices in the near future.

Along with my Kansas colleagues, KEITH SEBELIUS and JOE SKUBITZ, I am today introducing legislation which would impose a complete embargo on beef imports for 6 months. This action is needed to alleviate market imbalances caused by unwise price controls last year.

On the face of it a beef embargo would appear to be against the best interests of consumers. This is not true. In the long run consumers stand to suffer far more if this legislation and other actions are not passed. A bankrupt American beef industry can produce no beef.

The discriminatory price freeze last July, coupled with consumer boycotts, the energy crisis, truckers strikes, and greatly increased feed costs have put this industry on the ropes. Producers in Kansas and other beef growing States are losing more than $100 per head. Losses nationwide can be counted in the billions of dollars. This is a vital industry, and it needs help.

Last December, the Secretary of Agriculture announced that meat import quotas, which the President suspended in 1973, would continue to be lifted for 1974. As required by law, the Secretary will review the situation every 3 months, at which time the suspension could be reconsidered.

I believe the situation is so serious now that Congress should insist that meat imports be stopped immediately, and that the halt be imposed for a long enough period to allow domestic supplies to come more in line with demand. Our bill calls for the embargo to continue for 180 days, or about 6 months.

This, of course, is not the only answer to a complex problem. The beef industry itself, in cooperation with retailers, must take actions to promote their products to consumers who feel they were treated unfairly last year and who have been hesitant to resume normal buying habits. The consumers themselves should learn from the experiences of the past year that lower prices for beef are not the only answer. Producers must have adequate incentive to produce additional supplies for long-term needs, and this

means fair prices all along the production line.

At the same time, the proposed embargo is an area in which Congress has the responsibility and the power to help the beef industry. As pointed out recently by the president of the Kansas Livestock Association, the United States has become the world's dumping ground for beef, and at a time when our own cattle industry is undergoing one of the worst marketing situations in history.

Japan has already embargoed beef imports, and the European Economic Community has taken actions which, in effect, have halted beef imports into member countries. The United States stands alone as the largest free-world market for beef, and our meat import quotas remain suspended.

This bill will be referred to the Ways and Means Committee of the House. I know that committee is very busy working on tax reform and health insurance legislation, but I call on the chairman to make a special effort to take a look at what is happening to America's beef producing capacity and to report this bill out as soon as possible. America's consumers will need it.

RETIRED TEACHER CONTINUES HELPING OTHERS

HON. WILLIAM F. WALSH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. WALSH. Mr. Speaker, too often when a man or woman retires from his or her chosen profession, they are written off by society. We seem to be saying a person's usefulness and ability to contribute automatically ceases at a given retirement age.

Fortunately, we finally seem to be learning this is both untrue and unfair. And even more fortunately, it is the retirees themselves who are proving to us they still belong.

Recently, such a person has been brought to my attention by an article in the May 14 edition of the Auburn,, N.Y., Citizen Advertiser. The story, by Roberta Kelsey, describes the work being done by a retired teacher to make life a little easier for handicapped persons.

I would like to share that article with my colleagues:

National recognition has come to Mrs. Wesley Warner of Moravia as a direct result of her talent with needle and thread.

Lillian Warner, now retired from a teaching career of over thirty years, is a member of the Philomath Study Club of Moravia. The local Philomath has been affiliated with the Federation of Women's Clubs since 1939 and members have been encouraged to enter various contests.

When Mrs. Norman Schiek, health nurse at Moravia Elementary School, described the plight of a local paraplegic youngster, Mrs. Warner accepted the challenge. Mrs. Schief explained that the boy, almost 12 and a victim of a bicycle and car accident, could not buy trousers which fit and could be pulled over his stiff shoes and braces. Because of this, he needed help in dressing.

Mrs. Warner got right to work on the problem and soon had designed and constructed a pair of trousers using zippers and "Velcro" for side seams and ankle openings. This enabled the lad to dress himself. "His appreciation for these trousers which fit well, concealed his braces and helped him to be independent was all the reward one could want," said Mrs. Warner.

A duplicate pair was sent to the state contest for "Fashion Designs for the Handicapped" won first prize for New York State. The entry was then forwarded to Washington where it was given third place in the national contest. The trousers are now on their way to Minneapolis where they will be on display at the 83rd national convention of the General Federation of Women's Clubs which convenes the last week in May.

At the 80th convention of the women's clubs of New York, Mrs. Richard Johnson, state chairman of "Fashion Designs for the Handicapped" competition introduced Mrs. Warner, describing her entry and disclosing it had won first place in the state and third place nationally. This was the first time New York has placed in the top five awards for the nation.

Mrs. Warner's national prize was a special sewing machine. State prizes were a sewing basket and 60 spools of thread. The Philomath will also receive a cash prize which will be used to further help with its projects for the handicapped.

Lillian has made and given the boy three pairs of these special trousers and the contest pair will be his after the national convention.

"I will be just delighted," said Mrs. Warner, "if my original idea is adopted by a pattern company so that other paraplegics may wear attractive, well-fitting, functional trousers which conceal braces."

THE HARD ROAD TO WORLD ORDER—III

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. BINGHAM. Mr. Speaker, in part III of Prof. Richard Gardner's analysis of the need for and the difficulties with achieving world cooperation, he argues that new and stronger rules should be incorporated into existing cooperative agreements such as the GATT and the OECD. He also suggests that the United States and the other industrialized countries should commit themselves to assisting in the development of the developing countries, while, in return, the developing countries should provide nondiscriminatory access to raw materials at reasonable prices.

The third section of Professor Gardner's article in Foreign Affairs follows:

III

For the moment, it may seem that the "energy crisis" has operated to reduce the chances of progress on some of these key multilateral action fronts. Certainly it has deferred a new monetary agreement, triggered a series of nationalistic actions affecting trade, contributed to the U.S. Congress balking at the American share for the World Bank's soft loan activity, jeopardized some domestic measures for the environment in the United States and elsewhere, and sharply affected the food balance for countries increasingly dependent on fertilizer. There is no rule in international affairs that things have to get worse before they can get better; they can just go on getting worse. Even with some roll-back in oil prices, it will require a special effort of coöperation for the industrialized countries to absorb the economic impact of increased oil costs without resorting to beggar-my-neighbor policies. It will take considerable statesmanship to maintain the flow of development assistance to those resource-poor developing countries which have little to offer the industrialized nations in return. And it will require still greater ingenuity to "recycle" a portion of the additional oil revenues back to these countries so that they can realize their minimum development goals.

But if one takes a longer view, it becomes apparent that, far from reducing the practical importance of multilateral agreement on specific subjects, the "energy crisis" has made the existing agenda even more crucial, and in fact added what is in effect a new action item. For some years we have been talking of resource scarcities in terms of physical limits; what is now apparent is that long before any such limits are approached we confront what Lester Brown has called "the emerging global politics of resource scarcity." The problem is not only one of increasing total supplies of scarce materials, but of assuring their fair allocation between countries. Large parts of the world are dependent on food exports from the United States, just as the United States has become dependent on oil from the Middle East. Unilateral cutoffs of these vital resources for political, economic or conservation reasons could have grave consequences, even to the point of triggering international conflict. In the early days of the Second World War, Roosevelt and Churchill proclaimed an Atlantic Charter with the postwar objective of "access, on equal terms, to the trade and to the raw materials of the world." In three decades of negotiations since that time, our focus has been almost exclusively on access to markets. In the next decades, we will need to place new emphasis on arrangements to assure reasonable access to scarce resources.

Over the next few months, it seems likely that initial answers to the specific problem of oil will be sought in a widening series of negotiations that will come to embrace producing and consuming countries. But it is already clear that such negotiations will not be limited merely to the terms and conditions, including price, on which oil will hereafter be made available by its principal producers. These latter have made it abundantly clear that their intended "terms and conditions" extend at least to the transfer of technology and investment and to the price and availability of raw materials and finished products that now move from the major oil consuming countries to the oil producers. Once other developing countries become involved, moreover, other subjects could form a part of the multilateral bargain that may be necessary—such as market access for developing countries' exports, the participation of the oil producers in aid and relief for the developing consumer countries, and provisions for food that guarantee its availability and price on terms paralleling those worked out for oil.

In all probability, these negotiations will not be crammed into the framework of the already-scheduled trade negotiations for which principles were agreed at Tokyo last fall. But certainly what is worked out for and around the question of oil will have a major impact on those negotiations—and may well leave unresolved many of the wider issues of principle involved in the question of access to resources. These issues have now become critical, and we need to look hard at the present state of international law and organization and what can be done about it.

Not surprisingly, after three decades of neglect, the present state is far from satisfactory. The General Agreement on Tariffs and Trade does contain a general prohibition on the use of export and import controls (Article XI) as well as a requirement that both export and import controls should not discriminate between countries (Article I). But a subsequent article adds exceptions to these rules—and exceptions to the excep-

tions—which make it extremely difficult to discern any coherent guidelines for national policy.[2] And, what is more to the point, all of these principles are effectively vitiated by a subsequent GATT article (XXI) which declares that nothing in the GATT shall be construed "to prevent any contracting party from taking any action which it considers necessary for the protection of its essential security interests . . . taken in time of war or other emergency in international relations."

A major objective in the forthcoming trade negotiations should be to incorporate some new and stronger rules. At a minimum, these should prohibit the use of export or other controls for political purposes. A country should not be permitted to cut off or threaten to cut off exports in order to change another country's policies (although exceptions would have to be granted to permit countries to restrict the export of weapons and national security information and also to restrict trade in the course of actual hostilities). The new rules should also seek to define more precisely the economic, conservation and other purposes for which exports can be limited, and should place greater emphasis on the need to take account of the interests of others. Most important of all, since the rules on this complex subject will inevitably require interpretation in specific circumstances, new GATT procedures should be created requiring advance notice, consultation, authoritative interpretation of the rules, and settlement of disputes by impartial conciliation commissions under GATT auspices.

Where countries are found to have violated the new principles and fail to adjust their policies in accordance with multilateral decisions, they should face the possibility of multilateral reprisals. If this cannot be done through the GATT, it may have to be undertaken through the OECD or some other multilateral forum. In extreme situations, multilateral sanctions may even have to be applied to countries that are not GATT members, on the theory that violation of broadly agreed-upon community standards are gravely threatening community interests. If we can propose cutting off air service to countries that give refuge to hijackers, if we can contemplate denying port facilities to nations that pollute the oceans with their tankers, we should certainly explore the possibility of multilateral trade, aid and investment embargoes on nations that threaten the world economy by arbitrarily withholding vital raw materials.

None of the Arab oil producing countries is a party to GATT except for Kuwait, but a number of them (including Saudi Arabia) have committed themselves in bilateral treaties with us to refrain from the very measures of trade discrimination which they recently aimed in our direction.[3] Moreover, all of these countries voted for U.N. Resolution 2625 (XXV) of the 1970 General Assembly, entitled "Declaration of Principles of International Law Concerning Friendly Relations and Cooperation Among States in Accordance with the Charter of the United Nations." One of the key principles of the Declaration was the following: "No State may use or encourage the use of economic, political or any other type of measures to coerce another State in order to obtain from it the subordination of the exercise of its sovereign rights and to secure from it advantages of any kind."

It was the Afro-Asian group in the United Nations, including the Arab countries, that pressed hardest for this principle and for the proposition that it was already part of international law. Of course, their motive was to prevent the United States and other industrialized countries from using economic power as an instrument of political pressure. Not a single voice has been raised in the United Nations to cite the relevance of this authoritative declaration to the Arab oil embargo—which is typical of the "double standard" that currently prevails in the world organization and accounts for much of the skepticism about the integrity of its decisionmaking process.

Lest we adopt an unduly self-righteous attitude on these matters, however, we should recognize that the United States itself has been one of the worst offenders in using trade controls in ways which have adversely affected other countries. As a result of congressional pressures, the President was given the authority to cut off aid to countries trading with Cuba or North Vietnam. Last summer we unilaterally cut off exports of soybeans and other agricultural products to our trading partners in Europe at the very time we were pressing them to modify policies of agricultural self-sufficiency and become dependent on our production. And the House of Representatives only recently adopted amendments to the trade bill denying most-favored-nation treatment and trade credits to the Soviet Union and other "non-market economy" countries until they grant free emigration to their citizens.

It is obvious from recent events that the whole concept of an open and coöperative trading system is under serious attack. International trade is becoming heavily "politicized." This trend is destroying the traditions of reasonably free and non-discriminatory access to markets and supplies that are essential in an increasingly interdependent world.

Cordell Hull, Secretary of State under Franklin Roosevelt, was a believer in the theory that "if goods can't cross borders, armies will." Since the U.N. Charter, countries are no longer permitted to use force to back up their economic claims. Quite apart from legal prohibition, such actions now entail costs and risks that make them politically undesirable. But if the Atlantic Charter concept of equal access to raw materials cannot be guaranteed by the use of force, we need to implement it by institutional arrangements that include an effective combination of incentives to coöperation and deterrents to destructive behavior.

Amendments have now been proposed to the trade bill which would authorize the President to cut off trade, aid and private investment from countries that injure the international community by the unreasonable denial of essential commodities. In using such new powers our government should act multilaterally, not bilaterally, for at least three reasons. The first is that in most cases a threat of reprisals against raw material cutoffs will have little practical significance unless we have our OECD partners with us. The second is that unilateral U.S. action will look to others as a destructive act of nationalism unless it is related to multilateral rules and procedures. The third is that such an effort of "collective economic security" could degenerate into a North-South economic war unless it is based on principles acceptable to a substantial number of developed and developing countries.

Obviously codes of conduct by themselves are not enough. On both sides of the great economic divide, there will need to be more enlightened perceptions of national interest. In recent years, the developed countries have manifestly failed to discharge the aid and trade obligations that were necessary to make a success of the Development Decade. Partly in response to this failure, partly out of a misguided nationalism, many developing countries enlisted under the banner of "sovereignty over natural resources"—failing to see that developed countries also have "sovereignty" over their capital resources, their technology and their internal markets, and that some mutually agreed limitations of sovereignty are essential to give full possibilities to the sovereignty of all. Ironically the greatest victims of the "sovereignty" that the OPEC countries exercised in quadrupling oil prices in 1973 were the developing countries themselves.

It would be tragic if developing countries were to conclude from the temporary "success" of the OPEC countries in raising oil prices that confrontations through producer cartels and across-the-board nationalizations now offer a better future for them than cooperation. Growing resource pressures do promise some additional bargaining power to many developing countries, but outside of oil the possibilities for successful produced cartels to raise prices are very doubtful—either the producers lack the identity of interest and the necessary foreign exchange reserves for a collective cutback in supply, or the consumers have too many other options in the form of large stockpiles, home-based production, and the availability of substitutes. The danger is that a policy of confrontation could push developed countries into policies of self-sufficiency, denying developing countries the technical assistance, the capital and the market access without which they cannot meet their development goals. In the economic and political backlash, even the resource-rich countries would lose; and the have-not countries would lose most of all.

In the next several years, the United States and the other industrialized countries, in their enlightened self-interest, should commit themselves to a number of measures to assist the economic development of the developing countries—more multilateral aid, more market access for developing countries' exports, more transfer of technology, a world food reserve, more private investment on mutually satsifactory terms, revenue-sharing from seabed exploitation, the issuance of special drawing rights to multilateral lending agencies, and a new look at commodity agreements in those special situations where they may be practicable. In return, the developing countries can fairly be asked to do their part in the construction of a cooperative economic order which would include nondiscriminatory access to raw materials at reasonable prices.

Thus the elements of a "world order bargain" between rich and poor are merging more clearly as a result of the energy crisis. The way to strike it is not through bilateral North-South arrangements that can only lead to political friction and an unfair distribution of both aid and raw materials. To find a truly multilateral solution to the energy problem, as part of the broader issue of economic relations between developed and

[2] Article XX of GATT permits measures deviating from these and other GATT rules "relating to the conservation of exhaustible natural resources if such measures are made effective in conjunction with restrictions on domestic production or consumption." The same article also permits measures "essential to the acquisition or distribution of products in general or local short supply; *Provided* that any such measures shall be consistent with the principle that all contracting parties are entitled to an equitable share of the international supply of such products . . ." These authorizations of export restrictions are subject to the requirement that such measures "are not applied in a manner which would constitute a means of arbitrary or unjustifiable discrimination between countries where the same conditions prevail, or disguised restrictions on international trade."

[3] The export embargo on oil was applied selectively to the U.S. and the Netherlands, and thus clearly violated the most-favored-nation provisions in the bilateral agreements.

developing countries, is perhaps the most urgent challenge that now faces the international institutions and their members.

FREEDOM OF INFORMATION STUDY DIRECTOR QUITS AT JUSTICE

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. MOORHEAD of Pennsylvania. Mr. Speaker, an outgrowth of the House Foreign Operations and Government Information Subcommittee's investigation of Federal agency compliance with the Freedom of Information Act was the creation, within the Department of Justice, of a Freedom of Information Study Unit.

The study unit was directed by the Attorney General to conduct a Government-wide inquiry into how well Federal agencies were responding to the public's right to know, as guaranteed under the FOI Act, and to make recommendations accordingly.

On February 19, 1974, Attorney General William Saxbe, in a letter to Study Unit Executive Director Jerry Clark, promised that the study unit would be given the widest latitude to produce the most "independent and objective" analysis possible. Clark further was assured that the unit's finding, after being circulated throughout the Government for comment but not for alteration, would then be sent to the Congress.

Today, Jerry Clark resigned when it became apparent to him that the independence to conduct this most necessary study was now being denied by his superiors.

I am greatly dismayed, but not too surprised, that the Justice Department is unwilling to allow its own Freedom of Information Study Unit to produce an objective and independent report on the administration of our Nation's freedom of information laws.

Apparently, somebody at Justice got cold feet when it looked like they could not exercise control over the study unit's final product.

It is obvious to all of us familiar with the issue that any objective analysis of the Federal bureaucracy's administration of the Freedom of Information Act will show abuse of, and indifference to, the public's right to know.

My lack of faith in the Justice Department's desire to see stronger laws in this area have been hardened recently by the Department's heavy lobbying in the Senate to weaken House-passed amendments to the Freedom of Information Act.

Faced with overwhelming House support for our subcommittee's amendments to strengthen the act, the Department has expended much time and effort on the Senate side trying to water down that Chamber's version of our bill. I am pleased to report this effort failed.

It is clear that the Justice Department does not believe in protection of the public's right of access to Government information.

AMERICA NEEDS ATOMIC ENERGY EXPANSION

HON. JAMES M. COLLINS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. COLLINS of Texas. Mr. Speaker, the recent difficulties of a power company in New York highlight industries' problems with government bureaucracy. The redtape, paperwork, public hearings, and lawsuits all combine to make it impossible for a power company to build new facilities.

America needs more power for its industrial and consumer expanding requirements.

Last year, I sat in on a House committee that was working to determine where powerplants should be located. We had one dedicated group that objected to every suggestion that was made. After several months of this, our committee chairman asked them just what they would recommend. They answered that they had no suggestions as to where plants should go, as their position was one of finding the objections to the proposals made.

What we need today is to give positive thinking people an opportunity to move forward. One of the basic potentials of additional power is the use of atomic energy. I read an interesting article in Industry Week, May 27, 1974, about the Government harassment and delays that are negating progress.

This was a good article and I would like for you to review some of its best paragraphs. Here is Industry Week on powerplant delays:

GOVERNMENT IS MAIN ATOM PLANT ROADBLOCK

Despite the growing need for electric power, 70 out of 95 nuclear power plant projects have experienced delays ranging from two to 66 months. The main cause: the licensing and regulatory requirements of the government.

These findings come from a survey by the Atomic Industrial Forum Inc. (AIF), New York, of 37 utilities with 47 units under construction and 48 awaiting permits.

For those plants under construction, the survey found an average delay of 24.3 months; for those awaiting permits, 25.9 months.

At those plants under construction, the survey showed, 1,119 plant-months have been lost in delays. By far the largest part of these delays—471 plant-months—was due to government licensing and regulatory requirements. The next most important was late delivery of compohents and materials: delays of 87 plant-months. Others: shortages of craft labor, 76 plant-months; inadequate productivity by labor, 72; and shortages of engineers and technical support personnel, 47.3.

Interestingly, lack of public acceptance of nuclear reactors seems to be a very minor cause in the delay of plants under construction. The utilities surveyed stated that lack of adequate information on nuclear projects at the national and local level did not account for any delay.

Tactics of public intervenors in the licensing process have been somewhat more significant in delay nuclear plants; these account for 29 plant-months of delay for units included in the survey.

SPEEDUP

The survey was done at the request of the government to help spot the reasons for delays in nuclear projects and to find ways to avoid such delays.

Utilities responding to the survey stated that 14 of the 47 nuclear units under construction could be finished sooner if several steps were taken immediately. Most important of these would be elimination of the public hearing prior to issuance of the operating license. (This would still leave a public hearing before a construction permit is granted.) On the average, this move would speed up construction by three to four months, the utilities said.

More significant speedups—seven to eight months—could be made with plants still in the planning stage, they said. Here, the respondents suggested one change in Atomic Energy Commission (AEC) procedures: allow site preparation work before a construction permit is issued. Now, no site preparation can get underway without a construction permit.

The AEC is moving to speed up its licensing and regulating procedures. At the same time, however, other developments are stretching out timetables for nuclear units. Respondents to the survey repeatedly mention worsening shortages of materials, components, and equipment. They also foresee growing problems with antitrust reviews, and redundancy in their dealings with federal, state, and local regulatory agencies.

SOCIAL SECURITY—THE GREAT RIPOFF—NO. 5

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. CRANE. Mr. Speaker, in the final section of a five-part series concerning social security, Chicago Today reporter Warren Shore concludes that—

The United States Social Security system is bankrupt.

Judged as insurance, he concludes the following:

Social Security pays different benefits to people who have paid the same tax—and no benefits to some who have paid thousands of dollars.

The system is designed to raise "premiums" (taxes) at a faster rate than it will raise benefits.

The so-called "trust fund" the government says "pay the benefits" doesn't exist.

Judged as welfare, Mr. Shore concludes the following:

Social Security offers benefits without regard to family need—only past income.

The system collects 5.5 per cent of the income of a $13,000 a year worker and 1. per cent of the income of a $50,000 worker.

The over-65 worker is penalized for working regardless of his need.

In the Federal pamphlet, "Your Social Security," it is stated that—

During working years employes and their employers pay Social Security contributions which are pooled in special trust funds. When earnings stop, monthly cash benefits are paid from these funds.

This statement, Mr. Shore writes, is not true.

By the federal government's own insurance regulation standards, a fund of more than $600 billion would be needed to guarantee present Social Security promises. Yet the Social Security Administration's total retirement and disability trust fund now stands at $36.5 billion—scarcely enough to guarantee benefits for 10½ months.

In the final section of his important five-part series, Warren Shore sums up his findings and presents some proposals for the future.

I wish to share this final section with my colleagues, the previous parts of this series having already been inserted into the RECORD at an earlier time, and insert in the RECORD at this time the article, "Social Security—A Way To Correct Its Shortcomings," from Chicago Today of May 3, 1974:

SOCIAL SECURITY—A WAY TO CORRECT ITS SHORTCOMINGS

(By Warren Shore)

The United States Social Security system is bankrupt. It can survive only thru larger and larger acts of public charity or a total reorganization.

Because the American wage earner has been willing to pay the charity [in the form of an 800 per cent rise in payroll tax without a matching rise in benefits], Social Security has been able to conceal its bankruptcy for the last 20 years.

But hiding the bankruptcy will get more and more expensive for U.S. workers. Up to now the cost has been paid by converting our Social Security system into both the worst of insurance and the worst of welfare.

Judged as insurance:

Social Security pays different benefits to people who have paid the same tax—and no benefits to some who have paid thousands of dollars.

The system is designed to raise "premiums" [taxes] at a faster rate than it will raise benefits.

The so-called "trust fund" the government says "pays the benefits" doesn't exist.

Judged as welfare:

Social Security offers benefits without regard to family need—only past income.

The system collects 5.5 percent of the income of a $13,000-a-year worker and 1 percent of the income of a $50,000-a-year worker.

The over-65 worker is penalized for working regardless of his need.

Those who continue to doubt Social Security's bankruptcy should consider The Great Trust Fund Myth.

In the Federal pamphlet, "Your Social Security," we were told that "during working years employes and their employers pay Social Security contributions which are pooled in special trust funds. When earnings stop, monthly cash benefits are paid from these funds."

That statement is not true. By the federal government's own insurance regulation standards, a fund of more than $600 billion would be needed to guarantee present Social Security promises.

Yet the Social Security Administration's total retirement and disability trust fund now stands at $36.5 billion—scarcely enough to guarantee benefits for 10½ months.

The truth is that, despite government claims, the trust fund is NOT used to pay benefits and hasn't been for 20 years. Today's payroll taxes are used to pay today's benefits—and the difference is critical.

Put simply by a spokesman for the Illinois state insurance department, "Using present premiums to pay off present claims is an insurance fraud because it conceals a state of bankruptcy."

Then why would the nation's largest insurer, Social Security, choose to operate this way?

When first enacted in 1937, Social Security was a small system taking a small tax [1 per cent] and offering a small return or "cushion." During the next 20 years benefits were raised without a matching rate of tax increase.

Thus because Congress was creating a generation of workers who would get more from Social Security than they put in, there was logic in assuming that these workers would continue to vote for legislators who favored the system.

So the Social Security Administration didn't bother with a true reserve fund. After all, wasn't the "selling of future policies" a virtual certainty?

But there was a fatal flaw. Giving more to one generation than it paid for, using the payroll taxes of the next generation without a reserve, means the second generation will get less than it paid for.

That second generation, the generation of victims, is today's young worker. Forty years of promising what didn't exist means today's wage earner must buy a "policy" full of government attempts at maximizing taxes while minimizing benefits.

This has led to:

Offering a benefit package worth less than a third of what it costs to offer.

Pegging benefit increases to the cost of living index and Social Security tax increases to the "average wage" which traditionally rises faster.

Keeping the earnings test [which reduces benefit checks] at below the poverty level.

Enacting a six-month waiting period for disability payments.

As we have said before, the present promises [even for currently older workers and retirees] can be kept only with future tax increases. Can the Congress continue to be certain that young workers will vote for legislators to keep this system in force?

Obviously the time has come to look for a way out.

The following proposals are a synthesis of discussions with Professor Milton Friedman of the University of Chicago, Professor Colin Campbell of Dartmouth, Professor James Buchanan of the University of Virginia, and John Brittain of the Brookings Institute.

While the proposals may seem radical, keep in mind that it is also radical to continue measures which, in private business, would result in bankruptcy. These experts suggest:

Repeal the present payroll tax for Social Security.

Replace the payroll tax with a system of Social Security bonds.

Continue to pay existing beneficiaries partially out of bond revenues and paritally out of general funds, but stop accumulating benefits for those workers who wish to opt out of the present system.

A Social Security bond system could continue to have mandatory features. A worker would be required, for instance, to purchase Social Security bonds equal to a certain percentage of his income in any given year. But he would have choices.

The bonds could be purchased from the federal treasury, at normal discount and interest rates, just as savings bonds are now added to payroll deductions.

A wage earner also would have the option of leaving the federal Social Security system entirely. To do this he would simply give proof that he is purchasing Social Security bonds from a private commercial source. Ample measures for regulating these sources already exist.

He further would request that the Social Security Administration compute the value of what already has been "contributed" in his name and that Social Security Treasury bonds be issued to him in that value.

There is no question that newly issued Social Security retirement bonds would create a huge addition to known federal debt. But the addition would simply be a measure to determine the value of what the federal government already has promised wage earners.

The present Social Security structure merely hides the debt by giving the wage earner's money to the retired and disabled, virtually guaranteeing that greater and greater amounts will be needed to keep the system from collapsing. No other trust or guaranty fund exists.

The greatest single value of the Social Security bond to the American wage earner is that it would radically change his relationship to the Social Security Administration.

A bond holder would know exactly what his government [or a private bond issuer] owes him and when payments would begin. Bondholders could not be subjected to "earnings tests," waiting periods, marital status tests or the like.

Still to be considered are the present death benefit and disability features of Social Security. Since the present system offers these features only in their cheapest form [term insurance for the death benefit and a six-month waiting period for disability], they could be duplicated in the cheapest way.

The features could be added to the new Social Security bonds for three to five times less than we are now paying.

Those who chose to buy more than the minimum in Social Security bonds would be free to sell the overage anytime they wish into the open market—like any other bond. The present system, tho much more expensive to most than private life insurance, offers no cash value.

The present Social Security system has taken 37 years to become what it is. No bond system or any other proposal will solve all the problems overnight.

The only imperative is that we recognize the present generation of young workers for what it is: A generation of victims whose financial condition is getting worse every day.

EXECUTIVE PRIVILEGE: A CONSTITUTIONAL MYTH

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. BRADEMAS. Mr. Speaker, the Harvard Law School has long been preeminent among American centers of legal scholarship. Holmes, Brandeis, Warren, Corbin, Frankfurter, Howe—the list is virtually endless—all are part of the Harvard tradition, and each of them is an important part of the history of American jurisprudence.

Mr. Speaker, Harvard's reputation for legal excellence has been enhanced in recent months with the publication of two important books, both by the same member of the Harvard Law School faculty. In his volumes on "Impeachment: The Constitutional Problems," and "Executive Privilege: A Constitutional Myth," Prof. Raoul Berger has made a most significant and timely addition to our understanding of two of the most misunderstood aspects of our Constitution.

Professor Berger's analysis, as usual, relies on rigorous logic and a respect for history "as it actually happened"; his patience with polemics and arguments made of necessity is appropriately short.

Mr. Speaker, an excellent review of Professor Berger's most recent book, "Executive Privilege: A Constitutional Myth," appeared on May 5, 1974, in the New York Times Book Review. I include it at this point in the RECORD in order that Members may be acquainted with Professor Berger's views, and hopefully, be encouraged to read his book:

EXECUTIVE PRIVILEGE: A CONSTITUTIONAL MYTH

(By Raoul Berger. 384 pp. Cambridge, Mass.: Harvard University Press)

(Reviewed by Garry Wills)

Herman Wolkinson has a lot to answer for. In 1949, this otherwise obscure official in the Justice Department wrote several papers for The Federal Bar Journal entitled "Demands of Congressional Committees for Executive Papers." These reflected the atmosphere of Truman's war with Congress, and were aimed especially at investigating committees like that of Homer Ferguson, on which young William Rogers was serving as counsel. Though the papers never became official documents in that Democratic Administration, they obviously made quite an impression on Rogers—so much so that, when he had changed sides and joined the Justice Department himself, the Wolkinson papers, only slightly recast, issued from Herbert Brownell's department as an official explanation of the Eisenhower Administration's refusal to let Congress see executive papers.

The occasion was the Army hearings before Senator McCarthy's committee. John Adams, the General Counsel for the Army, had made an embarrassing admission in his testimony—that a high White House meeting had been convened to consider ways to do in the committee. (This seemed a good idea, at the time, to people who later deplored the same kind of meeting when it was aimed at the Ervin Committee.) McCarthy demanded the records of that meeting, and Eisenhower sent a letter denying the right of Congress to ask for internal documents of this sort. Brownell appended a memorandum cribbed from Wolkinson. When Rogers became Attorney General, he wrote a memorandum reciting the Wolkinson arguments in even greater detail, and that document became the foundation for all later White House efforts to keep its dealings secret from the Congress.

Wolkinson had used extensive historical citations, going all the way back to George Washington, in favor of "an uncontrolled discretion" granted to the President over what he could withhold from Congress. He did not use the term "executive privilege" because it did not yet exist. Neither did Brownell or Rogers, in their memoranda. But the term was coming into use by 1958, and Rogers did use it outside his memorandum, in a magazine article—the first high official's use of the term.

The way had been prepared, under Franklin Roosevelt, whose Attorney General had also argued for secrecy—more plausibly—in time of war. The growth of the "security" mentality under Truman, and the cult of a strong executive leadership for cold war purposes, made the doctrine seem peculiarly liberal and virtuous. The Washington Post could not be kind enough to the Eisenhower refusal when McCarthy was at issue. It looks, then, like "executive privilege" is another fine mess the cold war has gotten us into—unless, of course, all the historical incidents mentioned by Wolkinson were valid examples of uncontrolled Presidential discretion.

Comes now Raoul Berger to tell us, emphatically, they were not examples of any such thing. There is an exuberance of pugnacious learning in Berger that is almost comic in its effect. He not only knocks down the Rogers memorandum, he jumps on it over and over, leaving it, like Leacock's Tancred the Tenspot, "flat as a postcard and of no use to anybody." The memorandum is an incredibly sloppy mélange of bad history, bad logic and bad law.

Berger heaps bipartisan scorn on all those who have used the memorandum in recent years—from William Bundy, under Lyndon Johnson, to William Rogers, acting as Secretary of State but citing himself as Attorney General—for the purposes of secret warmaking. By the time Berger has finished with it, the Rogers memorandum looks like an archetypal White House dirty trick, and anybody who uses its examples in the future had better be ready to duck.

But Berger is not content with a merely destructive job. Those who have read his earlier books, "Congress vs. the Supreme Court" and "Impeachment," know there are certain things to be expected when Berger goes into action: frequent jaunts back into seventeenth century British law, as the exemplar of our constitutional thinking; a reliance on judicial review as the solution to almost every political problem; a passionate belief in the wisdom of our original scheme of government. It is a pleasure to see him take a phrase from the Constitution and develop all the richness of its historical context, the precision of its legal formulation, its applicability to our times.

Take the words that say the President shall have the power to make treaties "with the advice and consent of the Senate." Berger takes us back to 1415 A.D., when the King of England passed laws "by the Advice and Assent of the Lords Spiritual and Temporal, and at the Request of the Commons." The House of Commons was then a petitioner, and only the House of Lords was a consultor to the King. But in the seventeenth century, that key period of parliamentary development, kings enacted laws "by and with the Advice and Consent of the Lords and Commons in this present Parliament assembled."

Both houses of Parliament were now full partners with the King in this legislative process, and proud of the earned prerogative—so much so that the lower house impeached the Earl of Oxford in 1715 because he negotiated a treaty for the Queen in such a way as "Prevented the just Advice of the Parliament to her Majesty." In the same way, James Iredell told the North Carolina ratification convention the House would impeach a President if he did not provide the Senate with information enabling it to advise him on the formulation of any treaties.

That is one strand Berger follows. Another is the careful phrasing that makes "advice and consent" apply to the whole power of treaty-making, but only to the confirmation of ambassadors, not their nomination. Still another is the way the colonial legislatures wrested the privilege of consulting on the laws from royal governors.

Then he inquires after the meaning of the word "treaties" in eighteenth century usage. He moves from Bailey's Dictionary to the Letters of Camillus, where Alexander Hamilton wrote: "From the best opportunity of knowing the fact, I aver, that it was understood by all to be the intent of the provision to give that power the most ample latitude—to render it competent to all the stipulations which the exigencies of national affairs might require; competent to the making of treaties of alliance, treaties of commerce, treaties of peace, and every other species of convention usual among nations . . . And it was emphatically for this reason that it was so carefully guarded; the cooperation of two-thirds of the Senate, with the President, being required to make any treaty whatsoever."

Then he moves on to the nation's early practice, showing how Washington went into the Senate chamber to discuss his first Indian treaties—and only desisted from this practice because he was told that his awesome presence intimidated members from frank criticism of any view he expressed.

Not only does Berger explore all these avenues in seeking full understanding of the phrase; he tells us in lengthy footnotes what each of the best scholars have said on each matter; he strips away misunderstandings (e.g., the use out of context of John Marshall's phrase "sole organ" when talking of the President's role in diplomacy); he traces the growth of constitutional aberrations (e.g., the whole doctrine of "executive agreements").

Only when this phrase of the Constitution has been lit through, turned every way toward the light, and studied from each angle, does he apply it—but crushingly—to the whole growth and prosecution of the Vietnamese war. Where was the advise and consent of the Senate? What right had Presidents to deny Congress information on the war's preparation, its rationale, its operations? The denial of the Pentagon Papers to Senator Fulbright is at last seen for the enormity it was—precisely the situation James Iredell had called an impeachable offense.

I have given Berger's treatment of this one phrase as a type of the work he does on word after word of the Constitution, bringing it back to life. He does as much for the demand that the President keep reporting on the state of the nation to its lawgivers, and on the rights of general inquest implied by the duty of impeachment if the executive fails to execute the laws as they were intended by the lawgivers.

Berger's scholarship is fiercely independent, yet trustworthy. I spent many an hour checking his account of the Marshall subpoena to Thomas Jefferson, since even Dumas Malone gets that episode wrong in his latest volume—but Berger's legal analysis, based on fewer materials than Malone used, is perfectly sound.

All Berger's recent work has been so timely that it seems to be responding to events—to Vietnam as a "Presidential war," to the White House refusal of information to Congress, to the threat of impeachment, to all the arguments about confidentiality and privilege and executive discretion. But it is also widely known that the timeliness is an accident. Impeachment and judicial review keep popping, up like King Charles' head, in his pages because he began, in his first book, exploring the boundaries between the three branches of our Government, and impeachment and judicial review are the great defining forces.

The first book dealt with the limits of the legislative branch, and the second with those of the executive. This new book is actually more concerned with Congressional prerogative than with executive excess—but, through it all, the boundary-patrolling role of the Court is kept in mind, making the three books a connected trilogy, to be studied as a whole. Together they constitute one of the scholarly landmarks of our time.

THE POLISH FALCON SOCIETY OF DEPEW, N.Y.

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. KEMP. Mr. Speaker, on August 18, 1974, the Polish Falcon Society of Depew will open its new facilities at 445 Columbia Avenue. A very special tribute belongs to the deceased president of the club—Mr. Stanley Salaszny—without whose tireless dedication and hard work the Polish Falcon Society of Depew would not be what it is today. Under his tutelage and with the help of the village of Depew, the Falcon Society has established itself as a dynamic organization committed to the welfare of the community—having made donations, financial and personal, to the Depew Senior Citizens Center, and other local endeavors, including youth and religious causes.

Under the leadership and guidance of its current officers, including its president, Richard Gramza, the chairman of the board, David Len, and its secretary-

treasurer, Edward Kosikowski, the Polish Falcon Society of Depew has in front of it many years of service to the community and all of western New York.

Village trustee, Norm Downey has been of great assistance to the society, along with hundreds of others whose tireless efforts and dedication are a vital part of its success.

HISTORY

The Polish Falcon Society is a fascinating oganization with a rich history. With the help of Depew chief of police, Mr. Louis Wenzka, I am able to outline the history of the organization:

HISTORY OF POLISH FALCON SOCIETY

At an assembly, on the 15th of November, 1903 gathered by Mr. A. Skrabinski, then president of District III, Polish Falcons of America, was founded the Gymnastic Society of Polish Falcons of Depew, New York. The Matt Dworzanowski Hall on Penora St. was where eight members registered and elected a temporary administration consisting of Anthony Krzywicki, President; Alex Utecht, Secretary; Matt Dworzanowski, Treasurer; and Frank Lisniewski, Instructor.

The same slate of officers was re-elected January, 1904, and the members resolved to hold the First Gymnastic Exhibition and Ball on January 19th. At the February meeting, the officers failed to report on the Ball "because income and accounting was lost"—"disappeared like camphor". After a stormy session, the membership separated in disgust.

After several months a majority of members gathered and reorganized. Newly elected were: Frank Paluszak, President, Alex Utecht, Secretary; J. Krzywicki, Treasurer; and J. Wienckowski, Instructor. Walter Witkowski was later elected to fill the treasurer's post, vacated by Alex Utecht who enlisted in the U.S. Navy.

The Nest moved from Dworzanowski Hall to the SS Peter & Paul Church Hall in 1906 and on June 25th, 1911 celebrated the ceremony of consecrating its banner. The act of blessing was performed by the late Rev. Father Stanley Fimowicz, Pastor of the SS Peter and Paul Church.

Labor Day, September 1911 found the Nest hard at work hosting the District III Polish Falcons convention. The events were highly successful and stabilized the organization fraternally and financially.

In 1919 the Nest acquired the building at 45 Crane Street for the business and pleasure of its membership and moved all its activities out of the church hall. Incorporation under the laws of the State of New York was completed on May 25th, 1922 and recorded on June 17th, 1922 in the archives of Erie County. This action brought about a revised constitution with an updated set of aims and procedures and established the current name of "Polish Falcon Society of Depew, N.Y. Inc."

In spite of the Depression Era, the Society survived and added membership in the newer generations, especially during and after World War II.

The Clubrooms were enlarged and altered in 1951 and further remodeled in 1953 when the Golden Jubilee Banquet was celebrated on November 15th. The Falcons proudly looked back on fifty years of achievement in an atmosphere of community acceptance and the pleasure of good fellowship.

It was at this celebration that it was noted that Frank Paluszak and Walter Witkowski, two of the original eight members, were present and active. The publicity created a new recognition by younger and new residents of the Village and membership rose almost out of bounds.

The growth of the Society made it apparent that the Clubroom could never contain the needs of the coming years and the foresight of past administrations was really appreciated in the knowledge that a large tract of land was owned by the Society on Columbia Ave. at Warner Rd.

Plans were made and brought about the current building at 445 Columbia Ave. With a ceremonial parade and consecration of facilities, the Society moved into its newest clubrooms on September 17th, 1971.

The Village of Depew honored the Society by re-naming a new section of French Rd. to Falcon Drive.

I want to thank the Falcon Society, its members, and all those affiliated with it, publicly, for their great contributions to Polonia.

HUMAN RIGHTS IN CHILE: GOVERNMENT AUTHORIZES OAS COMMISSION TO VISIT ITS TERRITORY

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. FRASER. Mr. Speaker, I am pleased to report that the Government of Chile has authorized the Inter-American Commission on Human Rights of the Organization of American States to visit its territory to investigate charges of human rights violations. In April, the Commission requested permission to make such a visit. I am inserting in the RECORD the exchange of correspondence between the Government of Chile and the Commission regarding this request to visit Chile.

I am also placing in the RECORD a letter sent by 32 Members of Congress to the Commission urging it to conduct an onsite investigation into the charges of human rights violations in Chile. Many Members of Congress have been concerned about events in Chile. The House Foreign Affairs Subcommittees on Inter-American Affairs and International Organizations and Movements held two joint hearings in May on the human rights situation in Chile. On June 11, the subcommittees will hear from a Department of State witness concerning the Department's assessment of the situation and measures to improve respect for human rights in Chile.

Also reprinted below is an article by Joseph Novitski that appeared in the May 27 issue of the Washington Post. This article states that repression, torture, and other human rights violations are still pervasive in Chile.

The administration has requested for fiscal 1975 $83 million in bilateral U.S. economic assistance, military assistance, and credit sales to Chile. Of that amount, $800,000 is military assistance and $20,500,000 is military credit sales. In view of the serious charges of human rights violations in Chile, the Congress may wish to, at least, suspend military assistance and sales to Chile until the Inter-American Commission on Human Rights has completed its investigation and found whether or not the Government of Chile is fulfilling its obligations under the OAS Charter, the American Declaration of the Rights and Duties of Man, and other relevant declarations and treaties.

The aforementioned documents follow:

GOVERNMENT OF CHILE AUTHORIZES COMMISSION ON HUMAN RIGHTS TO VISIT ITS TERRITORY

The Government of Chile, by note of May 23, 1974 addressed to the Chairman of the Inter-American Commission on Human Rights, authorized the Commission to meet in its territory, thus responding to the request made by the Commission in a note dated last April 18.

The Commission, during its thirty-second session, held April 8–18, 1974 in Washington, D.C., decided to request the authorization, established in its Statute, to meet in the Republic of Chile and gather additional information on acts denounced against the Government of Chile, as well as to examine *in loco* the situation of human rights in that country.

The Minister of Foreign Affairs of Chile, Vice Admiral Ismael Huerta, in informing the Chairman of the Commission of the decision of the government, suggested that the visit take place during the month of July.

CHILE RESPONDS TO COMMISSION ON HUMAN RIGHTS' REQUEST FOR AUTHORIZATION TO VISIT ITS TERRITORY

WASHINGTON, D.C.—The Inter-American Commission on Human Rights, during its thirty-second session, held April 8–18, 1974 in Washington, D.C., in view of the number and seriousness of the denunciations of alleged violations of human rights that it had received in relation to Chile and in accordance with the provisions of the Statute of the Commission, decided to request of the Government of Chile the authorization necessary to meet in that country and thus obtain additional information on the cases denounced.

To that end, the Chairman of the Commission, Dr. Justino Jiménez de Aréchaga, sent the following note, dated April 18, 1974, to the Government of Chile:

His Excellency, REAR ADM. ISMAEL HUERTA DIAZ,
Minister of Foreign Affairs,
Santiago, Chile.

EXCELLENCY: The Inter-American Commission on Human Rights has followed with much attention the unfolding of events that have occurred in the Republic of Chile since September 11, 1973, analyzing them in relation with the effective operation and protection of human rights.

This interest has been made manifest by the frequency with which we have corresponded with the Government of Your Excellency since that date in fulfillment of the obligations imposed upon us by the clear standards which govern our activity.

We have already had the opportunity to acknowledge formally—and we are pleased to repeat it on this occasion—that the Government of Your Excellency has endeavored to offer ample information on the majority of the questions which the Commission has formulated. Likewise, we expressly acknowledge the facilities accorded to the Executive Secretary of the Commission during his visit in mid-October 1973.

During this session, the study of the present situation of human rights in Chile has taken a great part of our time. On the one hand, we have examined those individual cases, clearly determinable, in which the violation of certain fundamental rights of one or several specified persons has been denounced. But, in addition, it has been necessary to analyze separately that which we might call a "general case," that is, the aggregation of charges from different sources according to which there is a policy in Chile which would imply, according to the claimants, the systematic disregard of fundamental human rights.

The Commission still lacks important evidence that would permit it to form a definitive opinion on many of the industrial

cases under examination; but it is especially in relation to that which we call a "general case" that greater contradictions appear—still insolvable by us—between the allegations of the claimants and the information furnished by the Government of Your Excellency.

The imperative necessity to carry out the duties that the American states have imposed on the Commission in approving its Statute, leads us in this case, after a very careful consideration of the surrounding circumstances, to exercise the faculty conferred by Article II of the Statute and Article 50 of the Regulations, precepts that, constituting one of the normal means by which we do our work, foresee that we might request authorization of a government in order to examine in its territory the situation of human rights, for the purposes contemplated in Article 150 of the Charter of the Organization of American States, amended by the Protocol of Buenos Aires of 1967 and Article 9(bis) b of the Statute of the Commission.

The Commission believes that only by working in such a manner can it take a decision with full knowledge of the facts with respect to the situation of human rights in Chile, whether it be to recommend the measures that it deems necessary for their complete protection or whether it be to be able to affirm, on the other hand, that the violations denounced did not take place.

The ample understanding shown to date by the Government of Your Excellency leads us to believe that the request for authorization will be granted; and, in such case, we wish to say in advance that the Commission considers that next June 1st would be the best date for commencing its work.

Awaiting decision on this request, I repeat, Excellency, the assurances of my highest consideration.

JUSTINO JIMÉNEZ DE ARÉCHAGA,
Chairman.

By way of reply, the Government of Chile, through its Representative to the OAS, sent the following cablegram on May 15 to the Commission:

MAY 15, 1974.

No. 440.

Delegation of Chile to the Organization of American States, Washington, D.C.

MR. CHAIRMAN: There follows a transcription of the cablegram of the Acting Minister of Foreign Affairs of Chile and Minister of National Defense, Admiral Patricio Carvajal:

"MR. JUSTINO JIMÉNEZ DE ARÉCHAGA
Chairman of the Inter-American Commission on Human Rights, Washington, D.C.

The Ambassador of Chile to the OAS advised me yesterday of the text of a note, dated April 18, that you had sent to the Minister of Foreign Affairs of Chile, Vice Admiral Ismael Huerta, a note which, to this moment, has not been received in this Department of State. This leads me to respond by cable to that communication.

In view of the fact that the President of the Government Junta and the Minister of Foreign Affairs are currently in Paraguay and that the latter will make an official visit to Argentina immediately afterwards, I prefer to await the return of both before giving a concrete response to your petition that the Commission on Human Rights travel to Chile. But, of course, I can say in advance that the date suggested by you of the first of June is somewhat premature due to the aforementioned circumstances.

Very truly yours,

PATRICIO CARVAJAL,
Acting Minister of Foreign Affairs of Chile, Santiago de Chile—May 15, 1974"

Sincerely yours,

MANUEL TRUCCO,
Ambassador, Representative of Chile to the Organization of American States.

In turn, the Chairman of the Commission, reaffirming the desire of the Commission to visit Chile in light of the situation there, responded as follows on May 16, 1974:

His Excellency, PATRICIO CARVAJAL,
Acting Minister of Foreign Affairs,
Santiago, Chile:

In response to cablegram Your Excellency of 15 of this month, forwarded by Chile delegation to the Organization of American States, Inter-American Commission on Human Rights sincerely regrets that Your Excellency's government considers, for the circumstances indicated in your aforementioned cablegram, that the date of First of June suggested by this commission to meet in territory of Chile with the object of continuing its examination of the situation of human rights "is somewhat premature." Commission in exercise its irrevocable mandate to watch over observance human rights, and in view of the seriousness and urgency of the acts denounced, holds to its firm intention to visit Chile as soon as possible to study in loco denunciations which allege violations of human rights, especially right to life, liberty and personal security, right of protection from arbitrary arrest, as well as right to due process of law, set forth in articles I, XXV and XXVI of the American Declaration of the rights and duties of man approved in the Conference of Bogota with the affirmative vote of Chile. We wish to express anew to Your Excellency that in light of article 42 regulations Commission request of authorization does not constitute a judgment in advance admissibility of denunciations. Awaiting definitive decision by Your Excellency's government on authorization request, accept Excellency assurances highest consideration.

JUSTINO JIMÉNEZ DE ARÉCHAGA,
Chairman Iachr.
LUIS REQUE,
Executive Secretary.

U.S. SENATE,
Washington, D.C., March 19, 1974.

Hon. JUSTINO JIMENEZ DE ARÉCHAGO,
Chairman, Inter-American Commission on Human Rights Organization of American States, Washington. D.C.

DEAR MR. CHAIRMAN: Since September 11, 1973, the date of the military coup in the Republic of Chile, we, the undersigned members of the Senate and House of Representatives of the United States of America, have viewed with increasing concern the deprivation of basic human rights of many persons, both citizens and aliens, in that country. We are especially distressed that violations of human rights have continued in Chile for many months after the initial horrors that occurred in the aftermath of the coup. We respectfully request the Inter-American Commission on Human Rights to take the appropriate measures in connection therewith.

Due to the urgency and gravity of the charges, we earnestly urge the Commission to make an on-the-spot investigation of the situation of human rights in Chile at the earliest possible opportunity. We believe that such a mission would be the best guarantee for the protection of the life and liberty of many persons.

Sincerely yours,

Bella Abzug, Herman Badillo, George Brown, Jr., Thomas L. Ashley, Jonathan Bingham, Frank Church, Ronald Dellums, Donald Fraser, Floyd Haskell, Harold E. Hughes, Robert Leggett, Spark Matsunaga, Edward Mezvinsky, Frank Moss, David Obey, Henry Reuss, Fortney H. (Pete) Stark, Jerome Waldie, and Walter F. Mondale.

Don Edwards, Michael Harrington, Elizabeth Holtzman, Edward Koch, George McGovern, Ralph Metcalfe, Parren Mitchell, Edmund S. Muskie, Charles Rangel, Benjamin Rosenthal, Gerry R. Studd, Antonio Borja Won Pat, Delegate from Guam, and John C. Culver.

[From the Washington Post, May 27, 1974]

CHILE FINDS TENSE PEACE UNDER JUNTA

(By Joseph Novitski)

SANTIAGO, May 26.—The pace of repression has slowed in Chile, though the practice has far from disappeared. The intensity has eased, at least temporarily, and Chileans are learning to live with the military junta that has ruled the country for eight months.

Some, like the Santiago lawyer who told his partners, "The only good Communist is a dead one," are utterly happy with the junta. Some, like the wives of men held prisoner for eight months without charges or the widows of men shot without trial, are appalled by it.

Others, who probably represent that majority of adult Chileans, voted against the overthrown Socialist government of President Salvador Allende and marched against it in the street, supported the military coup d'etat, but are beginning to cautiously question the junta's aims, its repressive practices and effects of its policies. They do not, however, hint that they want to turn back to any of the last president's 34 tumultuous months in power.

Often, in the farmland south of Santiago and the fishing ports and mining camps in the north, persons in this middle group wondered out loud where Chile is going. Since the bloody coup in which Allende died Sept. 11, the governing junta has established clear policies in only two areas: Repression and economic recovery. The rest has remained undefined in detail.

The new government has behaved most often like an occupying army establishing rules for civilians to live by, turning the economy, devastated by mismanagement, back to work, and hunting down and rooting out "the enemy." The armed forces and the national police, all represented on the four-man junta, formally declared war last September on those Chileans who actively supported Allende or his Marxist plans. The war, the junta said, continues, although it has long since turned from shooting to secret arrests and trial by military courts.

The rules of the war are secret, shifting and often arbitrary. People are arrested and disappear, according to a court petition filed last March on behalf of 131 persons by the leaders of Chile's three religious communities, the Roman Catholic, the Protestant and the Jewish. Anonymous tips are sufficient authority for military patrols, police or the military intelligence services to arrest anyone and hold him as long as they like.

"It is not one dictatorship," said a lawyer who once supported Allende but withdrew from his government well before it fell. "Every Chilean has the dictator he finds in front of him. It may be a good-natured soldier on sentry duty or a hard-nosed colonel."

Detentions have probably totaled tens of thousands. In some places, like the farming town of Rancagua, they can be tempered by common sense. The military commander there recently released a peasant denounced by a vengeful neighbor as the secretary of an outlawed leftist political party. A parish priest proved the peasant was illiterate and he was freed.

In other instances, legal reasons go unexplained. Orders are enough. For example, 34 surviving leaders of Allende's government have recently been returned to Santiago after spending eight months at hard labor, eating beans, lentils and starches, at the Dawson Island prison in the storm-tossed Straits of Magellan.

Two of the men were taken off the island ill and later died in Santiago hospitals. None has been formally charged. Their wives have been told that their interrogations will begin now, while the men are held in solitary cells without visitors or reading or writing materials. Then they will be tried by courts-martial.

Court-martial sentences sometimes have

been tempered by mercy, as in the northern provinces where prison sentences have, at times, been reduced to decrees of internal exile. Those sentenced thus, like the Russian revolutionaries under the Czars, must live by their own means in towns well away from their homes.

In other instances, sentences, even for offenses committed before the coup and the declaration of war, have been tough. Ninety-six known death sentences have been carried out. There probably have been more. Recently, the junta intervened at the insistence of a Roman Catholic bishop to reduce five death sentences to long prison terms.

"We want to get rid of the Communists," a military prosecutor explained to a defense lawyer during a provincial court-martial. "We don't like doing it, but we have to be hard on them."

Lawyers, some doctors, and the 28 bishops of Chile's Roman Catholic church, have charged that prisoners in the junta's war have been tortured. The junta's interior minister, Gen. Oscar Bonilla, chose the other day not to deny the charge, but to assert that they were "damaging to the national interest and unacceptable." Gen. Augusto Pinochet, the army general who presides over the junta, has declared that there may have been excesses in the days following the coup, but that these have stopped on his orders.

The charges of torture are hard to prove, and the junta's rebuttals are difficult to evaluate because the victims have almost all remained nameless. At least one case this year found its way into the records of a court in the capital, however.

In March, a Mrs. Virginia Ayress filed a criminal complaint over the treatment of her husband, Carlos, to her son and to her daughter, Luz de las Nieves Ayress. All three had been arrested late in January. The complaint, in accordance with Chilean legal procedure, was taken up for investigation at the first criminal court of San Miguel, a working class suburb of Santiago. It was given file number 40. 876–12.

In the bound court file, Mrs. Ayress said that her daughter had been tortured in four ways before being turned over to an army regiment, where she was unharmed, and later confined in Santiago's women's jail.

"She was raped ferociously by three or four men. She was handcuffed and blindfolded," the complaint stated. "Also they introduced sticks into her vagina, they tied her up and separated her legs and made rats walk over her, making them enter her vagina. They did the same thing with spiders. They applied electric current to her tongue, ears and vagina. They hit her head, especially behind the ears. They hit her in the stomach. They hung her up, sometimes by the legs and sometimes by the arms. They terrorized her because she had traveled to Cuba on a scholarship to study cinema in Cuba in 1971," the mother said in her signed statement.

The criminal court judge ruled himelf incompetent to act on the complaint last month.

"As soon as we knew they were detained because of their participation in the former government, we forwarded the file to the army prosecutor's office," a clerk at the court reported. An officer at Santiago's permanent military tribunal said the file had been forwarded this month to the air force prosecutor, who is drawing up the charges against the detained members of the Ayress family.

Cases such as that of Luz de las Nieves Ayress are not made public. But Chile, for all its narrow length, is a small country, of small cities and towns, except Santiago. The country's population of 10 million is roughly that of Pennsylvania. The army, although its size is secret, is probably no larger than the student body of a medium-sized state university in the United States. The whole air force has as many men as a large high school. The word of arrests, some executions, and above all the dismissals of leftists on a large scale from jobs in factories, mines and in the bureaucracy, gets around.

"Sure, we should respect the armed forces," said a dirty, bearded fisherman on the waterfront of Antofagasta. "They're the people who defended the country, maybe even saved it. But now you look at them cross-eyed and they take you away for lack of respect for the military and, bam they shoot you like that."

Still, life goes on at a nearly normal Chilean pace. People go to work and, often, still stop for a midday siesta or at least a long lunch. The production of copper, Chile's basic export at Chuquicamata, the largest mine in the country and one of the largest in the world, is up 42 per cent, because, according to a mine shop steward, "We want to work, it's good for us and the country." The output of farms and factories is by all accounts, noticeably higher than it was last year at this time. So is unemployment.

A new school year has started, with float parades and sack races to determine the queens of the freshman classes at the eight universities. About 16,000 of the 110,000 students enrolled last year have been dismissed for their political activities under the former government. Women shop at stores that are full again, but they are very careful when they buy because prices have soared and wages have been held down.

"Things are so expensive," said a housewife in a frayed cloth coat, shaking her head and moving past a vegetable stall in Santiago's central market.

"Tell it to Pinochet," the stallkeeper answers with a shrug. Increasingly, people are trying to tell it to Pinochet.

In the capital, a labor leader spoke out on national television against the unequal distribution of hardships under the government's economic policy. Gen. Pinochet sat next to him. At a National Bar Association meeting, a lawyer told the audience that many of his political clients had been tortured, and some government-supporting lawyers argued, over a chorus of shouts, that he should be heard. At the port at Antofagasta, Mrs. Daisy Vega got a promise from the army general running the province that she and her neighbors in a shantytown would be given a month's warning if the government decided to move them off their land.

"I have to recognize that I was wrong," Mrs. Vega said after she talked to Brig. Gen. Rolando Garay. "I thought he was going to come and do all the talking and our part was to listen. No, he listened to our problems and told us straight out he didn't have much money but would try to help."

There have also been signs that the military government, after extending its control down to the very roots of the country, has paused to listen and to decide exactly what is to come next. The junta has pushed back the deadline for a new constitution it had ordered from a commission of lawyers, some of whom were known, in the past, for their admiration for Jose Antonio Primo de Rivera, the founder of Spain's fascist movement, the Falange.

It is the economic policy that is hurting most. The few rich live well, but middle-class families say they have stopped saving and cut back on entertainment. Poor families, over and over again, report that they have cut down their diets.

CATTLEMEN AND CATTLE FEEDERS NEED FINANCIAL AID

HON. ROBERT PRICE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. PRICE of Texas. Mr. Speaker, recently, I introduced legislation to establish a $3 billion revolving guaranteed or insured loan fund to aid financially stricken cattlemen and cattle feeders. This program would be administered by the Farmers Home Administration.

In early May, I called upon the President and the Secretary of Agriculture to consider such a fund so that qualified beef producers who are now, and were previously, in the beef cattle business could apply for emergency 5-year loans at an interest rate of 5½ percent.

As any person in the cattle business can tell you, cattle producers are taking tremendous losses, sometimes as much as $150 a head. Over the past 15 months, the Nation's cattle feeders have sustained significant and consistent financial losses. Many experienced cattlemen have lost their savings, ranches, and any equity that they had accumulated over the years. Because of the massive extent of these losses, many cattlemen and cattle feeders are unable this year to borrow funds from normal credit channels without emergency funds. Yet, without needed capital, the Nation's feedyards cannot be restocked; and without restocking feedlots, the industry will be unable to continue to supply beef to America's dinner tables in either the quality, quantity, or the consistent supply necessary to stabilize the beef market.

The amount of $3 billion is the minimum amount necessary to help the $20 billion beef producing industry in my opinion. This industry normally uses some $5 billion in annual credit in Texas alone, and in my district, losses have already exceeded $1 billion. Others, such as the American National Cattlemen's Association, have estimated that in the coming year, $15 billion in credit will be needed in order to continue beef cattle operations.

As of January 1, 1974, there was a 6-percent decline in the total number of cattle on feed in the United States. Furthermore, replacements were down 15 percent in the October-December quarter of last year. Over the past 8 months, approximately 10 percent less cattle has been replaced in the feedlots. This lack of replacements is increasing daily due to the lack of financial capital.

My real concern is that unless something is done immediately, many cattle feeders will no longer be able to continue replacing cattle. As a cattle feeder myself, I know firsthand that the losses which have been sustained over the last months are only indicative of the overall situation facing every cattle feeder in the business. Not only are the present low prices of fat cattle breaking those who are feeding cattle, but it is also shaking the banks and other financial loan companies who have been loaning money to develop and keep the cattle industry in business.

Not only is the cattle feeding industry in jeopardy at the present time but so is the future meat supply of the Nation. The present disastrous prices of fat cattle are also having a serious effect on cow-calf operations. It takes years to build a cow herd to supply the steers and heifers for feeders. For adequate supplies of beef in the future, it is imperative that steps be taken to alleviate this situation in the cattle industry.

This legislation will enable cattlemen to borrow funds, at Government-guaranteed or insured levels, in order to replace the needed cattle in the feedlots. If replacements do not start to rise, then beef cannot be provided to the American tables in a consistent and sufficient manner which will allow the market to return to stability.

For the further information of my colleagues, the text of my bill, H.R. 15079, follows:

H.R. 15079

A bill to amend the Consolidated Farm and Rural Development Act to establish a loan insurance program for cattlemen

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.) is amended by striking out "Subtitle D" in the center heading immediately preceding section 331 and inserting in lieu thereof "Subtitle B", and by inserting immediately after subtitle C the following new subtitle:

"SUBTITLE D—LOAN INSURANCE FOR CATTLEMEN

"SEC. 331. (a) The Secretary shall insure loans made by a lender other than the United States, or made by the Secretary and sold to such lender, to a borrower in the United States who—

"(1) is a citizen of the United States;

"(2) is or has been engaged in beef cattle producing operations to an extent and in a manner determined by the Secretary as necessary to assure reasonable prospects of success in cattle producing endeavors financed by loans insured under this subtitle;

"(3) is unable to obtain sufficient credit to finance his actual needs in the beef cattle producing business at reasonable rates and terms, as determined by the Secretary after considering prevailing private and cooperative rates and terms in the community in or near which the applicant resides for loans for similar purposes and periods of time; and

"(4) has, if he has received previously a loan insured under this subtitle, performed successfully the terms of such loan.

"(b) Loans insured under this subtitle must be expended for the purpose of financing the normal operations of buying, raising, and selling beef cattle by the borrower whose loan is being insured.

"SEC. 332. (a) Subject to the approval of the county committee, appointed under section 352, the amount of any loan insured under this subtitle shall be determined by the lender.

"(b) The period of repayment of any loan insured under this subtitle shall not exceed 5 years.

"SEC. 333. (a) The Secretary shall from time to time establish the interest rate which may be paid by borrowers on loans insured under this subtitle, but such rate shall not exceed 5.5 per centum per annum.

"(b) Whenever the Secretary determines it necessary that a lender be paid a higher interest rate on a loan than is to be paid by the borrower on such loan in order for the Secretary to be able to enter into a contract of insurance with a lender with respect to such loan, the Secretary may contract to pay the difference between the interest rate to be paid by the borrower and the interest rate to which the lender is to be entitled under such contract.

"SEC. 334. (a) The Secretary shall determine whatever security he deems necessary for the obligations entered into by him in connection with loans insured under this subtitle.

"(b) The Secretary may enter into any security instrument in connection with loans insured under this subtitle; whenever practicable he shall provide that such instrument constitutes a lien running to the United States even though the notes are held by lenders other than the United States.

"SEC. 335. In any case in which the borrower receives the loan insured under this subtitle in installment payments, the Secretary shall specify in any contract made in connection with such loan that such borrower shall receive no such payments after failure by the borrower to perform successfully the terms of such loan.

"SEC. 336. The Secretary is authorized—

"(1) to make agreements with respect to the servicing of loans insured under this subtitle and to purchase any such loan on conditions and terms as he may prescribe; and

"(2) to retain out of payments by the borrower a charge at a rate specified in the insurance agreement applicable to the loan.

"SEC. 337. Any contract of insurance executed by the Secretary under this subtitle shall be an obligation supported by the full faith and credit of the United States and incontestible except for fraud or misrepresentation of which the holder has actual knowledge.

"SEC. 338. (a) The borrower of any loan insured under this subtitle shall pay such fees and other charges as the Secretary may require.

"(b) Such borrower shall prepay to the Secretary as escrow agent such taxes and insurance as the Secretary may require and on such terms and conditions as he may prescribe.

"SEC. 339. (a) There is hereby created the Cattleman's Insurance Fund (hereinafter in this subtitle referred to as the "fund") which shall be used by the Secretary as a revolving fund for the discharge of obligations of the Secretary under this subtitle.

"(b) The Secretary is authorized to transfer, no later than 12 months after the date of enactment of this subtitle, assets from the Agricultural Credit Insurance Fund, described in section 309, to the fund if he determines that such transfer is necessary to establish the insurance program created by this subtitle.

"(c) Moneys in the fund not needed for current operations shall be deposited in the Treasury of the United States to the credit of the fund or invested in direct obligations of the United States or obligations guaranteed by the United States. The Secretary may purchase with money in the fund any notes issued by the Secretary, for the purpose of obtaining money for the fund, to the Secretary of the Treasury.

"(d) The Secretary shall make and issue notes to the Secretary of the Treasury for the purpose of obtaining funds necessary for discharging obligations under this subtitle, and he may make and issue such notes for the purpose of establishing the insurance program created by this subtitle. Such notes shall be in such form and denominations and have such maturities and be subject to such terms and conditions as may be prescribed by the Secretary with the approval of the Secretary of the Treasury. Such notes shall bear interest at a rate fixed by the Secretary of the Treasury, taking into consideration the current average market yield of outstanding marketable obligations of the United States having maturities comparable to the average maturities of loans insured under this subtitle. The Secretary of the Treasury shall purchase any notes of the Secretary issued hereunder, and, for that purpose, the Secretary of the Treasury is authorized to use as a public debt transaction the proceeds from the sale of any securities issued under the Second Liberty Bond Act and the purposes for which such securities may be issued under such Act are extended to include the purchase of notes issued by the Secretary hereunder. All redemptions, purchases, and sales by the Secretary of the Treasury of such notes shall be treated as public debt transactions of the United States.

"(e) Notes and security acquired by the Secretary in connection with loans insured under this subtitle shall become a part of the fund. Notes may be held in the fund and collected in accordance with their terms or may be sold by the Secretary with or without agreements for insurance thereof at the balance due thereon, or on such other basis as the Secretary may determine from time to time. All net proceeds from such collections, including sales of notes or property, shall be deposited in and become a part of the fund.

"(f) The Secretary shall deposit in the fund any charges collected for loan insurance services provided by the Secretary under this subtitle as well as charges assessed for losses and costs of administration in connection with insuring loans under this subtitle.

"(g) The Secretary shall utilize the fund—

"(1) to make loans which can be insured under this subtitle whenever he has reasonable assurance that they can be sold without undue delay, and he may sell and insure such loans;

"(2) to pay amounts to which the holder of insured notes is entitled on loans insured accruing between the date of any payments by the borrower and the date of transmittal of any such payments to the holder; in the discretion of the Secretary, payments other than final payments need not be remitted to the holder until due or until the next agreed remittance date;

"(3) to pay to the holder of insured notes any defaulted installment, or upon assignment of the note to the Secretary at the Secretary's request, the entire balance due on the loan;

"(4) to purchase notes in accordance with contracts of insurance entered into by the Secretary;

"(5) to make payments in compliance with the Secretary's obligations under contracts of insurance entered into by him;

"(6) to pay taxes, insurance, prior liens, and expenses necessary to make fiscal adjustments in connection with the application and transmittal of collections or necessary to obtain credit reports on applicants or borrowers, plus expenses for necessary services, including commercial appraisals and loan servicing and consulting fees, and other expenses and advances authorized in section 355(a) of this Act in connection with loans insured under this subtitle; such items may be paid in connection with guaranteed loans after or in connection with acquisition by the Secretary of such loans, or of the security of such loans after default, to an extent determined by the Secretary to be necessary to protect the interest of the United States;

"(7) to pay the difference between interest payments by borrowers and interest to which insured lenders are entitled under contracts of insurance entered into by the Secretary under section 333(b);

"(8) to pay the Secretary's costs of administration of the program authorized under this subtitle, including costs of the Secretary incidental to insuring loans under this subtitle; and

"(9) to perform any other act authorized by this subtitle.

"SEC. 340. The aggregate amount of the obligations insured under this subtitle and outstanding at any one time shall not exceed $3,000,000,000.

"SEC. 341. For purposes of this subtitle—

"(1) the term 'cattle producing operations' means a beef cow-calf rancher, an individual who raises beef cattle in his normal ranching operations, a feedlot operator who feeds beef cattle for himself and others, a partnership that feeds beef cattle, or an operator who feeds beef cattle for himself; and

"(2) the term 'beef cattle' means cattle

raised to be sold and slaughtered for beef producing purposes.".

(b) Sections 331 through 344 of the Consolidated Farm and Rural Development Act, and all references thereto, are redesignated as sections 351 through 364, respectively.

CONSOLIDATION: THE WAY OUT OF THE BUREAUCRATIC MAZE

HON. ALPHONZO BELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. BELL. Mr. Speaker, the wondrous ways of bureaucracy were illustrated again recently by an experience of Dr. George Outland of the San Mateo, Calif., Union High School District. Dr. Outland spent many hours and 13 telephone calls worth $45 trying to decipher, and track down the sender of, a message involving a mysterious "title IV, part A." The question was: Title IV, part A of what? The sender further neglected to indicate with what agency of what level of government he was affiliated.

As Dr. Outland indicates in his letter, his experience exemplifies the need to move toward consolidation of the myriad overlapping programs administered by Federal agencies. Those of us who will meet next week to iron out the differences between the House and Senate versions of the Elementary and Secondary Education Act Amendments might do well to contemplate Dr. Outland's comments.

The letters follow:

LEA PLANNING—ENTITLEMENT: $3,357.75.

SUPERINTENDENT OF SCHOOLS,
San Mateo Union High,
San Mateo, Calif.:

Subject: District entitlement data for use in planning proposals for part A, title IV.

In the process of mailing packets to title IV, part A, eligible applicants, in some cases page 2 was inadvertently attached to the wrong page 1. Please check to ensure your entitlement (planning figure) agrees with that shown above.

WILLIAM G. DEMMERT, Jr.

SAN MATEO UNION HIGH SCHOOL DISTRICT,
San Mateo, Calif., May 3, 1974.

Hon. ALPHONZO BELL,
Representative From the 28th District of California, Congress of the United States, Cannon House Office Building, Washington, D.C.

DEAR AL: This was the matter of which I earlier advised you by telephone. I have written to Dr. Riles as well. I am seriously considering writing to the Secretary . . .

As you know, the Association of California School Administrators, and previously, the Joint Committee on Federal Legislation of CASA/CASSA/CASBO/CESAA/CAASA, has consistently requested the Congress to fund all categorical aid programs for education through our State Department of Education. This allows and encourages better coordination among the many programs meant to assist our students.

Enclosed please find documentary evidence in support of this position. (See my first enclosure, exactly as received in this district.) This is not a typical example; indeed, it is the worst example of Federal mismanagement I have ever seen! But, it is illustrative . . .

First, the reference to Part A, Title IV. I personally know of the following Titles IV:

Elementary and Secondary Education Act of 1965, Public Law 89–10, as amended; Title IV, Education Research and Training; usually administered through Region IX, USOE;

Civil Rights Act of 1964, Public Law 88–352; Title IV, Desegregation of Public Schools; usually administered by the Department, and we know the people there;

Higher Education Act of 1965, Public Law 89–329; Title IV, Student Assistance (not normally a concern to a secondary school district);

National Defense Education Act of 1958, Public Law 85–864, as amended; Title IV, National Defense Fellowships (not normally of interest to us);

None of those. Back to the files. There are also the following Titles IV:

Federal Property and Administrative Services Act of 1949, Public Law 81–152; Title IV, Foreign Excess Property (unlikely);

Health Amendments Act of 1956, Public Law 84–911; Title IV, Extension of the Hospital Survey and Construction Act (not that one);

Housing Act of 1961, Public Law 87–70; Title IV, College Housing (not us);

Economic Opportunity Act of 1964, Public Law 88–452, as amended; Title IV, Employment and Investment Incentives (maybe; but no action initiated by us . . .);

Housing and Urban Development Act of 1965, Public Law 89–117; Title IV, Compensation of Condemnees (obviously not us);

Demonstration Cities and Metropolitan Development Act of 1966, Public Law 89–754; Title IV, Land Development and New Communities (Foster City?);

Omnibus Crime Control and Safe Streets Act of 1968, Public Law 90–351; Title IV, State Firearms Control Assistance (we've always worked with CCCJ and the county on this one; topic seems unlikely for our use);

Comprehensive Drug Abuse Prevention and Control Act of 1970, Public Law 91–513; Title IV, Report on Advisory Councils (we've done much pioneer work in drug abuse education, but this does not seem to apply);

Housing and Urban Development Act of 1970, Public Law 91–609; Title IV, Consolidation of Open Space Land Programs (dealing with our two vacant sites?);

Education Amendments of 1972, Public Law 92–318; Title IV, Indian Education (might be that, but we have no applications pending).

So, there are some 14 Titles IV which we have on file in our office. None appears too likely, although we have worked closely with Civil Rights Act Title IV staff in the past, and sought grants thereunder.

Second, let's telephone. Since all State Department of Education mail comes with a letterhead, signature, date, and usually a sound reference to either California Education Code, California Administrative Code, or Federal law; let's assume a Federal official for "William G. Demmert, Jr." Per my second enclosure, you will note the following:

Called USOE Region IX, San Francisco, talked/waited for fifteen minutes on February 13, at 1:55 p.m.; no Demmert there, not in their directories of USOE; gave me the USOE information number.

Called Washington the next day, February 14, due to time differential:

245–8025 11:34 a.m. USOE locator 5 min No Demmert; try NIE at 254–5800.

254–5800 11:39 a.m. NIE locator 4 min No Demmert; try NIE Personnel, 254–5100.

254–5100 11:49 a.m. NIE Personnel 3 min No Demmert;

254–8025 11:53 a.m. USOE locator 7 min Try 755–8724.

Time out for lunch and recuperation (of patience).

755–8724 1:00 p.m. Out of Service.

254–8025 1:03 p.m. USOE locator 9 min Try 254–5174 (NIE Personnel; "No, already tried"); then try 245–7803.

245–7803 1:12 p.m. Wrong number 3 min Try 245–8116.

245–8116 1:20 p.m. No answer.

245–8025 1:27 p.m. USOE locator 5 min Try 755–7693.

755–7693 1:32 p.m. Demmert's Ofc 5 min Not in: call again.

Next day, February 15:

755–7693 1:02 p.m. Demmert 4 min Business call re letter; was for Indian Education.

Total time, one hour and twenty minutes, $23 (at my hourly rate of $17.25), plus telephone bill of $22.05; total cost, $45.05 to set up one four-minute conversation. That would up one four-minute conversation. That would buy 18 hours of paraprofessional time for students in this district!

Third, this "LEA Planning Entitlement" of $3,357.75 is not a planning entitlement, not for a "planning proposal," per Dr. Demmert; it must be used for program. It is an entitlement (planning figure)—that is, the expected amount of the entitlement to be granted some time in the future, following application by the LEA. The amount would not cover the cost of bringing all our Indian students together from our eight campuses on any kind of regular basis, much less provide any meaningful program. (The entitlement is 10% under the cost of one teacher-period for this District.)

Incidently, USOE Region IX called back on February 20 with a number for Demmert; she gave us 755–0620.

Frankly, Al, I have never met Dr. Demmert; I have spoken with him but once on February 15. He may be gifted in the education of Indian children. (I do not know significant differences in the educational requirements of Indian youngsters which are so dissimilar from programs of special education, general education, vocational education, compensatory education, and/or continuation education that they must be isolated and treated differently than other young people—black, brown, white, or yellow.)

I very respectfully request that you take such actions as are available to you, and which you consider appropriate, to have all operational programs administered through the California State Department of Education and consolidated into the fewest possible categories. This classic example of mismanagement may be without parallel, but it underscores our dissatisfaction with USOE program administration.

(Please note, I do not recommend moving demonstration/pilot programs, such as NIE's work with vouchers and other experimental programs; nor USOE data gathering/comparison activities among the several States; nor even the appropriate models provided by USOE for school accounting, community involvement, school plant planning, or similar recommended examples of educational improvement. However, I frankly doubt that even if Dr. Demmert is the most competent educator of Indian children in the nation that he can have any positive effect sitting behind his desk in Washington, far, far removed from the Southwest, the northern plains, and even the Southeast, where these students are concentrated. I imagine their respective state departments of education and LEAs would be far more effective in helping red people.)

Thank you for your time and consideration.

Sincerly yours,

GEO. F. OUTLAND,
Director of Research and Resources.

P.S.—We declined the entitlement February 19.

APPLICATIONS TECHNOLOGY SATELLITE–F

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. TEAGUE. Mr. Speaker, today was a historic day for our Nation and our national space program. The results of the lauch of the Applications Technology Satellite–F—ATS–F—will not be fully realized until it has accomplished a broad variety of missions destined not only to benefit directly the people of this Nation, but also the people of the subcontinent of India. Direct broadcast of health and educational television programs to remote areas, aeronautical and maritime communication, position location, traffic control, and spacecraft tracking and data relay all will be encompassed by the ATS–F program.

ATS–F is the first of its kind. It will spend its first year over the Galapagos Islands being used for educational and medical communications in the Rocky Mountains, Appalachia, Washington State, and Alaska.

In its second year, ATS–F will be moved to a position over Kenya, East Africa, and will be used in instructional television for the subcontinent of India covering daily 5,000 villages throughout remote points of India.

During the joint US./Soviet Apollo/Soyuz mission, this same satellite will be used to track and relay information from this internationally manned experiment. ATS–F is a true pioneer in our national space program. It is the summation of practical gains now being derived from our national space effort.

I am including in the RECORD a NASA mission summary on this important program and commend its reading to my colleagues and the general public:

APPLICATIONS TECHNOLOGY SATELLITE–F

MISSION SUMMARY

The most versatile, powerful communications spacecraft ever developed was launched by the National Aeronautics and Space Administration at Kennedy Space Center, Florida on May 30.

Associated with NASA in the Applications Technology Satellite F(ATS–F) mission are the Department of Health, Education and Welfare, the Federation of Rocky Mountain States, the Appalachian Regional Commission, the Veterans' Administration, the Federal Aviation Administration, the Maritime Administration, the National Library of Medicine, Indian Health Service, U.S. Coast Guard, Alaska, COMSAT Corporation, National Oceanic and Atmospheric Administration, Universities of Washington, California and Minnesota, Canadian Government, European Space Organization and, later, the Government of India.

The new spacecraft (ATS–6 in orbit) will be used for the next several years to test a variety of new space communications concepts. These include direct broadcast of health and education television programs to small and simple ground receiving units in remote regions over a large geographical area; aeronautical and maritime communications, niques; and space craft, tracking and data position-location, and traffic control techrelay.

The ATS–F carries equipment for more than 20 technological and scientific experiments, some of them international in scope.

No other spacecraft similar to the ATS–F has ever been placed in orbit. This 1,402 kilograms (3,090 pounds) spacecraft consists essentially of an Earth Viewing Module (EVM) connected to a deployable reflector antenna which measures nine meters (30 feet) in diameter when deployed. Spacecraft control, communications and experiment systems are located in the EVM.

For its first year of operation, the ATS–F will be located at 94 degrees west longitude over the equator. At this location, a point over the Galapagos Islands, the spacecraft will be in view of all of the continental U.S. from its geosynchronous altitude of some 35,680 kilometers (22,300 miles).

Shortly after the spacecraft is on this station and checked out, it will be used along with the ATS–1 and ATS–3 now in orbit to conduct the Health-Education Telecommunications (HET) experiment which encompasses both educational and two-way medical tele-conferencing experiments.

The HET experiments are planned in three geographic areas: the Rocky Mountain region, the Appalachian states, and the states of Washington and Alaska. HET will pioneer delivery of high quality educational and health services to millions of Americans in remote parts of these areas.

For the HET experiment, the ATS–F will be able to relay two separate color TV signals, each accompanied by four voice channels. Thus, programs can be broadcast in several languages simultaneously with the viewer being able to select English, Spanish, or one of several American Indian dialects. The ATS–1 and ATS–3 spacecraft will be used for two-way voice and data transmissions in support of the ATS–F during both educational and health-medical experiments.

Approximately one year after launch, the ATS–F will be moved eastward until it is over the eastern edge of Lake Victoria, located in Kenya, East Africa. From this position, the spacecraft will be "visible" to the subcontinent of India. It will then be used by the Indian Government about four hours a day for one year to conduct the Satellite Instructional Television Experiment (SITE).

For this experiment, the ATS–F will be used to broadcast daily television programs to 5,000 villages and cities in seven states throughout India. Programs aired will stress improved agricultural techniques, family planning and hygiene, school instruction and teacher education, and occupational skills. Because of the large number of languages and dialects spoken in India, each video channel will be accompanied by two audio channels in different languages.

In mid-July, 1975 the ATS–F will be used to track and relay TV and other data from the Apollo-Soyuz spacecraft as they orbit the Earth in a 10-day joint U.S.-U.S.S.R. experiment to advance international cooperation in manned flight.

ENVIRONMENTAL TRADE OFFS

HON. ROY A. TAYLOR

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. TAYLOR of North Carolina. Mr. Speaker, one of the more significant conservation programs in our Nation takes place each year in my district in Fontana Village in North Carolina. Annually, it attracts conservation and business leaders to discuss their vital mutual interests. This is the 15th anniversary of the Fontana Conservation Roundup.

This year the theme of the conference, held May 15–18, was "Environmental Trade Offs." One of the speakers at this conference was George B. Hartzog, Jr., the former Director of the National Park Service, and now a practicing attorney in Washington, D.C.

Mr. Hartzog's remarks are particularly relevant to the choices we will be making about "Environmental Trade-Offs" in solving our energy and environmental programs in the years ahead. Mr. Hartzog's recommendation that all receipts from sale and leasing of our coal shale and offshore oil lands be earmarked in a new recreation park and renewable resources fund deserves study and I recommend this address for the consideration of my colleagues:

ENVIRONMENTAL TRADE OFFS

The theme of your Conference—Environmental Trade-Offs—is one of the most serious issues confronting our society as it searches for new goals and new ethics. The Conservation Movement has advanced front and center in the making of national policy despite a recent article in the Washington press indicating that environmental considerations clearly have taken a back seat to the energy crisis. Someone is not listening. A recent Gallup Poll reported that while 25 percent of the respondents blamed the oil companies for the energy shortage and 23 percent blamed the Federal Government, only two percent thought that "ecologists" were at fault.

The institutions in our society are being called into question today as never before. Unfortunately, many are found wanting in integrity, candor and responsiveness. In this crisis of confidence among our people the Conservation Movement must provide vigorous national leadership to formulate the new national policies required to restore and maintain quality in life now and in the future.

We need to forge a new alliance of those concerned with the preservation of nature and those involved in the renewal of our cities. We shall not long preserve the wilderness of pristine America if millions of our citizens, clustered in metropolitan jungles of concrete and asphalt, remain ignorant of—and continues to be denied the benefits from—the renewing experiences of God's great out-of-doors and their rich cultural heritage.

Few will gainsay the wisdom of seeking energy self-sufficiency through exploitation, under adequate controls, of our off-shore oil, shale and coal resources. As conservationists concerned with the quality of life, we must call into question, however, the national policy of the Administration that will not re-invest the receipts from the disposition of these non-renewable resources in the conservation of our renewable resources.

Increased leasing of coal, shale and offshore oil lands is estimated to produce eight to ten billions of dollars of revenues, annually, in the foreseeable future. Except for minor deposits to the Land and Water Conservation Fund, the Reclamation Fund, and transfers to the States, the vast majority of these revenues are to be spent currently for unidentified programs in the 300 billion dollar plus Federal budget.

In the meantime, the Administration has destroyed the Open Space program designed to bring life to our strangling cities; 3½-million acres of our National Forests remain unforested or under-stocked; research into the management of our renewable resources continues to be funded at the poverty level of wartime; and, in the absence of adequate recreational facilities, millions of our children wander aimlessly on the streets of our cities—likely targets for crime, debauchery

and death. Is it conceivable that any family, corporation, or country concerned either for itself or its posterity would tolerate a policy of selling its heirlooms to squander the receipts in daily living?

I suggest that prudent national policy would require that all receipts from the sale and leasing of our coal, shale and off-shore oil lands should be earmarked in a new RECREATION, PARK AND RENEWABLE RESOURCES FUND. This investment Fund could be used to finance the traditional programs of the Land and Water Conservation Fund for State and Federal land acquisition and for development of State and local recreation facilities.

Additionally, the recreation, park and renewable resources fund should be available to finance urban park and recreation programs, as well as indoor recreation facilities.

It is unrealistic to suggest that revenue-sharing will be a sufficient substitute for the Federally-financed Open Space program for our cities. Starving cities should not be enjoined to make the unacceptable choices of using such monies either for "bread" or for programs to "clothe" the cities in life sustaining green parks and socially redemptive programs of recreation.

For decades we have enjoyed the benefits of our magnificent national forests manned by talented, creative professionals. Yet, today, because of inadequate funding 3½ or more million acres of our national forests have been harvested and remain unforested or understocked. A recreation, park and renewable resources fund financed from sales of our non-renewable resources would correct this glaring blemish on our National Forest System.

All of our resource managing agencies are underfinanced with research funds to achieve their respective missions. From personal experience in the National Park Service I know this to be true. Those wonderful people in the National Park Service have not had the financing to provide the scientific data for so basic a management decision as the "people carrying capacity" of a natural environment. How can you preserve a park even if you know all other things but are uninformed of this crucial data? A recreation, park and renewable resources fund could finance such indispensable research programs.

I believe that the idea of an Eastern Wilderness System is an idea whose time has come. The Congress probably will enact it in this Session. Such a bill, when implemented, may add 200 to 500 thousand acres to the Wilderness Preservation System in the East. Hardly a "drop in the bucket" of what will be needed to serve this and future generations!

We have tens of thousands of acres of land—mostly East of the Mississippi River—that have already served one economic use, such as strip mining. Now, they lie fallow—unused and ofttimes abused—a financial burden to their owners and an economic disaster to the communities they once supported. These lands should be recycled as park and forest reserves. Once acquired by the Federal Government with monies from the recreation, park and renewable resources fund, they should be land-banked until their scars are healed. When healed, these lands could take their place as contributing units of our National Park and Forest Systems, such as Great Smoky Mountains and Shenandoah National Parks, and the George Washington and Nantahala National Forests. Importantly, moreover, these recycled lands could provide significant future additions to the Wilderness Preservation System in the East when it will be most needed by our burgeoning strip cities of the Atlantic Seacoast and the Midwest.

After several years of indecision and inadequate financing, meaningful efforts are now being made for the celebration of our Bicentennial. A talented, vigorous, imaginative Director of the Bicentennial Administration has been appointed by the President. Moreover, Federal funding has been increased dramatically to the National Park Service and to the States to preserve our historic and cultural heritage. These efforts may get us by 1976 without substantial embarrassment. They will not suffice as long-term national policy.

Our historic and cultural heritage is the tangible evidence of the continuity among the generations of men. This heritage provides social cohesion to our mobile society. Its roots must be nourished in each generation. A substantial continuing program of historic and cultural preservation should be financed from the recreation, park and renewable resources fund.

As long ago as 1962 the Outdoor Recreation Resources Review Commission recommended that Federal policies be developed to encourage private enterprise to shoulder a major share of the challenge of providing outdoor recreational opportunities for our citizens. No significant National policy has been developed—the nagging problems persist: the threat of unfair competition by publicly financed facilities, the hazard of unbearable tort liability, and the lack of assured financing at reasonable rates. We need a new charge to the Bureau of Outdoor Recreation to include private recreation facilities in the Nationwide Outdoor Recreation Plan with assurance that where adequate private facilities exist, publicly financed facilities will not be provided. The recreation, park and renewable resources fund could provide for guarantee of low-cost loans and tort coinsurance to solve the remaining major problems for the private sector to move aggressively into outdoor recreation.

As a part of the recreation, park and renewable resources fund, we must provide some new tools to protect our natural and cultural heritage. The traditional tools of fee acquisition and local zoning are ofttimes inappropriate. We need authority for Federal land managers to issue Compensable Federal Land Use Regulations to protect the environments of important natural and cultural properties when local zoning is unequal to the task or in some cases wholly undependable.

New management arrangements are also necessary, particularly for cultural preservation programs. The old system of single line management must give way in some instances to Boards of Directors consisting of Federal, State, local and private interests as the controlling policy instrument. The Connecticut River, the island resources of Massachusetts, Maine and other States, and the nationally significant monuments of our Indian Reservations are examples of important cultural resources which will be preserved only if we are wise enough and humble enough to involve other entities in formulating policies and programs for preservation and management.

This Fontana Conservation Roundup and the conservation movement can have no greater challenge than to insure that the environmental trade-offs ahead of us are such as will renew our spirits and inspire our posterity.

The American Revolution is not yet over! The choices we make about environmental trade-offs will determine whether, indeed, the American dream matures into the reality of a new era of human dignity.

Thank you very much.

WOMEN IN SPORTS: PART III

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. FRASER. Mr. Speaker, on May 22, and again on May 29 we introduced into the RECORD articles on women in sports.

Today we are placing the third article of this Washington Post series in the RECORD. The article deals with the different financial treatment given to women and men athletes:

[From the Washington Post, May 14, 1974]

THE FINANCIAL BIND

(By Nancy Scannell and Bart Barnes)

Things have gotten a lot better for girl and woman athletes in the Washington area over the past few years. That is to say the female athlete here is a little less far behind than she used to be in relation to the male athlete.

It is not to say she is getting anything like a fair deal.

In virtually every institution and school system the female athlete lags far behind her male counterpart. She has few sports to participate in and inferior equipment and coaching. However well she does, she gets less recognition.

For female athletes here—as elsewhere—the price of excellence often is insults and slights that reinforce the prevailing attitude that sport, serious sport, is for men and boys.

The limited acceptance of girls in some areas of athletics has not broken down the traditional barriers.

Fifteen-year-old Hania Richmond went out for the Groveton High School soccer team this spring, made the squad and was elected cocaptain. A few weeks later she was unceremoniously dropped. School officials cited the Virginia High School League policy that girls may not play contact sports with boys.

Such strictures are common and troublesome, but the real bind for female athletes is financial. The numbers vary from school to school and jurisdiction to jurisdiction, but the bottom line nearly everywhere is that, at athletic budget time, girls are considered to be worth less than boys. (Comparisons are difficult to draw because athletic budgets are financed from a variety of sources such as gate receipts, boosters clubs and tax dollars.)

A recent study of the Fairfax County school system showed about nine dollars are spent on boys' athletics for every dollar that goes to the girls. That figure is by no means unusual for the area or for the nation.

Madison High School is an illustration of the way things are. When boys' teams at Madison win a championship, it is customary to honor them at an awards banquet. When a girls' basketball team won a divisional championship last year, recalls one team member, "We climbed on a bus and went to Giffords." Giffords is an ice cream parlor.

To pay for their program the girls at Madison do such things as operate a laundry service, picking up and delivering towels for students in physical education classes.

Members of the girls softball team at Madison and their parents and coaches often have had to cut the grass and line out the fields themselves.

"We have worked until the wee hours of the morning," said Gloria Milburn, who is in charge of girls' athletics there. "We have personally mowed and raked a good portion of the field."

"There have been a number of times Gloria and I, in our spare periods or after school, have lined the girls' softball fields only to go out and find we had no lines left . . . because the boys had used our lines for their games," said Pat Dean, Madison's basketball coach.

Part of the problem at Madison and many schools throughout the area is that people just don't take girls' sports seriously.

Dean recalled this reaction of the boys' athletic director when a trophy arrived at the school for the girls' basketball team:

"He brought me in our trophy and said 'What the hell is this? Who ordered it?' I just said 'We earned it at the regional tournament.'"

In recent years Madison girls' basketball

teams have won their way to six of nine district tournaments. At the end of each year their recognition was a mimeographed standings sheet.

At nearby West Springfield High School, boys' sports events and pep rallies for them are announced over the public address system. One day Shirley Duncan, who directs the girls' athletic program at West Springfield, got tired of waiting for it to occur to somebody that her regional champion girls' basketball team deserved to be included. So she walked into the principal's office and broadcast the announcement herself.

Girls athletic director Billie Reynolds at another Fairfax High School, Robinson, heard through the grapevine that there was to be a pep rally for all school teams. But no one had said anything to her about it. "I had to go in and ask to be in it. The football coach, the cross country coach, were automatically included."

William Savage, who directs the county's athletic program, says efforts are underway to upgrade girls sports.

Savage agreed there are such problems as the nonmaintenance of the girls' softball diamond at Madison. His groundskeeping staff is small, he said, and he has to get the baseball fields ready first because the baseball season begins before softball.

In Alexandria, a study commission on the status of women found that "of all facets of school life, athletics is the one where girls most often have to take a back seat.

"Less money is spent on sports for girls and girls receive less encouragement to compete seriously . . . In athletics, it seems that a great deal of money is being spent to benefit a relatively small number of students."

The report cited specifically the football program at Alexandria's T. C. Williams High School, which cost a total of $12,335 last year. The most expensive sport for girls at the school was gymnastics at $2,140. In all, $31,-162 was spent on the boys' athletic program, compared to $6,360 on girls' athletics.

Adding in the sports budget of George Washington and Hammond High Schools, which have only freshmen and sophomores, Alexandria spends $95,632—counting coaches' stipends—and a boys' athletic program that includes 12 competitive sports. For girls the sports budget is $25,560 for a six-sport program. Eight head coaches and 49 assistant coaches work with boys' teams; there are six head coaches and eight assistants for the girls.

William Blair, head of athletics for Alexandria public schools, says there has been a surge of interest in girls' sports and that he for one thinks that's good. Doug Poretz, spokesman for the school system, said the city is planning to make a special appropriation of $74,000 this year to improve both girls' and the so-called "minority" sports. In the past each has gotten short shrift.

This egalitarian concern would have been welcomed two years ago by Chris Strider, a recent graduate of T. C. Williams, who ran into roadblock after roadblock when she and more than 50 other females tried to start a girls' crew team.

At first the girls were told there were no locker rooms at the boat house. They said they'd change in the bathroom. Then they were told they were too frail, they might drop the shells. Finally, when they persisted, they were told they could form a team to compete in the fall. In the fall there is no competition.

An all-girl crew team since has been formed at T. C. Williams.

Girls have integrated crew teams at neighboring Arlington's Washington-Lee High School, where there are five girl coxswains on the 73-member crew squad.

Arlington also offers girls sports in gymnastics, outdoor track and swimming and it is likely that next year the program will be expanded to basketball, softball and coed golf, said Bob Gill, county athletic director. Spending ratios at each of the county's three high schools this year run at $18,000 for boys' sports to $3,000 for girls.

In testimony before Arlington County's Commission on the Status of Women, Barbara Reinwald, girls' athletic director at Washington-Lee, said that for the girls' varsity sports (including crew) at her school, there are only three coaches, while each of the nine boys' varsity and junior varsity sports had a coach.

Five years ago District of Columbia public schools offered only one interscholastic sports activity for girls, an annual archery tournament. City schools now offer varsity athletic programs for girls in volleyball, basketball, track and field and softball. In addition, city schools have coed teams in swimming, tennis, and golf.

Vinna C. Freeman, director of girls' athletics, said interest in girls' sports now is at an all-time high despite numerous obstacles and handicaps. The girls on a softball team at Cardozo High School had all their gloves stolen twice, Freeman said, but they raised money and kept buying more.

At virtually every senior and junior high school in the city, Freeman said, there is increasing pressure to put girls' sports on a par with the programs in 10 sports available to boys. The demand for coaches has grown so, Freeman said, "that I don't have enough women who are trained."

One indication of the relative value the system attaches to the two programs is the salary differential between coaches of girls' teams—as little as $250 and no more than $750—and the coaches of boy's teams: $1,000.

One of the more advanced interscholastic sports programs for girls in this area is in Montgomery County, where at the high school level, 1,709 girls are participating in eight varsity sports. The county also is the target of the first formal complaint of sex discrimination in local public school athletics.

The complaint was filed under Title 9 of the federal aid to education amendments of 1972, which prohibits discrimination on the basis of sex in a number of areas, including athletics, at any institution or system receiving federal funds. The penalty is loss of federal fundings.

In Montgomery within the last few years a number of noncontact sports such as tennis, track and golf have been made coed, reflecting an area trend.

Bethesda-Chevy Chase High School's track team is one such integrated squad. Coach Kerry Ward said girls first joined the team two years ago. Ward says he has developed some powerful girl runners, capable in some instances of beating boys, which some in the athletic establishment have difficulty living with.

"As long as the girls were just mascots, that was okay," Ward said. "But when they started winning . . . that can be a threat to the whole tradition of jockdom."

Generally the girls on Ward's team compete against other girls, but they did go to a meet last year in Annapolis where they ran against eight boys and beat four of them.

Prince George's County schools, until two years ago offered no interscholastic sports competition at all for girls. Under pressure from women's groups, the school board authorized a program for girls in the fall of 1972 in three sports, basketball, track and volleyball. But the program still is far behind the 10 varsity sports available to boys and spending on girls sports is about one-third of that for the boys.

Jill Greenberg, head of the education committee of the Prince George's Women's Political Caucus, thinks the county could be headed for real trouble if it fails to comply with Title 9.

"We could get into the same kind of hassle we got into with school integration," Greenberg said. She was referring to a massive crosscounty busing program begun in the Prince George's public schools last year under orders from a federal judge.

"What we are working for is to think of physical education in terms of a person's right; learning to take care of your body. In a very real sense the girls have been deprived. They almost need more funds to acquire the skills they need . . . it's almost compensatory education."

Vincent C. Holochwost, director of athletics of Prince George's schools, says that because of the new Title 9 regulations, as far as he's concerned, there will be no additions on the boys' athletic program until the girls have caught up.

In the two years that girls in the Prince George's public school system have had organized interscholastic competition, Holochwost said, some small steps forward have been taken.

High Point High School's girls' basketball team won a county championship this year, for example, but the initial reaction of many of the male students to a first-rate girls team was surprise.

"I talked to some of the boy students. They said, 'Hey, they're good. They really know how to play basketball.' " said Virginia Honey, girls' basketball coach at High Point.

On Feb. 25, when the High Point girls beat DuVal High School for the regional championship, the High Point cheerleaders and pompom girls and a number of students and administrators turned out to support the team. Later the girls' championship team was honored at an awards banquet just as High Point's championship football team had been in the fall.

Vicky Robinson, a High Point junior, has been on the team for two years and is the second highest scorer with an average of 14 points a game. She says she has nothing in particular to prove in playing and does it "only because it's fun and it's something to do after school."

At the college level, athletics for women in this area range from an ambitious basketball program at Federal City College to a struggling effort at Georgetown University, where women's teams are barely allowed in the gym.

Natalie Paramskas is director of women's athletics at Georgetown. During the winter she runs intercollegiate competition for women in basketball, volleyball and gymnastics.

She gets to use the gym from 7:30 to 9:30 on Tuesday and Thursday nights. During that time she tries to run practices for all three sports simultaneously.

When there's a game scheduled that causes problems, Paramskas said. "If we have a volleyball game, the women's basketball team can't practice."

The women's basketball team at Federal City College is developing national recognition through participation in championship tournaments across the country. At FCC, it's the women's basketball team and not the men's that commands recognition. Accordingly, the women's basketball budget is $22,630 and the men's, $15,841.

Of Federal City's total budget of $104,626 for five men's sports and two women's, the women get almost 25 percent, or $23,630.

At the University of Maryland's College Park campus, which, with 34,000 students is the largest educational institution in this area. Dorothy McKnight, coordinator of women's athletics, has seen a lot happen in 10 years.

A decade ago, when she came to College Park, McKnight said. "We had teams but nobody even knew we existed. We drove our own cars to the games and collected money from the players to pay for the gas. The girls made their own uniforms. It was a very minimal program."

Three years ago the athletic department agreed to support a women's program and now Maryland has varsity athletics for women in field hockey, tennis, swimming

and basketball. Lacrosse and volleyball are being added.

Still the budget for women athletes at Maryland is only a fraction of what the men get, $30,000 in next year's athletic budget of $2,091,000.

Nevertheless, McKnight says she's generally satisfied with the progresss her women's program has made, although "We need and can use more money."

In principle at least her boss, athletic director Jim Kehoe, is behind her.

"While I support philosophically the principle of equality, as a practical matter it just won't work," Kehoe said. "This department wholly endorses a comprehensive women's athletic program but that does not include athletic scholarships or equal sharing of revenue."

REMARKS OF CONGRESSMAN CRANE FOR AMA CONVENTION, ANAHEIM, CALIF.

HON. JOHN H. ROUSSELOT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. ROUSSELOT. Mr. Speaker, my colleague from Illinois, Congressman PHIL CRANE, on December 5, 1973, addressed the American Medical Association convention, morning session of the House of Delegates, in Anaheim, Calif.

Mr. Speaker, because this address by my colleague (Mr. CRANE) was a culmination of long discussions that had occurred within the framework of American Medical Association and has subsequently triggered other events of interest to this body, I felt that my colleagues would wish to be aware of these comments regarding the professional standards review organizations.

As a result of our colleague, Mr. CRANE's speech to the American Medical Association, the position recommended by Mr. CRANE has been sustained by a committee of the Association on Professional Standards Review Organizations and a suit has been filed in court recommending that the PSRO law be declared unconstitutional.

A substantial number of practicing physicians and other professional people from the medical field have been most interested in the general concepts developed in Mr. CRANE's remarks:

SPEECH BY CONGRESSMAN PHILIP CRANE

Thank you very much Dr. Shields . . . I deem it a great priviledge to have this opportunity to come before you today in this capacity. I am one of a number of members who were instrumental in getting Dr. Heard to come to Washington to talk to us. He gave of his time and energy at our request to present an evaluation of how we in Congress might most effectively deal with the question of the possibility of repeal of the Professional Standards Review Organizations.

PASSAGE OF PSRO

I think, to give you a brief history of the House action, it's important for you to know that the House hadn't the vaguest idea of what it voted on when the PSRO legislation went through the House. We did *not* introduce it in the House. It was introduced in the Senate and tacked onto a complex, lengthy social security bill. The Senate has no rules with respect to germaneness. This clearly would have been ruled a non-germane amendment to that legislation had it been introduced in the House. This was the deceptive way PSRO slipped through and I can assure you that probably 90% of the members of the United States Congress today haven't the fuzziest idea what a PSRO is. They don't understand the concept—they don't even know that they cast a vote on it.

SIGNATURES ON PETITION FOR REPEAL OF PSRO

I say that advisedly because I had the opportunity to talk to any number of my colleagues on the subject in attempting to recruit signatures on that letter that we sent to you. I'm confident I could have produced, as Dr. Shields indicated, easily a hundred signatures on that letter, based on the principle involved in this issue, if members had had the chance to evaluate the merits or demerits of PSROs. However, in talking to members I asked them first the question, "Do you know what a PSRO is?" If they answered in the negative, I didn't proceed any further. Secondly, those who indicated some vague understanding, but uncertainty as to where their constituents in the medical profession stood, I said, "Don't sign this until you talk to your physicians back home." One of the ways I've managed to achieve some degree of credibility with my colleagues is by attempting conscientiously to avoid getting them into a situation where they may have political problems back home. I think it's important for you to know as well that there are a number of bills that have been dropped in the hopper in the House calling for the outright repeal of PSRO by members whose names were not on the letters. Further, there are members on the other side of the aisle who have indicated their opposition to PSROs, but whose names do not appear. The only one of those whom I talked to personally as I was leaving the floor was Congressman Rarick. This was because John has been in the vanguard of this fight from the beginning, submitted the first repeal bill, and has the greatest number of co-sponsors on his bill.

MY OWN CONCERN ABOUT PSRO

Now let me briefly explain some of my reasons for concern. First of all, as Dr. Shields noted, I come from a family of physicians. I was the black sheep, having gone into the history profession, because I had too many sympathetic pains to suffer the rigors of medical school. But on the other hand, I do have an appreciation of what the American medical practice is all about and I think I have, probably, as great a respect for it as any member you'll find in the Congress of the United States.

MY CONCERN ABOUT OTHER PROPOSED MEDICAL LEGISLATION

As some of you know, I have not co-sponsored your particular legislative alternative to Senator Kennedy's National Health Insurance Bill. When I was approached to be a co-sponsor of that legislation, I indicated that I would not because in my judgment it did not best serve the interest of American medicine. I still hold that point of view. I have not co-sponsored the administration's approach; I have not co-sponsored the health industry's approach; I have not co-sponsored the hospital association approach. By producing an alternative, you have given away half the battle at the outset. And I can't put enough emphasis on that point. With respect to PSRO, the question is one of options available to you people in the medical profession.

NO HEALTH CARE CRISIS

In debating, the worst approach you can take is to concede your opponent's premise. In my judgment, that's what the administration has done, that's what the medical profession has done, the health insurance people have done it, hospital associations have done it. You have implicitly accepted Kennedy's analysis of the problem; viz., that there is, indeed, a health care crisis in America. Your response to this claim is you have a better approach to deal with that alleged crisis. I totally reject the premise and I would be more than happy to spend any time with you back in your home states defending my position. I think the evidence is abundantly available to one and all to prove the point, that we have the best medical care here in the United States of any comparable country or collection of countries in the world. And I don't care if you want to get into the discussion of infant mortality rates, maldistribution of doctors, doctor-patient ratios, medical costs, what-have-you. If you make a comparison because what we have done without government intervention in medicine in this country and what they have done with varying degrees of government intrusion in the delivery of health care in countries that have gone that path, our performance is without peer. This is not to suggest that we are without problems. But we are closing the gap on those problems more effectively under our approach than are countries which have turned to government for solutions. Getting in bed with people in my profession is the most disastrous possible course you can take. As physicians, I know you are committed to providing the best possible health care, and certainly as a potential patient, I have a vested interest.

PRINCIPLES INVOLVED

But beyond that, I have a vested interest in certain overriding principles that are at stake in this great battle. Those principles don't touch physicians alone because there is virtually no business or profession today that is not under the threat of governmental intervention. We have a collective fight on our hands, gentlemen, and that fight is not confined to the battles that preoccupy your attention today. That's just a part of it. But that, too, is a part of my reason for being here. My work involves battles across the broad spectrum of all our business-professional interests in the effort to preserve a free society. And it is for that reason, perhaps far more than any other, that I am here with you today.

OBJECTIONS TO PSRO

Now it seems to me in talking to physicians that there is no one who will defend the concept of PSRO in principle. The objections to PSROs are abundantly plain to you, but there are two critical ones that strike me as overriding. One is the idea that you can have laymen impinging their judgments on the best professional judgment of physicians.

ESTEEM OF THE MEDICAL PROFESSION

Do you really think that the average patient in this country is going to repose greater confidence in government or in bureaucracy than he will in his physician? I can guarantee you he won't. You're in a unique position. The recent Gallup poll, as you know, revealed the fact—out time and time again—that the physician is the most respected man in our society. By contrast, the people in my profession have just slipped below the used car salesman. The used car salesman is at least providing a service in the private sector. I would raise the question as to how much positive good people in my profession are doing for anyone. And I don't mean because we've consciously malicious. We fall into the category Justice Brandeis described in the Olmstead case when he said, "Americans should be most on guard against encroachments against their liberties when government's intentions are beneficient . . . when its policies are initiated by men of zeal, well-intentioned but without understanding." That's precisely the situation we're in today with respect to PSROs.

INVASION OF PRIVACY

Now in addition to this, the potential for invasion of patients' privacy is a clear viola-

tion of the Hippocratic Oath and your professional ethics. In the Ellsberg case, burglars had to break into a psychiatrist's office to get files. With this law the bureaucrats can simply walk into a psychiatrist's office and review any patient's records. I can assure you that if you brought this point home to politicians, you've got a sensitive issue for getting politicians to understand the inadvisability of this legislation.

PRAGMATIC APPROACH

I can understand why you've taken some of the actions you have. I fought the battle with you in '65 on the Medicare question. I know a lot of physicians after that decided it was hopeless to fight the Federal leviathan on principle, that "pragmatism" or "realism" dictated attempting to control and direct from within as the only chance of preserving a semblance of private practice. But one must be careful when he succumbs to this reasoning that he does not give away more than he has to. In looking over some of the recommendations that you've come up with, the first one says, "at this time—and this is substantiated by ranking members of the House Ways and Means Committee—attempts to repeal PSRO would be fruitless." Let me assure you first that the Ways and Means Committee is not the exclusive committee to talk to on this. Secondly, there is potentially a whale of a lot of support in that Congress for outright repeal. Thirdly, what support is not there is primarily the result of a lack of understanding of what's happened, and that even includes members of the Ways and Means Committee. As a Congressman, I'm telling you that this is not a lost battle. Moreover there is no reason why you cannot explore a variety of options simultaneously. They are not mutually exclusive. You don't have to give up the effort to repeal only because you think a more likely alternative is to attempt to clean up a bad law. In addition to this you can at the same time contemplate working for repeal through the courts. I would certainly be willing to stand beside any physician or any association of physicians that refuses to comply with this law on the grounds that it does violence to the ethics of the medical profession.

PRINCIPLES AT STAKE

It is important for all of us to keep in mind, as I said earlier, that there are precious principles at stake here. I was the only member who testified before the Ways and Means Committee in opposition to *any* governmental intrusion in the so-called health care field. I was the only member. And at the time I testified, the man chairing the committee, Mr. Burleson, observed that this was certainly a "novel" point of view, that it had never been presented to that committee. I got into all the alleged shortcomings of health care here in the United States and pointed out that when you make comparisons with other countries, you'll see we're closing the gap on the remaining problems we have faster through free medicine than any other countries that have opted in favor of socialized medicine and that any effort to suggest we have a health care "crisis" in America is pure hokum.

NOT MUTUALLY EXCLUSIVE POSITIONS

But to go on here with another recommendation, it's suggested that a position of non-participation would tend to make Association efforts to seek amendments to PSRO or to modify similar regulations, similarly fruitless. That is absolutely not true. If anything, the more vigorous the opposition, the greater the willingness of politicians to seek a compromise. You can go on record as a national body, condemning on principle what you know in your hearts to be wrong and simultaneously work for other alternatives behind the scenes in the event we can't win on the question of outright repeal. This is a part of what I mean about these positions not being mutually exclusive.

EFFECT ON OTHER HEALTH LEGISLATION

Another position stated here says that "noncompliance or non-participation would also weaken Association efforts to affect other pending and future health legislation." Again, I would differ. In fact it indicates a lack of understanding of how the political process works. Each one of you has input. And if you don't think you have input on the politicians, I can guarantee you, you have input on their constituents. If Senator Kennedy attempts to ride that hobby horse of national health insurance into the White House, he's not going to make his major thrust until 1975. It's a political issue and I don't think anyone of us should be deceived about that point. In the meantime, between now and 1975, you have an opportunity collectively to talk individually to patients. Patients are voters. And if you alert them to the danger, then you can generate a massive political influence. Another statement claims that "Repeal of PSRO would leave the medical profession still subject to other legislative controls which already exist, perhaps more distasteful." Well, to be sure, that's a possibility.

COMPLIANCE DESTROYS YOUR PROFESSION

But let me just tell you one other thing. If we are going to draw the battle lines on principle—and in my judgment, that's how they should be drawn—the best way calculated to permit the government intrusion that could ultimately destroy your profession, is to get compliance. If you draw the battle lines on the basis of the professional judgment of the physician versus the gun that's being pointed at his head by government, and I can assure you beyond that, that once they identify the politicians as the enemy, the politicians will back off in a hurry. This kind of legislation cannot survive without your consent and your compliance. It's a total impossibility. This is more "foot-in-the-door" legislation as you know. The supporters of Medicare back in 1965 were candid enough to acknowledge that it was foot-in-the-door legislation ultimately for a government take-over of the medical field. And I submit to you that this is just another part of it.

RECOMMENDATIONS

I have probably exceeded my time constraints but let me, if I may, continue for just a couple more moments to pass on some recommendations. One: Don't despair. I think the most pernicious doctrine in Washington today, and I see it in business associations, I see it in the professional associations, is a certain feeling of despair over the inevitability of legislation. Well, that doctrine of inevitability is the rankest superstition that Karl Marx ever advanced. I had a student who came up to me some years ago when I was teaching, and he said, "Dr. Crane, I believe in your philosophy and your principles and your values and your ideals, but let's face it, the United States is finished. Western civilization is down the drain. We're inevitably moving on to some kind of bland socialism. So, in effect, why fight it; eat drink and be merry for tomorrow we die." And I said, "Young man, I can appreciate your feelings because at one point in my undergraduate career I almost bought that vicious concept. But think for a moment, if you and I refuse to give in and we fight. And in turn we win two converts each tomorrow and in turn we enjoin them to win two converts each. Before long we'd be a majority. And if a majority of Americans believe as we believe then can you tell me that the United States is finished and western civilization is down the drain?" He said, "I never thought of it that way." I added, "You have been removed from the battle because you bought a false premise. And that is the doctrine of inevitability. And because you did, you have been as effectively removed from the battle as if they had put you up against the wall and blown your brains out. But they managed to do it more economically, they saved a bullet, because they did it with a false idea."

Now, gentlemen, I'm telling you there are good ideas and right principles and if you people, who are most immediately affected, will not be in the vanguard of fighting for those principles, then to be sure, we may lose the battle in Washington; it will simply be a matter of time. They'll take us salami-style—a slice today and a slice tomorrow and a slice the next day. But I think that everyone of us believes that there are principles involved in this issue that are worth defending. And there are members down there who will go to bat for you. Even if you don't come out for repeal, I and a number of my colleagues will continue to wage the battle because patients are going to be concerned about this, even if the physicians will not lead the fight. Secondly: *Speak up* to your patients. Get the patients involved in this battle. You command their respect and they trust you. Let your impact be felt. Thirdly: *Influence your local politicians.* Don't necessarily depend upon speaking as a voice from the House of Delegates. Communicate individually with your own Representatives and Senators. Speaking to us personally does have political effect. And fourthly: As Abraham Lincoln said, *"Let us have faith that right makes might."* I mean, we've *got* to have faith in free institutions and we've got to be willing to stand up and be counted on the side that we know to be right. We must be aware of compromises with evil. As Pope said: "Vice is a creature of such frightful mien, that to be hated means but to be seen; but seen too oft, familiar with her face, we first endure, then pity, then embrace." I would hope and pray, gentlemen, that you will not be guilty of that and I would hope and pray that we might join in a common effort here in behalf of private practice. We may not win all of our objectives, but if you come out forthrightly in behalf of right principles, you've got the opposition on the defensive immediately. We may have to settle for something less than what we want. But a position of principled opposition to government intervention gives us the best political leverage in terms of dealing with people who view politics as the art of compromise. You don't start with a half-way house position to begin your negotiations unless you're prepared to lose your position altogether. Finally, I would only remind you of a quotation by Woodrow Wilson, who was a student of history before being elected President. Wilson made the observation that the history of liberty is a history of limitation of governmental power—never the increase of it. "When we resist concentration of power," Wilson said, "we are resisting the powers of death. For the destruction of human liberty has ever been preceded by concentration of governmental power."

I thank you gentlemen.

THE DECLARATION ON FOOD AND POPULATION

Hon. Yvonne Brathwaite Burke

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mrs. BURKE of California. Mr. Speaker, I am happy to have been among those 1,500 signers from 98 countries who signed the Declaration on Food and

Population, which was officially presented to United Nations Secretary General Kurt Waldheim at United Nations Headquarters in a special ceremony on April 25.

More than 50 U.S. Senators and Representatives were among those who signed the declaration dealing with the crisis of serious population pressures and widespread famine in many countries of the world, with the chilling prospect that untold millions of men and women and children face possible death through starvation during the next 5 years.

In receiving the declaration, the Secretary General expressed his gratitude and his concern for the related world problems of food shortages and too rapid population growth and his hope that the international community will find humane solutions to these critical problems.

Secretary of State Henry Kissinger in a message to Mr. Waldheim endorsing the declaration said that the United States will do its part and will strongly support a global cooperative effort to increase food production. He also said that he hopes "that other countries able to do so will make similar contributions and that all countries will take active measures to bring population growth and food production into better balance."

I would like to point out that this declaration, which was also endorsed by the Shah of Iran, the President of Senegal, the Prime Ministers of India and Sri Lanka, was a program of the Population Crisis Committee, of which William H. Draper, Jr., is honorary chairman. He has made incalculable contributions to the search for solutions to the problems outlined in the declaration particularly in connection with population, and in his unremitting effort to make men and women everywhere understand the need for concerted action in dealing with the world population explosion. I am proud to say that I have recently been made a member of the Board of Directors of the Population Crisis Committee. The declaration follows:

DECLARATION ON FOOD AND POPULATION

A CALL TO GOVERNMENTS AND PEOPLE FOR ACTION BY CONCERNED CITIZENS FROM MANY PARTS OF THE WORLD

To Governments, Organizations and Men and Women Everywhere; We, the Undersigned, Address this Declaration on Food & Population:

No link unites the family of man more than his need for food. For food is an essential condition of life, common to all people; wherever they are, whatever they do, they share alike in this need.

The stark truth is that man's ability to produce food is not keeping pace with his need. Despite efforts by governments and the international community to solve world food problems, more people are hungry today than ever before.

Hundreds of millions of the world's people are undernourished. Population growth is adding 75 to 80 million more people each year, 200,000 each day. Within the next 25 years or so our present numbers of nearly 4 billion will be nearly 7 billion. They must all be fed.

The world food situation took a sharp turn for the worse in 1972 and 1973:

1. Stocks of grain have hit an all-time low since the end of World War II. Surplus stocks formerly held in reserve have nearly been exhausted and no longer offer security against widespread hunger and starvation.

2. Food prices have reached new highs. Last year, despite a record world harvest, escalating demand nearly doubled grain prices. The increasing cost of food threatens to cause serious hardship for many people already spending most of what they have on food.

3. Less of the cheaper protein foods, which normally supplement grain diets, is available. The world's fish catch and per caput production of protein-rich legumes, the staple diet in many countries, have declined.

4. Food shortages have created serious social unrest in many parts of the world and are particularly severe in countries where hunger and the diseases that thrive on under-nourished bodies are prevalent. This scarcity has been aggravated by the consumption of more and more grain to produce meat, eggs and milk.

5. Mounting fertilizer and energy shortages are reducing food production in certain areas and increasing food prices.

In this new and threatening situation, a bad monsoon in Asia (which could occur in any year), or a drought in North America (like those in the 1930's and 1950's), could mean severe malnutrition for hundreds of millions and death for many millions.

This dangerously unstable world food picture, when seen against an unprecedented population increase, has created an immediate sense of urgency. The dangers of food shortages could remain a threat for the rest of this century—even if, hopefully, bumper crops in some years create temporary surpluses and even if the trend toward reduced birth rates becomes general throughout the world.

World food production in the years ahead must rise at least 2 percent a year to keep pace with the present rate of population growth. But it must rise a good deal more if the world's people are to be provided with an adequate diet. This required annual increase in food production is considerably greater than that which occurred during recent decades—and seems to be increasingly harder to achieve each year. But unless there is this necessary and continuous increase in food production, there will be even more hunger and malnutrition and soaring food prices.

The need to seek solutions is pressing. The nature of the problem, the precarious state of world food production made critical by predicted expectations of continued population growth, calls for concerted action by the world community. There is only one cure for hunger and that is food. No palliatives or panaceas in the form of reports or resolutions can alleviate the pain of empty stomachs that must be filled. International resolutions, however high-minded, are a mockery if they do not have a tangible impact on the human condition.

The United Nations is now providing leadership on both these problems. In August the United Nations will convene the World Population Conference in Bucharest. In November it will convene the World Food Conference in Rome. These are the first occasions when governments have agreed to meet to consider these crucial questions and to consider taking action on them.

With these two conferences only a few months away, we urge governments, acting before, at and after these two global conferences, to consider realistic and purposeful measures such as the following:

1. Give high priority to programs in each country which will increase the production of grains, legumes and other staple food crops; ensure the availability of protein-rich foods, particularly to the more vulnerable population groups; expand the production of fertilizer; and improve the opportunities for small farmers to make a reasonable living. Develop a comprehensive and constructive World Food Plan for adoption at the World Food Conference.

2. Support sound population policies relevant to national needs which respect national sovereignty and the diversity of social, economic and cultural conditions; accept and assure the human right of each couple to decide for themselves the spacing and size of their families; [1] and recognize the corresponding responsibility of governments to provide their peoples the information and the means to exercise this right effectively.[2] Embody these policies in a World Population Plan of Action to be agreed upon gy governments at the World Population Conference.

3. Recognize that the interdependence of the world community creates an obligation to assist in the necessary funding of food and population programs by both developing and developed countries. This calls for the elaboration and implementation of a global strategy by the United Nations and its family of agencies, including the Food and Agriculture Organizations of the United Nations and the United Nations Fund for Population Activities.

4. Establish sufficient food reserves through national and international efforts to provide continuing vital insurance against food shortages.

5. Recognize that, in our finite world where resources are limited, the family of man must one day, and hopefully fairly soon, bring birth rates into reasonable balance with the lowered death rates that have been achieved. Many governments see the need to guide national policy toward this objective.

A solution to the present world food crisis must be found within the next few years. The social transformation which can lead to a reduction in the world rate of fertility, along with lowering the rate of mortality, will take decades to accomplish. But a start must be made now because the millions of people being born each year place a heavy burden on the resources available to many nations for education, health, employment and the maintenance of environmental quality. A reduction in population growth could help alleviate this burden. Effective measures toward resolving both the world food and population problems must come within a total strategy of development. Not only is social and economic development desirable in itself, but also it contributes to moderating population growth. All these measures are designed to improve the quality of life.

In this Declaration, we focus on food because it is the most critical of the pressures on the world today. It is the greatest manifestation of world poverty, which has many aspects. The absolute numbers of desperately poor are far greater today than ever before in history. The need to eradicate acute poverty is being recognized more than ever as a collective responsibility. It is a task which global partnership and the demands of social justice make imperative.

We repeat, food is crucial because literally tens of millions of lives are suspended in the delicate balance between world population and world food supplies. Growing populations, denied sufficient food needed for survival, resist all efforts to secure a peaceful world. With increased production and more equitable distribution of food, the future could provide a prospect of less misery and more hope for countless people now deprived of the basic necessities that are their right.

The World Food Conference represents a unique opportunity. This opportunity must not be missed. Comprehensive international agreements must be reached to assure at least minimal food supplies, with sufficient

[1] United Nations Teheran Declaration of Human Rights, 1968 (para. 16).

[2] Resolution 1672 (LII) of the United Nations Economic and Social Council, 1969.

annual carry-over stocks. Disastrous breakdowns in the world food supply can thus be avoided. All nations may then rest secure in the knowledge that this, the most critical of their immediate problems, is being attacked with wisdom, vigor and unity of purpose.

In the name of humanity we can call upon all governments and peoples everywhere, rich and poor, regardless of political and social systems, to act—to act together—and to act in time.

STEWART ALSOP

HON. ELLA T. GRASSO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mrs. GRASSO. Mr. Speaker, on Sunday Stewart Alsop, a well respected and dedicated journalist and a courageous man, fell victim to the dreaded disease, leukemia, and passed away after fighting the disease valiantly for 3 years.

A native of my home State of Connecticut—the son of a talented and dedicated family from Avon—Mr. Alsop graduated from Yale University, earning a bachelor's degree in 1936. Several years later, he joined the British Army before the United States entered World War II and rose to the rank of captain before switching to the U.S. Army paratroopers in 1944. Assigned to the Office of Strategic Services, he worked with resistance forces in enemy territory, receiving awards from both the British and French for his service.

After the war, Stewart Alsop became a journalist. He wrote a column with his brother Joseph that appeared in some 160 newspapers, completed several books and magazine articles, and since 1968 has written a weekly column for Newsweek magazine.

Mr. Alsop gained recognition for his inventiveness and phrasemaking ability, even though he had no literary pretensions. He first used such now common words as hawk and dove, egghead, and the phrase "eyeball to eyeball," which added color to the skilled journalism in which he took such pride.

The death of this outstanding journalist fills us with great sadness. Yet, in the face of death, Stewart Alsop pursued his chosen work and also wrote a book on his arduous illness and approaching death. His calm and courageous attitude toward death, even in this moment of sadness, fills us with awe and serves as inspiration for all.

We will miss Stewart Alsop and his intelligent comments on the world around us.

For the interest of my colleagues, I am inserting the following article in the RECORD:

[From the Hartford Courant, May 28, 1974]

STEWART ALSOP

Most people are remembered for the way they live. Stewart Alsop, prominent political writer who died May 26 in Bethesda, Maryland, long will be recalled as one who knew not only how to live, but also how to die.

Mr. Alsop faced death many times, first with the British King's Royal Rifle Corps, then after switching to the U.S. Army paratroopers when this nation entered World War II. Hazards also abounded in this work with the Office of Strategic Services involving resistance forces in enemy territory.

Later as a newsman, Mr. Alsop toured the globe to get first-hand knowledge of the sometimes dangerous action. He said reporting is hard on shoe leather, once quipping that a newsman's feet are more important than his head. He also cautioned that an observer must look beneath the surface of events to see the real, life drama of national and human destiny.

When Mr. Alsop ended his 12-year collaboration with his brother, Joseph, on the political column, Matter of Fact, to devote full-time to magazine writing, he asserted that the years had been "full of movement and suspense . . . often tersely stirring and splendidly exciting." For him, there was hardly anything more enjoyable "than the feeling of being on the trail of something real important" as he wrote in The Courant column of March, 1958 marking the close of the partnership.

Since then, Mr. Alsop continued to focus on the news as a regular Newsweek columnist earning respect from readers and colleagues alike for writing skill, insight and personal integrity. Several books also gained acclaim of critics and the public.

However, it is his most recent volume, Stay of Execution, that may bring Mr. Alsop his most enduring recognition. In it he reveals what it is like to be condemned to death, in his case, from leukemia, to come to grips with the future and make the best of it. He wrote, "People are brave when there is nothing else to be," understanding his courage.

He also learned how the threat of death breaks down barriers between people and "you realize how amazingly nice—there is really no other word for it—most people are," he wrote. As his credo, Mr. Alsop took Winston Churchill's words: Take life as it comes; dread naught; all will be well.

In his dying, Stewart Alsop opens our eyes to living. The pity is that he died a day too soon to know that his home state's Library Boards Association gave his last literary effort first place for nonfiction in the annual book awards competition.

OUR NATION SALUTES SCOUT JEFFREY OUTWATER OF BOY SCOUT TROOP 286, RECIPIENT OF THE MEDAL OF MERIT AWARD OF THE BOY SCOUTS OF AMERICA

HON. ROBERT A. ROE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. ROE. Mr. Speaker, on Sunday, June 2, the residents of my Eighth Congressional District and the State of New Jersey will convene at a formal Court of Honor for the presentation of the most highly coveted Medal of Merit Award of the Boy Scouts of America to Scout Jeffrey Outwater of Boy Scout Troop 286 whose outstanding heroic deed saved the life of a 4-year-old youngster and truly exemplified the noble principles and sterling doctrine of the Boy Scouts of America.

As Boy Scout Troop 286 and Cub Scout Pack 186 assemble to commemorate and manifest their troops' esteem and respect for Jeffrey's outstanding spontaneous rescue and courageous unselfish action in exercising a lifesaving feat without regard to his own safety in the true spirit and tradition of the Boy Scouts of America, I know that you and our colleagues here in the Congress will join with me in sharing great pride with Jeff, his family, friends, and associates for the leadership qualities and strength of personal character he has demonstrated "under fire."

Mr. Speaker, I submit for the CONGRESSIONAL RECORD a description of Jeff's heroic deed which was forwarded to me by Mr. Robert A. Van Etten, committee chairman of Pack 186. This statement which relates an account of what happened in Jeff's discussion with the group of adults who brought the children off the ice and dried them by the fireplace immediately after the rescue took place is as follows:

There was little ice this winter at Glen Wild Lake in northern New Jersey, but finally the lake froze and everyone went skating. Late Sunday afternoon, January 21st, ten-year old Jeffrey Outwater became tired of skating and decided to ride his bike on the ice, great fun for a boy who lives in the hilly lake country, miles of flat ice.

As he rounded a point on the lake, Jeff immediately saw the danger. Several very young children were approaching a group of older children. Between the two groups was a large rock protruding through the ice. While the lake was safely frozen, many spots around the shoreline, including some docks and large rocks, had opened up from the movement of the water.

This was a large rock, where the thicker safe ice became thinner and thinner until there was water immediately surrounding the rock. Jeff shouted to the younger children to go around, but four-year old Amy Demarest, came straight ahead toward the rock. She fell through the thin ice. Her knees went partially through and caught in the ice, pushing her forward through the thinner ice and she fell head down into the icy water. The ice that trapped her knees never gave way completely, and she was held face forward in the water.

Jeff dropped his bike and threw himself across the thin ice and water on the opposite side of the rock. He managed to climb onto the rock and using it to push off he was able to grab Amy, as Jeff says, "by the scruff of her neck" and get her head out of the water. Pushing against the rock again, he grabbed more of Amy, not a small four-year-old, and partially threw and then shoved her up onto the safer thick ice which surrounded the open hole.

Other children standing nearby, heard Jeff's warning shouts and had seen Amy fall into the water. As Jeff got her back to the safety of the thicker ice, Peter Croop, who is fourteen and also lives on the lake, got Amy's wet jacket off and wrapped her quickly in his own coat. By this time Brent McCowan, thirteen, skated to the house nearby where Amy's parents were visiting and by shouting and gesturing, Brent alerted everyone. The adults rushed out to find two very wet children, Amy crying from the cold and wet, and Jeff more nervous and frightened now that it was over than he cared to show in front of his friends and the adults.

Mr. Speaker, it is my privilege and honor to seek this national congressional recognition of Scout Jeffrey Outwater and his act of heroism that saved the life of Amy Demarest and serves as a shining example not only to the youth of America and throughout the world but to the adults alike who can surely be proud of our children and feel reassured in the knowledge that so long as there are young people like Jeff in our society, the future

and destiny of our country is truly in good hands. Our Nation does, indeed, salute Scout Jeffrey Outwater of Boy Scout Troop 286.

WOMEN IN SPORTS

HON. PATSY T. MINK

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mrs. MINK. Mr. Speaker, at a time when the issue of female participation in athletic activities is making headlines, I thought it would be appropriate and timely to insert the following excerpt from the article, "What Constitutes Equality for Women in Sport?" by the Project on the Status and Education of Women:

COMPETITIVE ATHLETICS: SINGLE SEX TEAMS VERSUS MIXED TEAMS

This issue is as complex as it is controversial. A number of organizations have taken stands on it, often for very different reasons. The question of "coed teams" has generated more publicity and more court action than perhaps any other issue concerning women in sport.

Often people ask if the fact that a sport is a "contact sport" can be used to justify prohibiting women and men from playing on the same team. Those who oppose coeducational contact sports generally base their opposition on a concern for the physical safety of the women or on the idea that women and men should not be forced into "contact" situations. Advocates of coeducational contact sports point out that competitive athletics are, by their very nature, closely supervised, and medical experts and physical educators say that the woman who is capable of making a competitive team is no more susceptible to injury than a man who is capable of making a team. Also, there appears to be no legal basis under Title IX for differentiating between contact and non-contact sports.

Perhaps it would be helpful to outline some of the factors that one might consider in evaluating which structure—mixed (coeducational) teams, single sex teams or some combination of the two—is most likely to provide equal opportunity in competitive athletics for both women and men.

In evaluating these structures, institutions may find it helpful to keep in mind that the impact of a policy or practice must fall equally on both sexes. In other words, does the policy have a disproportionate effect on one sex or the other?

SHOULD ALL TEAMS BE COMPLETELY COEDUCATIONAL

To some, complete integration of the sexes in all sports would appear to be both the most simple and the least discriminatory solution. Upon closer inspection, however, it becomes clear that, because of differences in training and physiology, such an arrangement would effectively eliminate opportunities for women to play in organized competitive athletics. For these reasons, this alternative would not appear to be in line with the principle of equal opportunity.

SHOULD THERE BE TWO TEAMS FOR EACH SPORT: ONE FEMALE, ONE MALE?

One way in which an institution might attempt to be in compliance with Title IX would be to operate parallel male and female single sex teams (without discrimination in services, facilities, equipment, etc.) for *each* sport. However, a major problem with this approach is that "separate-but-equal" has been generally considered *inherently unequal* since the Supreme Court outlawed racially segregated education in 1954. In general, the only times that "separate-but-equal" has been considered acceptable when sex discrimination was involved has been in issues related to privacy (such as the use of bathrooms, locker rooms, dressing rooms, etc.). Opponents of the "separate-but-equal" approach have also criticized it because it does not allow the superior female athlete to compete on the male team (which might well be the team with the highest ability level). Moreover, this alternative might be prohibitively expensive.

Advocates of this alternative maintain that applying the "separate-but-equal" principle in competitive athletics can be justified for sex discrimination (but not race discrimination) because there are generally physical differences between women and men (but not between blacks and whites). They maintain that women's athletics are different from men's athletics, even when the game they are playing is the same. (As an example of this, they cite the different strategies and skills that are involved with women's and men's tennis.) Superior women athletes could not "move up" to the men's team, so that the women's team would not be undercut by losing its best athletes.

A major advantage of the separate-but-equal team approach is that, because the two teams can operate in unison in many areas, this approach might be a fast and effective way to rectify some of the current imbalances in resource allocation and spectator interest. For example, a method of scoring modeled after that used in the Olympics has been suggested by a number of people as a way to capitalize on the "two team" concept. Under this, female teams would compete against female teams and male teams against male teams (alternating the game order, since the second game is generally the "star attraction"). The scores of the two contests would be totaled to determine the winning school. For example, if a school's women's basketball team won 80 to 60 and the men's team lost by 55 to 70, then the school would have won the competition by a five point margin (135 to 130). Proponents of this approach point out that having the two teams travel and compete together would minimize travel expenses and provide an incentive for those involved with women's and men's athletics to work together more closely.

SHOULD THERE BE TWO PREDOMINATELY SINGLE SEX TEAMS, WITH A PROVISION ALLOWING THE "UNDERDOG SEX" TO "COMPETE UP?"

This idea has been suggested as a way to provide the superior female athlete with a chance to "compete up" (that is, compete for a position on the men's team). This mechanism would work in the following manner: Assume that there are "separate-but-equal" teams for women and men. However, the skill level of one team (for example, the men's team) is considerably higher than the skill level of the other (women's) team. Therefore, in this case, women could "compete up" but men could not "compete down." The result of this alternative would be two teams—one team which would be substantially male (but officially open to either sex) and one team open to women only. (Of course, neither team could be favored in terms of facilities, opportunities, etc.) This situation would be analagous in some ways to the opportunity that members of the junior varsity team often have to try out for the varsity, while the reverse is not permitted.

Although this approach might provide the superior female athlete with the opportunity for the highest level competition, it has been criticized as administratively unwieldy and too complex to be workable. In addition, some women fear that this practice would have the effect of skimming off the best players from the women's teams. Opponents of this approach also point out that, although the woman who makes the men's team is likely to be one of the best players on the women's team, she is not likely to be one of the best players on the men's team.

SHOULD THERE BE THREE TEAMS: ONE FEMALE, ONE MALE AND ONE MIXED?

Proponents of this "three team" approach maintain that it offers the best features of both the single sex and mixed approaches. They argue that it would provide opportunities for students who want to compete on single sex teams, as well as mixed teams. In addition, they maintain that this alternative would provide the most students with the opportunity to participate in competitive athletics. They argue that, if competitive athletics is an important part of the educational experience at an institution, as many students as possible should have the opportunity to participate in them.

On the other hand, those who oppose this approach point out that having three teams for a sport could be prohibitively expensive. They also maintain that having three teams would dilute the available athletic talent and result in mediocre athletic contests. In addition, they say that it would be difficult to find other institutions with similarly structured teams to compete against, since this approach would require a rather large participation rate. Also, women's groups fear that, unless there is a requirement that the mixed team be fifty percent female, it would become in effect a second all male team.

IF THERE IS A SINGLE TEAM FOR A GIVEN SPORT, SHOULD IT BE SINGLE SEX OR MIXED?

The concept of "separate-but-equal" teams is complicated by the fact that women and men often have different interest patterns. Generally institutions offer different competitive athletics for women and men based on the assumption that they have different interests. For example, an institution might offer field hockey for women and fooball for men. Assuming equal opportunity, this situation poses no problem until a woman tries out for the football team or a man tries out for the field hockey team. The institution is at this point faced with deciding whether it is in the interest of equal opportunity to allow the member of the opposite sex to try out for the "single sex" team.

Many people argue that not allowing the person to try out for the team would infringe on his or her individual rights. Others counter that the effect of this "open door" policy could well be discriminatory: that is, while a good many men might qualify for the "women's" field hockey team, few (if any) women would qualify for the "men's" football team. They argue that the *effect* of this two-way open door policy would be to provide substantially more competitive athletic opportunities for more men than women and that, if men were allowed on the "women's field hockey team, the "women's" team might eventually be predominately male.

In trying to resolve this difficult situation and assess whether integrating the single sex team would be discriminatory or in line with equal opportunity, an institution might examine the overall pattern of competitive athletic opportunities offered to women and men. An institution might, for example, decide to provide one fall sport for each sex—field hockey for women and football for men. (This assumes that roughly equal facilities, opportunities, etc. are provided for both teams.) Based on this decision, the university might refuse women the opportunity to participate on the football team *and* refuse men the opoprtunity to participate on the field hockey team (especially if opening up both teams would have the effect of displacing a significant number of women but few, if any, men).

The above reasoning assumes that there are roughly comparable female and male teams and programs for similar sports (e.g., field hockey/football) in a given season. If these

"equal" opportunities do not exist, the argument for keeping a team single sex does not apply. In fact, some people argue that, if there is not sufficient interest to have separate teams for the same sport, then the institutions must open up the one team it does have to both sexes on a competitive basis.

SHOULD TEAMS BE BASED ON HEIGHT AND WEIGHT?

Although this structure does not officially depend on sex, the height/weight categories (certainly the categories at the extremes) would be virtually single sex. For competitive athletics, this structure has been criticized because:

It might give the illusion of nondiscrimination, while at the same time perpetuating discrimination, especially if priority were given to the larger height/weight teams (which would generally be all male).

It would require too many separate teams to be administratively feasible and it would therefore be prohibitively expensive.

Some persons claim that there are valid physical differences (such as muscle mass) between the sexes, even between women and men of the same height and weight.

Although this arrangement is probably not practical or desirable for all competitive athletics, a number of people maintain that it would be a viable option for intramural, non-competitive and instructional programs.

WHAT OTHER ALTERNATIVES ARE THERE?

In the July 1973 issue of *Ms.* magazine, Brenda Feigen Fasteau, a lawyer for the American Civil Liberties Union Women's Rights Project, identifies several other options, all of which she finds *unacceptable:*

A system involving ability-determined first and second-string teams. She finds this inequitable because it would probably result in *two* all or predominately male teams, with no increased opportunities for women.

A first-string team that is sex-integrated and a second-string all-female team. This might be criticized for discriminating against men.

A first-string team based on ability with a second-string team that was evenly divided between women and men. Fasteau does not favor this approach because it would have the result of favoring boys by virtually assuring them one and a half out of the two teams.

A quota system requiring half females and half males. This system, she feels, would cause a variety of problems, among them "intrateam ostracizing of the [women] who dilute the overall performance and interteam exploitation of the 'weaker sex' by members of the opposing team."

There is considerable disagreement among physical educators, legal experts and women's groups about what is the best approach to this difficult and complex problem. Other alternatives not mentioned here may evolve as the issue is studied more closely and as various approaches are put into practice. Women's groups are stressing that it is especially important to look at the *results and effects* of policies, as well as the policies themselves, to determine if there is equal athletic opportunity for women.

COMPETITIVE ATHLETICS: THE FUNDING OF PROGRAMS

The issue of funding is central to the issue of equality. Although there maye not be a one-to-one relationship between the amount of money expended and equal opportunity, it seems certain that funding levels and mechanisms will need to be studied in evaluating the degree of inequity for women in sport.

Some women's groups are pressing for an "equal expenditure" standard. Using this principle, institutions would be required to spend the same of money per student or per participating athlete for females and males. They argue that this is the best way to make certain that women and men have equal opportunities. In contrast to this point of view, some athletic associations argue that revenue producing sports should be partially or totally exempt from the requirements of Title IX.

Perhaps the crux of the problem concerning funding women's intercollegiate athletics is that, with a finite amount of money available for intercollegiate athletics, providing more equal funding for women's teams may mean that institutions cannot afford to continue to fund men's teams at high levels.

The issues involved with the funding of programs—where the money comes from, how much is allocated and what it is used for—are both complex and closely interrelated. The following outlines some of the important areas.

THE SOURCES OF FUNDS

At a western state university the men's athletic program is funded as a line item in the regular budget. The women's program, however, must compete with the chess club to receive student activities fees.

At one large state institute, only $5,000 of the $68,000 raised by student fees for athletics was allocated for women's programs, even though about 50 percent of the student body was female.

The sources of funds for athletics vary greatly from campus to campus; often the sources of funds for women's and men's athletics *on the same campus* are dramatically different. Although this situation makes providing equal opportunity a more complex issue, it is doubtful that having different *sources* of funding for women's and men's competitive athletics is in itself a violation of Title IX, provided that such funding does not have a disproportionate effect on the basis of sex in terms of programs, facilities, etc. If the athletic programs for women and men are funded in different ways, the burden to prove that this complex funding pattern does not discriminate on the basis of sex is likely to lie with the institution.

The funds for intercollegiate athletics may come from such diverse sources as a line item in the institution's budget, student activities fees, revenue generated by athletic events, the athletic department (which is generally all male), the women's or men's physical education department, or from fund raising activities. (In addition, of course, funds for the support of intercollegiate athletics may also be "hidden" in the institution's budget in a number of ways—maintenance on the stadium, practice gyms and fields; health care provided by the university health service; salaries of coaches or trainers; giving athletes special consideration for scholarships or student employment; and so forth.) A study of the "Status of Funding of Women's Intercollegiate Athletics" (*Journal of Health, Physical Education and Recreation,* October 1973) found that the most frequently mentioned "best" funding source was a line allocation from the school budget. However, only 25 percent of the programs received funding from this source. A far larger proportion (41 percent) depended on student activity fees. Those that were funded from these fees in general expressed a high degree of dissatisfaction because of a lack of consistency and security in funding from year to year.

In addition to its inconsistency (especially if allocation is governed by the student government), using student activity fees differentially for women's and men's athletics may pose a problem with students. Since this money is designated for student activities, its allocation can expect to come under fire from women on campus when it does not fund women's athletics at a reasonable level, compared to the men's program. At one state institution, for example, women students protested the allocation to men's athletics of 86 percent of the $115,000 earmarked for athletics. At other institutions, women are protesting having their student activities fee "automatically" buy them entrance to men's intercollegiate athletic events. (This money is then treated as "revenue" from these sports.)

THE SOURCES OF FUNDS: REVENUE PRODUCING SPORTS

Athletic organizations and some university representatives argue that revenue producing sports (such as football and basketball) should be exempted from the requirements of Title IX either entirely or to the extent that any revenue produced is used to perpetuate that sport. They argue that, even though these teams are all-male, they are in a class by themselves. They fear that certain sports revenues would decrease if the fund raisers couldn't promise that funds would be spent on the teams they had traditionally supported. They feel that this would cause a particular problem in colleges where revenues from one sport support other competitive sports as well. Women's groups contend that such exemptions would perpetuate the *status quo.* They point out that the effect of allowing revenue to be retained for the expenses of a particular team would have a substantial discriminatory effect. For example, members of a men's basketball team might have their uniforms and travel expenses covered, while members of the women's basketball team might have to pay for their own uniforms and travel out of their own pockets (as indeed many women athletes now do). In addition, some women's groups maintain that, if revenue producing sports are exempted in some way from the requirements of Title IX because they resemble business activities more than educational programs, these sports do not belong on a college campus in the first place.

It is not yet clear what position HEW's Office for Civil Rights will take on this issue. It might be helpful to examine what *might* happen in two different fact situations—i.e., when a sport runs in the red and in the black:

When a Competitive Sport Makes a Profit: Assume that the income from a sport was $500,000 and that the total cost of maintaining that sport was $450,000. This leaves a profit of $50,000. (1) If revenue producing sports were exempted totally, this $50,000 could be used in any manner whatsoever. (However, if this $50,000 profit were funneled back to the college for general expenses or for other sports programs, it would probably be subject to the same nondiscrimination requirements as other general institutional funds.)

(2) If revenue sports were exempt only to the extent that they are self-financing, the institution would be required to use only the profit ($50,000) in a nondiscriminatory manner. (For example, excess revenues from male intercollegiate athletics could not be used to support only other male sports—a practice that women's groups charge is common.) (3) If revenue producing competitive athletics were not exempted at all, the entire $500,000 would have to be used in a nondiscriminatory manner.

When a Competitive Sport Runs in the Red: Assume that the income from a sport was $100,000 and that the total cost of maintaining that sport was $175,000. This results in a $75,000 deficit. Also assume that the institution followed the common practice of underwriting this deficit. (1) Even if revenue producing sports were totally exempt, the institution would probably be under considerable pressure to include the $75,000 subsidy of the sport in their assessment of female and male athletic opportunities. (2) If revenue producing sports were exempt only to the extent that they are self-financed, the institution would undoubtedly be required to include this $75,000 subsidy in evaluating equal opportunity. (3) If revenue producing competitive athletics were not exempt at all, women's groups argue that the entire $175,000 would have to be accounted for in a nondiscriminatory manner

The above examples are considerably more simple than actual funding situations. In most institutions the cost of maintaining revenue producing competitive athletics is interwoven into a variety of budget categories—the maintenance department, the physical education and/or athletic departments, capital expenditures (for stadiums, etc.), equipment, etc. Separating out the extent (in dollars and cents) to which a given sport is supported by an institution is no simple task.

In addition, it would be necessary to define what expenses would be included in the "self-financed" definition. For example, would funds for athletic scholarships be treated like salaries and included in this definition of "self-financing?"

One final point to keep in mnd is that, no matter what position the government takes on the issue of revenue producing sports, an institution could not differentially allow teams of one sex or the other to engage in revenue producing sports.

THE SIZE OF THE BUDGETS

At a large state university in the northwest, women's sports received only *nine-tenths of one percent* of the institutions two million dollar athletic budget ($18,000), even though *over forty percent* of the undergraduate students were women.

At a major state university, *over 1300 times* as much was spent for men's intercollegiate athletics than for women's.

Although they many have once had some validity, the reasons most often given for funding women's athletics at a low level often do not hold up under scrutiny. It has been shown that, given encouragement and ample opportunity, female students become interested in athletic programs. They practice seriously and strenously. Given ample support and publicity, women's sports can create as much spectator interest as men's sports. For example, girls' basketball in Iowa is a major sport, and outdraws boys' basketball.

Disparities between the budgets for women and men are a central concern when evaluating an institution's athletic program. These disparities may take the form of differences in either the *total amount of money* spent on women's and men's sports or the *amount of money allocated per sport* for women and men. A recent study reported in the *Journal of Health, Physical Education and Recreation* (October 1973) found that the average annual budget for all of women's athletics at institutions was $8,905 (or about *a dollar per student*). However, the average "optimal" budget for women's athletics was $21,600, well over twice the actual budget. In comparison with the budgets of many men's athletic departments, even this "higher" figure seems modest indeed.

It is likely that women's sports will require considerable budget increases to provide fair opportunities to women students, especially when new programs are being "geared up." However, it is unlikely that women's competitive sports will require, in the near future, the identical funds that men's competitive sports now require. According to the *New York Times* (March 15, 1974), nine out of every ten college athletic departments (which are generally all or predominently male) run at a deficit—a deficit which is usually covered by university operating funds. The National Collegiate Athletic Association (NCAA) estimates that the current *annual* deficit of its members is almost fifty *million* dollars.

The issue of equal opportunity for women can provide an opportunity to assess the total athletic program (for both women and men) in light of the goals and objectives of the institution.

THE USE OF THE FUNDS

At a private New England College the budget for the male (but not the female) teams included funds for travel. The women had to hold bake sales, sell Christmas trees and seek donations in order to fund their travel.

Women in competitive athletics commonly report that their budgets do not cover (or do not cover adequately) a variety of items that are covered in the men's budgets. Commonly cited as examples of this are inequities in allocations for travel, equipment and uniforms, as well as for scholarships and recruitment.

Problems in this area are related to the fact that often competitive athletic programs for women and men are administered separately, receive very different per student or per sport allocations, and receive their money from different sources. Some women's groups are concerned that institutions will attempt to justify differences in the use of funds for female and male athletics because they are run by separate departments, or receive their funds from different sources. The implication of having separate administrative mechanisms or budgets for women's and men's athletics is that it would be essential for the parallel departments to coordinate their budgets very closely. (It is also not clear whether or not Title IX will allow two separate administrative structures to exist.)

OSHA: ADMINISTRATIVE APATHY ON WORKERS' HEALTH

HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. DOMINICK V. DANIELS. Mr. Speaker, as my colleagues are aware, the Select Subcommittee on Labor, which I chair, has been conducting oversight and legislative hearings on the Occupational Safety and Health Act of 1970. In order to keep my colleagues informed of pertinent information disclosed during the course of the oversight hearings, I have periodically inserted in the RECORD the testimony of individuals who have shed some light on particular problems with the administration of OSHA. I am pleased to commend to the attention of my colleagues the full text of the testimony of Mr. Bertram Cottine, staff associate in occupational health for the Health Research Group, a public interest organization funded by public citizens and engaged in research and advocacy on health issues.

As I have stated from the start of the oversight hearings, the problems with OSHA do not lie with the law itself, but rather with the often unequal and lackadaisical enforcement and administration of its provisions. The law was intended to protect the working men and working women of this country from safety and health hazards at the worksite. It was written as a tough, but fair law; it was intended to be administered as such a law. Mr. Cottine's testimony reaffirms my initial conviction, when he states:

The protection afforded employees is dependent on real Federal presence. The massive Federal effort to eradicate job-related disease and injury enacted on December 28, 1970, has been compromised by inadequate and uncertain budget commitments, wholesale delegation to the States of Federal enforcement authority, "voluntary" instead of "compulsory" compliance, and administrators unequal and insensitive to their responsibility.

I urge the Members of this body to study the cogent and forceful arguments made by Mr. Cottine:

TESTIMONY OF BERTRAM ROBERT COTTINE

Mr. Chairman and Members of the Select Subcommittee, I am Bertram Robert Cottine, Staff Associate in Occupational Health for the Health Research Group, a public interest organization funded by Public Citizen and engaged in research and advocacy on health issues.

The concern we express today regarding occupational health is no different than four years ago—it is the domestic violence encountered each day in the form of occupational casualties and diseases. Based on limited data collected by the National Institute for Occupational Safety and Health (NIOSH) occupational health persists as a significant public health problem. At least 390,000 new cases of disabling occupational disease occur each year and as many as 100,000 deaths per year result from occupational diseases.[1] Even when combined with frequently undiagnosed, untreated and unreported disease, these figures can never convey the agony of the injured, the anguish of the family, and the added burden on the community as a whole.

The Occupational Safety and Health Act just passed its third anniversary. The statute has survived numerous attacks including constitutional litigation,[2] an attempted amendment to withdraw U.S. Labor Department jurisdiction over farmworker exposure to pesticides [3] and the virulent assaults on small business jurisdiction.[4] But the survival of the statute from legal attack assures no more than the administrative authority to act. The protection afforded employees is dependent on real Federal presence. The massive Federal effort to eradicate job related disease and injury enacted on December 28, 1970 has been compromised by inadequate and uncertain budget commitments, wholesale delegation to the states of Federal enforcement authority, "voluntary" instead of "compulsory" compliance, and administrators unequal and insensitive to their responsibility. The Department does not dare to protect working men and women in their hazardous jobs. Rather the Department perceives itself as an arbitrator between employers and employees with the end result the negotiation of the workers statutory right to "a safe and healthful workplace." [5] Because both management and organized labor are displeased, the Labor Department believes it is fulfilling its responsibility to the working public.

OCCUPATIONAL HEALTH HAZARDS

Health hazards result from an environment within the exclusive control of the individual employer. This committee wisely recognized the significance of the workplace environment as a crucial component in the environmental effort and based on this understanding recommended passage of the 1970 Occupational Safety and Health Act.[6] The Secretary was charged with setting occupational health standards which most adequately assure that no employee will suffer material impairment of health or function capacity. Its actions in this area are indicative of the Department's unduly restrictive interpretation of its standard-setting authority, and its policy of administrative delay, inadequacy and decepition. Both these problems may be traced to the lack of sensitivity to the dangers resulting from occupational health hazards and the absence of familiarity with the medical consequences associated with continued human exposure. Despite its direct mandate to promulgate

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Footnotes at end of article.

standards which "... most adequately assure that no employee will suffer material impairment of health or functional capacity ..." [7], the Department perceives itself as a mediator between the industry and labor, rather than a protector of working people.

In a ritual-like fashion the Department each year promises a new emphasis on health hazards. Last year's promise failed to materialize into any sustained action against health hazards. The Department's actions this year demonstrate the illusory nature of the Assistant Secretary's promise once again. First, the fourteen practically identical standards on carcinogens issued on January 29, 1974 were a carry-over from last year when the Labor Department failed to meet its statutory deadline of November 3, 1973. Furthermore worker exposure to vinyl chloride was only regulated because of unfortunate and unforeseen circumstances.

In the past three years, the Department has taken only four actions to bring health hazards under control. It did not respond to the serious hazard of employee exposure to asbestos until a year and a half after this committee reported on its dangers.[8] It waited over two years before it took any action against beta-naphthylamine—a chemical which this committee found ". . . so toxic that there is no safe limit of exposure to it." [9] Both the regulations on asbestos and beta-naphthylamine (among thirteen other cancer-producing chemicals) were initiated only after a formal standard-setting petition had been filed by affected employes. In the case of the cancer-producing chemicals (carcinogens) a suit for a mandatory injunction was necessary to compel the issuance of an emergency standard.[10] A similar court action was required to obtain the protection of farm-workers exposed to organophosphate pesticides.[11] In the tragic case of vinyl chloride, where 3 (now 7) of angiosarcoma of the liver—a rare liver cancer—were first revealed to the public on January 23, 1974, a petition by concerned members of the labor movement was necessary to insure the issuance of an emergency temporary standard. Thus, it is apparent that the Department has taken no independent initiatives to assure working men and women that they will not suffer material impairment of health or functional capacity. Moreover, the Department failed to meet the statutory mandate to issue a permanent standard on carcinogens within six months of an emergency standard—it delayed for almost three additional months.[12]

The importance of the Labor Department's responsibility for occupational health and the enormity of its failure can only be measured by the magnitude of worker exposure to toxic substances. All the new standards issued to date [13] plus the four hundred chemicals previously regulated are [14] quickly minimized by the more than five hundred chemicals which are introduced into the workplace environment every year and the more than 11,000 chemicals listed in the *1973 Toxic Substances List* compiled by NIOSH.[15] The failure to effectively regulate this constant flood of new chemicals into the workplace is partially attributable to the Department's refusal to regulate chemicals on the basis of the toxicologically identical effects, e.g. cancer-producing effects (carcinogenicity). This is compounded by its insistence on human evidence of disease—epidemiological surveys and clinical observations—rather than a preventive approach which would eliminate the occurrence of occupational disease. The statute frees the Secretary from the constraints of limited or unavailable evidence. As this Committee reported "... it is vital when the Secretary sets an occupational health standard he do so on the basis of the best available evidence; *it is not intended that the Secretary be paralyzed by debate surrounding diverse medical opinion ...*" [16]

It is encouraging to note the use of experimental evidence in regulating the fourteen carcinogens and vinyl chloride monomer. The health consequences resulting from exposure to these chemicals and many others is the most drastic known to man—CANCER. To ignore scientifically valid evidence of carcinogenic effects until human evidence is produced would require more than the "best available evidence"—a scientifically impossible feat—and ultimately would defeat the purpose of the Act. What later evidence may or may not prove is beyond the Department's capacity to predict. The policy urged by some would require experimental evidence to be confirmed by incontrovertible human data before effective regulatory action could be taken. This would not only be administratively irresponsible, but morally and ethically reprehensible.

Another factor which contributes to the Department's inactive role in combating occupational health hazards has been its delayed response to criteria documents prepared by the National Institute for Occupational Safety and Health. Fifteen of these documents have been transmitted to the Secretary, yet only one of these documents has produced a new standard (asbestos). Two of them are the subject of advisory committees (noise and hot environments). No proceedings have been commenced with respect to the remainder [17] and eight more criteria documents are expected to be transmitted before the end of Fiscal Year 1974.[18] Based exclusively on the Department's current track record, the expeditious regulation of these significant health hazards affecting millions of workers is a remote possibility. In addition, the Department has developed two new strategies for evading its standard-setting responsibilities. First, it has established a new step in the rulemaking procedure prescribed in section 6(b) of the Act as "Advance Note of Proposed Rulemaking" [19] and requested additional comments from interested persons. In spite of the review consultants who participate in the preparation of criteria documents and the extensive opportunity for public participation after the publication of proposed rule,[20] the Department established this duplicative and time-consuming step. The second delaying device developed by the Department is to return the criteria document to NIOSH rather than issue a proposed standard. The Secretary returned the heat stress document notwithsanding the passage of almost two years from its submission by NIOSH (June 30, 1972) and the issuance of a recommended standard by the Standards Advisory Committee on Heat Stress in January. The Secretary has threatened similar action on noise and ultraviolet radiation [21] in an attempt to avoid his statutory mandate to provide a safe and healthful workplace.

In addition, fourteen of the sixteen standards issued for various cancer-producing substances contain no monitoring of the work environment or detailed diagnostic protocols specific to detecting human exposure to these carcinogenic substances. This is in direct violation of section 6(b)(7) of the Act and in total disregard of the recommendations of the Standards Advisory Committee on Carcinogens and the present availability of monitoring equipment and medical protocols. Obviously, scientific and medical advances should be the basis for updating hygiene and medical procedures; unfortunately, these advances are not predictable. Moreover they provide no support for avoiding the statutory requirement of monitoring and medical surveillance. In this regard it is also essential that the four hundred chemicals currently regulated by numerical exposure levels (threshold limit values) be promptly supplemented with monitoring and medical surveillance provisions as well as signs, labelling and auxiliary work practices. The pilot project covering 40 of these chemicals is long overdue [22] and promises nothing regarding the other four hundred toxic substances.

INSPECTION AND ENFORCEMENT

The most critical problem in the enforcement of occupational health standards is the lack of industrial hygienists. Due to insufficient budget requests by the Administration and Congressional inaction, the Labor Department has not yet fielded a staff of even 100 hygienists for the 57 million workers covered by the Act.

A recent survey by the Health Research Group on the enforcement of the vinyl chloride standard demonstrates the unfortunate consequences of this understaffing. Of all the listed manufacturers and processors of vinyl chloride only two of forty-two had been inspected under the Walsh-Healey Public Contracts Act.[23] Thirteen have been inspected under the Occupational Safety and Health Act, but seven of those were not inspected for a violation of the vinyl chloride standards. Survey requests were made under the Freedom of Information Act [24] which legally entitles us to this data on inspections. Nevertheless one OSHA Area Office refused to disclose whether any of the specified worksites in its jurisdiction had been inspected for worker exposure to vinyl chloride. Significantly that office was the Louisville Area Office which covers the B. F. Goodrich plant where seven cases of liver cancer have already been reported. Moreover, one Area Director described the situation as follows:

"We are aware of the vinyl chloride standards and we are also aware of the vinyl chloride producers in this area. Inspections are planned for the near future contingent on the scheduling of people and the availability of equipment." [25]

The Assistant Secretary's finding of a grave danger from continued workplace exposure has simply not materialized into a signficant enforcement effort to protect workers from this serious health hazard.

An employer will never recognize the force of law behind these standards as long as inspections are an infrequent occurrence. Furthermore, the necessity of compliance is minimized by small penalties and abatement periods which are prolonged and easily extendable. Finally an employer's "good faith" neither abates health hazards nor mitigates the impairment of health suffered by a worker.

The quality of the enforcement effort has also been seriously deficient in the area of occupational health. The promulgated standards appear to establish numerial limits on worker exposure to toxic chemicals.[26] However OSHA has published Sampling Data Sheets which make it clear that employers may exceed these established levels by as much as 3.9 times [27] and still be cited for only a non-serious violation, that is, a violation which requires no monetary penalty at all.[27a] For example, lead exposure which is limited to ug/m³ for an 8-hour time-weighted averaged may go as high 600 ug/m³ and still not be cited as a serious violation. This irresponsibility is compounded by the fact NIOSH has recommended a standard of 150 ug/m².[28] (Furthermore, a time-weighted average permits exceptionally high exposures—excursions—as long as the average for the eight hour period does not exceed the numerical limit.) The human consequence of this enforcement policy is lead poisoning.

The Department has also failed to effectively use the imminent danger provisions of the Act [29] when health hazards are discovered at a worksite. Despite express statutory language describing both death and serious physical harm, attention has been focused almost exclusively on death. Thus, no level of exposure to the carcinogen asbestos is consid-

Footnotes at end of article.

ered an imminent danger[30] though a single exposure may be sufficient to result in an irreversible cancer liability.[31] Only exposure to carbon monoxide with its fatal effects is considered an imminent danger at ten times the already high threshold limit value.[32] This reluctance to use the imminent danger provisions of the law in appropriate circumstances is compounded by the refusal of the Department to use *local* laboratories for the immediate analysis of air samples as in the case of a D.C. Metro worker exposed to excessively high levels of silica dust. While this refusal is an apparent violation of the *Compliance Operations Manual*,[33] it nonetheless indicates the lack of concern for serious, even life-threatening, health hazards.

Another devastating enforcement policy was the omission of a final date by which the hazard must be abated. While the *Compliance Operations Manual* again required a specific *abatement* date to be included in the citation,[34] numerous citations were issued during the first year and a half with only the date by which an employee had to submit an abatement *plan*. The effect of this was to legally require only the submission of an abatement plan, not the actual abatement of the hazard itself. While this policy has apparently been corrected, the employees at numerous worksites are still "protected" merely by the submission of a paper plan.

Two very critical and related problems involve the disclosure of monitoring results and required self-inspection. Authorized employee representatives and affected employees have been compromised in their efforts to combat health hazards by inaccessibility to monitoring data from inspections. This information is critical because effective abatement cannot be compelled and medical surveillance and diagnosis cannot be initiated without an identification of the toxic substance and the quantity of exposure. It is also essential to any informed participation in Review Commission proceedings. Moreover, citizens cannot take effective action against the insidious health hazards hidden in the emissions, effluents and waste to which they are generally exposed if they cannot identify the pollutant. A regulation which would have officially authorized the disclosure of this data as required by the Freedom of Information Act has not been issued though it was proposed over eight months ago.[35] Secondly, the Department has not issued any regulations requiring self-inspection by the employer—an inspection which might well have revealed the recurrent liver cancer at B.F. Goodrich had the employer been required to compare and review his illness reports with the chemicals and recent findings regarding the toxicity of these chemicals.

NATIONAL INSTITUTE FOR OCCUPATIONAL SAFETY AND HEALTH

The research, investigatory and advisory function of NIOSH is central to the preventive health effort established by the Act. Unfortunately its capacity has been severely limited by totally inadequate appropriations, an overburdened and deplorably insufficient staff, as well as the instability which follows unpredictable budget and personnel authorizations. These constraints have forced NIOSH to limit most of its activities to participation in standard-setting and the preparation of criteria documents.

The preventive health role authorized by the 1970 enactment requires not only the expansion of these responsibilities but additional support for initiatives in training, research, monitoring, and medical surveillance. These programs are essential to NIOSH's continuous responsibility for standards development but they also provide the only operative detection system for undiscovered health hazards. The Hazardous Evaluations conducted by NIOSH investigators at selected worksites and the NIOSH Trade Name Ingredient Survey are only a few of the projects which must comprise a significantly increased commitment and sufficient to successfully determine and eliminate pervasive health hazards.

CONCLUSION

The Occupational Safety and Health Act is a significant legislative improvement on the unenforceable voluntarism of consensus standards, the ineffectiveness of workmen's compensation as a preventive health measure, and the inadequacy of state occupational health laws. This Act is not simply a labor law whose protections vary according to the competence of the administrator or the corporate domination of the Administration; nor is it a public health enactment dependent exclusively on the vigor and resourcefulness of a government inspector. This Act properly arms the Assistant Secretary with the authority to identify and control health hazards by the exercise of his regulatory powers and to swiftly and completely eliminate these hazards by administrative penalties and court action. Moreover, the law appropriately vests workers with the power to protect themselves against the devastating and insidious diseases of the workplace. This statutory authority must not only be preserved, it must be effectively exercised. These worker rights must not only be recognized, they must be implemented. Unfortunately, the Assistant Secretaries have been unequal and insensitive to their legal responsibility.

FOOTNOTES

[1] U.S. Dep't of Labor & U.S. Dep't of Health, Education & Welfare, *President's Report on Occupational Safety and Health* 111 (1972).

[2] *Lance Roofing Co. v. Hodgson*, 343 F. Supp. 685 (N.D.Ga. 1972), *aff'd mem.*, 409 U.S. 1070 (1972).

[3] H.R. 8860, 93rd Cong., 1st Sess. § 2 (1973); S. 1888, 93 Cong., 1st Sess. § 2 (1973).

[4] H.J. Res. 1278, 92d Cong., 2d Sess. (1972); *Cong. Rec.*, vol. 118, pt. 22, pp. 28731–28738.

[5] 29 U.S.C. § 651(b) (1970).

[6] *H.R. Rep. No. 91–1291*, 91st Cong., 2d Sess. 14(1970).

[7] 29 U.S.C. § 655(b)(5).

[8] 36 *Fed. Reg.* 23208 (Dec. 7, 1971).

[9] *H.R. Rep. No. 91–1291*, 91st Cong., 2d Sess. 15 (1970).

[10] *Oil, Chemical & Atomic Workers Int'l Union v. Brennan*, Civil No. 730–73 (D.D.C., filed April 17, 1973).

[11] *Thomas v. Brennan*, Civil No. 502–73 (D.D.C., filed February 28, 1973).

[12] 39 *Fed. Reg.* 3756 (January 29, 1974).

[13] 39 *Fed. Reg.* 12342 (April 5, 1974) (vinyl chloride: emergency temporary standard); 39 *Fed. Reg.* 3756 (January 29, 1973) (carcinogens); 38 *Fed. Reg.* 10715 (May 1, 1973) (pesticides: emergency temporary standard); 37 *Fed. Reg.* 11318 (June 7, 1972) (asbestos).

[14] 29 C.F.R. § 1910.93(1973).

[15] Nat'l Institute for Occupational Safety & Health, U.S. Dep't of Health, Education & Welfare, *Toxic Substances List* vii (1973 ed.).

[16] *H.R. Rep. No. 91–1291*, 91st Cong., 2d Sess. 18 (1970).

[17] Nat'l Institute for Occupational Safety & Health, U.S. Dept. of Health, Education & Welfare, *Criteria for Recommended Standards on Occupational Exposure to Inorganic Arsenic, Beryllium, Carbon Monoxide, Chromic Acid, Coke Oven Emissions, Inorganic Lead, Inorganic Mercury, Sulfur Dioxide, Toluene, Toluene Diisocyanate, Trichloroethylene, and Ultraviolet Radiation* (1972–1974).

[18] These include benzene, cadmium, carbon tetrachloride, cotton dust, nitric oxide, xylene, zinc chloride, and egress from high structures.

[19] Carbon Monoxide, 38 *Fed. Reg.* 22631 (August 23, 1973); Coke Oven Emissions, 38 *Fed. Reg.* 26207 (September 19, 1973); Trichloroethylene, 38 *Fed. Reg.* 28074 (October 11, 1973); Toluene, 38 *Fed. Reg.* 30452 (November 5, 1973); Chromic Acid, 39 *Fed. Reg.* 1277 (January 7, 1974; Inorganic Mercury, 39 *Fed. Reg.* 2272 (January 18, 1974).

[20] 29 U.S.C. § 655(b).

[21] 3 *BNA Occupational Safety & Health Rep.: Current Reports* 1443 (April 18, 1974).

[22] *Id.* at 1325 (March 21, 1974).

[23] 49 Stat. 2036 as amended, 41 U.S.C. §§ 35 *et seq.* (1970).

[24] 5 U.S.C. § 552 (1970).

[25] Letter from Oscar F. DiSilvestro, Area Director; North Platte, Platte, Nebr. to Bertram Robert Cottime, May 14, 1974.

[26] 29 C.F.R. § 1910.93 (1973).

[27] *CCH Employment Safety & Health Guide: Developments 1971–1973* ¶ 8330 (1972).

[27a] 29 U.S.C. § 666(c).

[28] Nat'l Institute for Occupational Safety & Health, U.S. Dept of Health, Education & Welfare, *Criteria for Recommended Standards on Occupational Exposure to Inorganic Lead* I–1 (1972).

[29] 29 U.S.C. § 662.

[30] OSHA Sampling Data Sheet #2, *CCH Employment Safety & Health Guide: Developments 1971–1973* ¶ 8330 at 6578 (1972).

[31] *See generally* U.S. Dep't of Health, Education & Welfare, *Report to the Surgeon General of the Ad Hoc Committee on the Evaluaion of Low Levels of Chemical Carcinogens* (1970) *in Hearings on Chemicals and the Future of Man Before the Subcom. on Executive Reorganization & Government Research, Senate Comm. on Government Operations*, 92d Cong. 1st Sess. 180 (1971); *Lawyers Medical Cyclopedia* §§ 39.46d, 38.46g (C. Frankel ed., 1972).

[32] OSHA Sampling Data Sheet #1, *CCH Employment Safety & Health Guide: Developments 1971–1973* ¶ 8330 at 6578 (1972).

[33] Occupational Safety & Health Administration, U.S. Dep't of Labor, *Compliance Operations Manual* § IX–B–2–b(3)(a) (1972).

[34] Id. at § X–F (1972).

[35] 38 *Fed. Reg.* 24314 (August 30, 1973).

TOWARD MORE RESPONSIVE HEALTH CARE: THE GENERAL HOSPITAL-MMC PROJECT

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. FRASER. Mr. Speaker, a unique new hospital complex, the first of its kind anywhere in the country, is now being built on the eastern edge of downtown Minneapolis. When completed, the new $70 million facility will physically join two major local health institutions, one private and the other public.

In a recent issue of Northwest Architect, Thomas Mattison and L. G. Johnson have described this innovative public-private hospital combination. I want to take this opportunity to insert the article about the General Hospital-Metropolitan Medical Center project in the RECORD:

THE GENERAL HOSPITAL-MMC PROJECT: A STUDY IN RESPONSIVENESS

(By L. G. Johnson and Thomas R. Mattison)

A new medical complex is now rising on the eastern end of the Minneapolis loop. The $70 million, 1,221 bed complex is unique in many ways: it's the largest number of hospital beds under one roof in the state, it is the only public-private hospital combination in the nation, its programs are receiving national recognition for furtherance of the concepts of hospital sharing, and finally it is,

in our opinion, an unparalleled example of institutional responsiveness to community demands and needs.

How did the complex happen? How did Metropolitan Medical Center, the largest private hospital in the Twin Cities, and the publicly-owned Hennepin County General Hospital agree to build cooperatively an architecturally integrated, two-institution medical complex? And why is it that the project itself and the many outreach programs growing out of the project demonstrate responsiveness to the community?

In 1969 there was no question about the citizen support for a new General Hospital. By a vote of 10 to 1, citizens approved $25 million to put up a new structure. It soon became apparent, however, that $25 million would not be enough for the challenges and programs demanded of Hennepin County General Hospital. In 1971 a second referendum was held, but public credibility was strained by the requested increases and a lack of understanding led to the defeat of the additional funding required. The need for an expansive program did not go away, however. General had a problem.

Four blocks from General Hospital, Metropolitan Medical Center was well into the planning of its own building program. MMC was a 1970 consolidation of two independent units, Saint Barnabas Hospital and The Swedish Hospital. Although the two had been physically linked by a shared building, legal consolidation did not provide a unitary structure. Physical changes were required to consolidate the major services into proximal locations. Otherwise the economies gained through consolidation would be diminished.

Enter the Citizens League, a unique Twin Cities organization whose volunteer members study intensively various public policies questions. The Citizens League record for innovative and progressive recommendations and implementation in the Twin City area is justifiably famous on a national basis. A Citizens League committee, studying General Hospital, learned of MMC's building plans and eventually recommended the two institutions build together, thereby facilitating the sharing of various services. As might be expected, the administrations and staffs of the two hospitals did not react with great favor initially to this suggestion for a fundamental change in their way of providing health care. Law required, however, that the regional and state health planning agencies approve of construction and both of these groups became convinced of the rationality of the Citizens League position. MMC and General would build together.

Then a unique architect-sponsored event helped to bring the two hospitals to a more positive psychology toward the collocation and sharing of services. For seven days in June of 1971, a continuous intensive planning session called a "charette" was held in a building near the two hospitals. Architects, administrative and medical staffs and nurses from both hospitals met daily to establish criteria for the construction of the two institutions. Predictably, the first criteria related to high quality patient care and operating efficiency. Soon, however, sharing criteria began to be added. The staffs agreed that architectural emphasis must be placed on eliminating physical barriers between the two hospitals and providing intra-hospital accessibility. Naturally, there were individual institutional constraints and a desire on the part of both hospitals to maintain their identities. Nonetheless, in one week the rough outline for more than one million square feet of space had been sketched.

The charette served as the vehicle by which the major program and architectural statements of the complex were solidified. In addition, the informal, participative, open feeling of the charette created an esprit between the two institutions which has served to help continue extensive cooperation in the implementation phase. Current plans call for General Hospital and MMC to share more than 20 services, including pediatrics, obstetrics, rehabilitation and extended care, emergency service, radiation therapy, cardiovascular laboratory, food service, materials management, communications, library and steam and chilled water generation. Sharing of several of these services has already been initiated. The others will become effective upon completion of the construction program. The administrations of both hospitals are convinced that the cooperative building and programming thrust established by the charette and the interest of the community will enable each to continue giving high quality care with marked results in cost containment.

A building was not the only outgrowth of community interest in MMC and Hennepin County General Hospital. Most community groups recognized the need for construction on the parts of both MMC and General, however, many community leaders were suggesting that the county, as the legal custodian of programs for the medically deprived, and Metropolitan Medical Center, as a representative of the private hospital industry, had a responsibility to reach out to the community in providing easily accesssible health services. The two hospitals were equally responsive to the suggestions. As a result, the Hennepin County Health Coalition, a nationally unique combination of consumers and providers, was formed to continue intensive planning and implementation of responsive health care through total community involvement. In addition, both MMC and General extensively increased their individual organizational commitments to the community.

When the construction in process is complete, the integrated Metropolitan Medical Center will lie to the east, the new Hennepin County General Hospital to the west, and a jointly-managed Center Hospital will connect the two. A person will be able to walk freely indoors from one end of General Hospital to the other end of Metropolitan Medical Center. Floors in the Center Hospital will serve patients from the two institutions intermingled. Personnel from one hospital will manage one service in Center Hospital, while those of the other hospital will manage another. Agreements for management procedures are being developed at the present time. Thus, there will be no committee management inside the Center Hospital but there will be maximum sharing.

From the standpoint of these two hospitals it is fitting to discuss the responsiveness and humanization of health care in an architectural magazine. An architecturally conceived event, the charette, ignited a spirit of cooperation that helped Metropolitan Medical Center and Hennepin County General Hospital achieve a common sense of purpose and a heightened dedication to cooperate and prosper together.

BROOKINGS INSTITUTION OFFERS ANALYSIS OF FOREIGN TAX PREFERENCES FOR THE OIL INDUSTRY

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. VANIK. Mr. Speaker, the Brookings Institution has just released the latest volume in its series, "Setting National Priorities." Like its predecessors, this year's volume examines in depth the President's proposed budget as well as alternative policies that could be pursued. In short, the Brookings series offers a much needed overview of our national policies.

Not surprisingly, this year's edition, "Setting National Priorities: the 1975 Budget," sets aside one chapter to investigate Federal energy policies. Here, I have found a concise and lucid explanation of how our tax code has encouraged foreign investment by our multinational oil companies. The Brookings analysis concludes, in part—

> At present, therefore, the large U.S. oil companies typically pay no U.S. tax at all on their foreign operations, *and worse, they usually have excess credits which they can use to make tax-free investments in low-tax third countries at the expense of domestic investment—contrary to the goal of encouraging independence from foreign trade*—and encourages the growth of large, vertically integrated multinational companies, which conflicts with antitrust objectives. (Emphasis added.)

The study goes on to suggest that elimination of the foreign tax credit on income from the production of foreign oil and gas may be the most desirable way in which to eliminate the strong inducement to foreign investment.

Because of its significance to pending legislation, I am inserting the Brookings' analysis of the oil companies' foreign tax preferences in the RECORD:

FOREIGN TAX PROVISIONS FOR ENERGY PRODUCERS

Another problem concerns the tax treatment of income from the foreign branches of domestic oil firms. Just as there is a question as to whether the United States tax code should be subsidizing depletion of existing resources, there is an even greater question as to whether it should be subsidizing investment in foreign sources of supply. Certain provisions in the tax code appear to do this, and these provisions bear reexamination now that the difficulties of relying on petroleum imports have been illustrated so dramatically.

The tax treatment of income earned by United States firms from their foreign investments is determined by two basic and well-accepted principles. The first is that the United States follows standard international conventions in allowing host countries to assess the first tax on the foreign profits of U.S. branches and subsidiaries; the second is that the United States tries to standardize the tax treatment of its own firms between foreign and domestic investment so as not to encourage or penalize either one. This leads to the imposition of the normal 48 percent corporate tax rate on income earned here and abroad, but with a dollar-for-dollar tax credit for all income taxes already paid to foreign countries on earnings abroad. But it does not allow a dollar-for-dollar tax credit for operating costs such as rents, royalties, and excise taxes. These items are deducted before computing taxable profits, but not credited against tax liabilities, both here and abroad.

The combination of these well-accepted principles can lead to a rather bizarre tax situation for the large U.S.-based international oil companies. In the first place, because of percentage depletion and expensing of intangible drilling expenses, the U.S. tax liabilities on foreign petroleum operations are already low without any credits, on the order of 30 percent of gross profits. Then, because in petroleum-exporting countries the rights to land are typically held by the government, it becomes difficult to distinguish creditable income tax payments to these governments from deductible royalties. In fact, most payments are currently considered by

the Treasury as income taxes and are thus credited against the U.S. tax liability of the foreign operation.

This is true even though many of these countries do not have general income taxes and this tax is quite specific to petroleum—indeed, it is quoted in dollars per barrel just as royalties or excise taxes would be. There are, in other words, strong grounds for believing that payments to the host country should be treated either as a royalty or an excise tax, both of which are only deductible, and not as a creditable income tax. Because the high creditable taxes, about 90 percent of profits, generally exceed the low U.S. tax liabilities, U.S. oil companies have accumulated large amounts of unused credits. Through another provision, they have been allowed to apply these unused credits to mineral-related operations in low-tax third countries to reduce U.S. tax liabilities there. The relationship of these provisions then seems calculated to inspire investment in oil-related operations in low-tax third countries—Caribbean refineries and tankers registered in Liberia, Honduras, and Panama—rather than domestic investment.

At present, therefore, the large U.S. oil companies typically pay no U.S. tax at all on their foreign operations, and worse, they usually have excess credits which they can use to make tax-free investments in low-tax third countries. This is a clear subsidy of foreign investment in these third countries at the expense of domestic investment—contrary to the goal of encouraging independence from foreign trade—and encourages the growth of large, vertically integrated multinational companies, which conflicts with antitrust objectives.

Certain steps could be taken to redress these shortcomings. President Nixon proposed in his January 1974 energy message that depletion allowances be eliminated for the computation of taxes on the operations of foreign branches of U.S. oil companies. Whatever the merits of domestic depletion allowances, this seems a step in the right direction. The President also asked the Treasury to review its regulations that treat payments to foreign governments as income taxes and not as royalties or excise taxes, the intention being that only about half these payments would be creditable. The Treasury estimates that these provisions together would increase U.S. government revenues by only a small amount, say by $0.1 to $0.2 billion, but they would substantially eliminate the excess foreign credits and limit the inducement to tax free investment in third countries. Further steps, which might also be desirable to limit this inducement and increase revenues even more, would be to consider the entire payment to foreign governments deductible and to introduce a per-country limitation which would not allow excess credits from one foreign operation to reduce the tax liability from operations in other countries.

DR. JOSEPH J. H. SMITH—SERVICE ABOVE AND BEYOND THE CALL OF DUTY

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 30, 1974

Mr. BROWN of California. Mr. Speaker, this coming Saturday, the first of June, a group of my constituents will gather in Colton, Calif., to honor Dr. Joseph J. H. Smith, who is retiring this summer after 38 years of dedicated service to the people of Colton.

Thirty-eight years. That is a long time to serve in any position. One can more easily appreciate how long ago Dr. Smith began his Colton practice by realizing that he came to Colton in the middle of Franklin Delano Roosevelt's first campaign for reelection to the Presidency. And that was not even the beginning of Dr. Smith's career; he had already completed a year as an intern at Los Angeles County Hospital, another year practicing in Pomona, and 6 years in the Riverside County community of Blythe before he came to Colton in 1936.

During these many years Dr. Smith has served the citizens of the Colton area in many ways. Apart from his practice, he has been active in the Tuberculosis Association, the Cancer Society, and the Easter Seal Society. He served as president of the County Medical Society in the mid-forties, and in 1966 as president of staff at San Bernardino Community Hospital. In the period from 1970 through 1972, Dr. Smith served as president of the Administrative Board of Community Hospital.

I certainly do not want to give the impression, Mr. Speaker, that all of Dr. Smith's community service has been related to the medical world. Despite his extensive donations of time and effort in that area, such a statement would be quite inaccurate. Dr. Smith served on Colton's School Board for 9 years. He has been a member of the Library Board since 1949, and currently serves as its president. I could go on in great detail about Dr. Smith's activities and offices held in the Kiwanis Club, the Masonic Lodge, the Order of the Eastern Star, and other organizations for some time. But in the interest of conserving time here today I will elaborate on only one more of Dr. Smith's associations: his membership in my own Colton Methodist Church. Dr. Smith has been a member of our congregation since his arrival at Colton, and has served on many committees within the church. He was chairman of the Building Committee during the construction of the church's Sanctuary and Wesley Hall, and from 1960 until 1964, he devoted a particular great amount of his time to the church as a speaker on Southeast Asian missions, traveling throughout southern California and even into Arizona to speak in other churches.

Mr. Speaker, Dr. Smith is obviously an outstanding citizen of Colton, well-deserving of the testimonial and recognition dinner which his many friends and neighbors have planned for him this Saturday evening. I join them in their sentiments, and I will be happy to convey the greetings and respect of the House of Representatives to this distinguished humanitarian, along with our wishes for a happy and fulfilling future in this new period of his life.

SENATE—*Friday, May 31, 1974*

The Senate met at 12 o'clock noon and was called to order by Hon. SAM NUNN, a Senator from the State of Georgia.

PRAYER

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Our Father-God, hallowed be Thy name in this Chamber, in every office, in every concourse, and in all our work. Lift our duties into service for Thee. May no task seem trivial, no duty too small, no program without meaning, no day without its splendor. Hold us to truths higher than ourselves, to standards which keep us striving for improvement, to principles tested by time and confirmed in experience. May we ever be receptive to new insights, to fresh revelations of truth, and free us from scorn of that which is old simply because it is old. May we go forth to our temporal duties with a sense of the transcendent and eternal in our hearts.

We pray in Thy name. 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 31, 1974.

To the Senate:

Being temporarily absent from the Senate on official duties, I appoint Hon. SAM NUNN, a Senator from the State of Georgia, to perform the duties of the Chair during my absence.

JAMES O. EASTLAND,
President pro tempore.

Mr. NUNN thereupon took the chair as Acting President pro tempore.

THE JOURNAL

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Thursday, May 30, 1974, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. ROBERT C. BYRD. 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.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated