

of each year as "Memorial Day"; to the Committee on the Judiciary.

H.J. Res. 949. Joint resolution to amend title 5 of the United States Code to provide for the designation of the 11th day of November of each year as "Veterans Day"; to the Committee on the Judiciary.

By Mr. McDADE:

H.J. Res. 950. Joint resolution making an urgent supplemental appropriation for the fiscal year ending June 30, 1974, for the Veterans' Administration, and for other purposes; to the Committee on Appropriations.

By Mr. HARRINGTON (for himself and Mr. STARK):

H. Res. 1002. Resolution: An inquiry into the military alert invoked on October 24, 1973; to the Committee on Foreign Affairs.

By Mr. HAYS:

H. Res. 1003. Resolution providing funds for the expenses of the Committee on House Administration to provide for maintenance and improvement of ongoing computer services for the House of Representatives and for the investigation of additional computer services for the House of Representatives; to the Committee on House Administration.

By Mr. LONG of Maryland (for himself, Mr. CORMAN, and Mr. ROE):

H. Res. 1004. Resolution to authorize the Committee on Interstate and Foreign Commerce to conduct an investigation and study of the importing, inventoring, and disposition of crude oil, residual fuel oil, and refined petroleum products; to the Committee on Rules.

By Mr. MARAZITI:

H. Res. 1005. Resolution to launch an investigation by the General Accounting Office into alleged abuses of rights of privacy by telephone companies; to the Committee on Interstate and Foreign Commerce.

## EXTENSIONS OF REMARKS

By Mr. PEPPER (for himself and Mr. MARTIN of Nebraska):

H. Res. 1006. Resolution authorizing the printing of the transcript of the proceedings in the Committee on Rules of October 25, 1973; to the Committee on House Administration.

## MEMORIALS

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

393. By Mr. HANSEN of Idaho: Memorial of the Legislature of the State of Idaho, relative to removal of the prohibition to inclusion of impact aid in the calculation of State equalizing school aid; to the Committee on Education and Labor.

394. By the SPEAKER: Memorial of the Senate of the Commonwealth of Massachusetts, relative to the observance of "Employers Support Week for the Guard and Reserve"; to the Committee on Armed Services.

395. Also, memorial of the Legislature of the State of South Carolina, relative to an investigation of the "International oil monopoly"; to the Committee on Interstate and Foreign Commerce.

396. Also, memorial of the Legislature of the State of Oklahoma, urging the Congress to propose an amendment to the Constitution of the United States to make it mandatory that the amount of any deficit in the national budget submitted by the President be underwritten by a surtax on individual and corporate income, unless Congress, by other method of financing or by reduction of expenditures, provides for a balanced budget for the year; to the Committee on the Judiciary.

397. Also, memorial of the Legislature of the State of Oklahoma, relative to the curtailment of recreational activities and the destruction of existing facilities on the Wichita Mountains Wildlife Refuge; to the Committee on Merchant Marine and Fisheries.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mrs. SCHROEDER introduced a bill (H.R. 13719) for the relief of Nestor Manuel Lara-Otoya, which was referred to the Committee on the Judiciary.

## PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

410. By the SPEAKER: Petition of the City Council, New York, N.Y., relative to efforts to obtain information about Americans listed as missing in action; to the Committee on Foreign Affairs.

411. Also petition of Lisa Thomas, Hendersonville, N.C., and others, relative to the revocation of the license of radio station WXUR, Media, Pa., to the Committee on Interstate and Foreign Commerce.

412. Also, petition of the National Capital Area Department, American Federation of Government Employees, AFL-CIO, Washington, D.C., relative to the proposal to abolish the Committee on Post Office and Civil Service; to the Committee on Rules.

## EXTENSIONS OF REMARKS

STANLEY W. HULETT NAMED  
DEPUTY DIRECTOR OF BUREAU  
OF OUTDOOR RECREATION

**HON. RALPH S. REGULA**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. REGULA. Mr. Speaker, I insert at this point in the RECORD a copy of a press release from the Department of the Interior announcing the appointment of Stanley W. Hulett as Deputy Director of the Bureau of Outdoor Recreation. I add my congratulations to the many that I know Mr. Hulett has already received and I congratulate the Department of the Interior upon the appointment.

Stan Hulett did a great job for the Park Service and I know he will do the same for the Bureau of Outdoor Recreation.

The press release follows:

STANLEY W. HULETT NAMED DEPUTY DIRECTOR,  
INTERIOR DEPARTMENT'S BUREAU OF OUTDOOR RECREATION

The appointment of Stanley W. Hulett as Deputy Director of the Interior Department's Bureau of Outdoor Recreation was announced today by Interior Secretary Rogers C. B. Morton.

"I am pleased to have a man of Mr. Hulett's proven administrative talents join BOR in its second highest post at a time when the importance of providing recreation opportunities for the people has never been

greater," Secretary Morton said. "Mr. Hulett's diversified experience with the National Park Service and on Capitol Hill will be invaluable to the nationwide programs of the Bureau of Outdoor Recreation."

As Deputy Director of BOR, Hulett will share with Director James G. Watt responsibility for managing the Bureau and directing the planning, development, and coordination of outdoor recreation programs.

Hulett succeeds Roman H. Koenings who served as Deputy Director of BOR since July 1971, and was instrumental in implementing the State grant program under the Land and Water Conservation Fund. Koenings has been appointed Assistant Director for Resources of Interior's Bureau of Land Management.

Hulett, a native of California, has served as Associate Director for Legislation, National Park Service, since March 1972. In that position, he was responsible for legislation affecting the Nation's system of parks, monuments, historic sites, and recreation areas. During Hulett's stewardship of the Service's legislative program, 14 new units were added to the National Park System during the 92nd Congress. Among these were Golden Gate National Recreation Area in California; Gateway National Recreation Area, New York and New Jersey; Cumberland Island National Seashore, Georgia; and, Fossil Butte National Monument, Wyoming. Hulett was in charge of the Service's Congressional relations and public information programs, international affairs, and liaison activities with other Federal agencies, State and local governments, and the private sector.

Hulett came to the Department of the Interior as Legislative Coordinator in 1971, following two years as Legislative Assistant to California Representative Don H. Clausen.

A 1960 graduate of Stanford University, Hulett is past president of the Mendocino County (Calif.) Chamber of Commerce; a past president of the Willits Chamber of Commerce; an official delegate to the Rotary International convention in France in 1967; and past president of the California Lumbermen's Accident Prevention Association.

Hulett is married to the former Mary Ann Minenna. They live with their son Gregory in McLean, Virginia.

## ALABAMA WINNER IN VOICE OF DEMOCRACY CONTEST

**HON. ROBERT E. JONES**

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. JONES of Alabama. Mr. Speaker, the winner for the State of Alabama in the Voice of Democracy Contest sponsored by the Veterans of Foreign Wars was an outstanding student from the Sheffield High School in Sheffield, Ala.

The winning speech was delivered by William Ernest Cunningham and, subsequently, he came to Washington for competition in the national finals.

His remarks on the responsibilities of the citizen have meaning for all.

In order to share his views with others, I include his remarks in the RECORD at this time:

## EXTENSIONS OF REMARKS

March 25, 1974

## SPEECH BY WILLIAM ERNEST CUNNINGHAM

From sea to shining sea America spreads out across the face of the earth. With its majestic snowcapped mountains reaching to the sky, while the grasses in the long rolling plains sway to the gentle breeze. This land called America is where, out of the minds of a courageous few, grew an idea, an idea that was later to be recorded in the Declaration of Independence—that all men are created equal, that they are endowed by their creator with certain unalienable rights, and among these are Life, Liberty, and the Pursuit of Happiness. We, too, born to freedom and believing in freedom, should be willing to fight to maintain freedom. We, and all others who believe as deeply as we do, should rather die on our feet than live on our knees. These are the ideas that drove those individuals long ago to fight for America and future generations of Americans.

Thanks to these efforts, the United States stands undaunted, proud and fearless, to the other nations of the world. And as we exemplify the courage we have as Americans, we must accept the many responsibilities that accompany this privilege.

Let's now explore the responsibilities we have as Americans. The three more important are Love of Country, the Responsibilities of Voting, and finally Supporting the Government.

Love of country is important. America has done so much for us that we should stop to consider our privileges. America has given us the right to live as free men with the right to free speech and privacy. It has given the information sources freedom of the press, so they can inform America without fear of censorship. We live in a land in which we as consumers can purchase any good or service which we desire, a country which has a higher standard of living than any other country in the world, a land of opportunity. America has given us a beautiful place to live, a land full of wonderment and awe, a country in the words of an unknown poet, "Never before has such beauty been seen, or ever again will it be copied for its loveliness is profound."

Second, the responsibility of voting is probably the most misused responsibility we have as Americans. Most people feel that one vote, their vote, couldn't possibly make a difference. Often this is true, but the fact is that they didn't exercise their responsibility; so therefore they are saying in reality, that they really couldn't care less who wins the election—Local, State, or National. The responsibility of voting is not to be taken lightly. The candidates' platforms must be examined thoroughly, their promises and claims must be scrutinized and evaluated carefully so that we as voters can be sure that this is the right man for the job. What most people don't realize though, is that when they don't vote, they are letting themselves down and most of all they are letting America down.

The final responsibility we have as Americans is to support our government. In a nation of 200 million people where individualism is a cherished and jealously guarded possession, we as Americans do not always agree with the President in office. Nevertheless, whether we agree or disagree, like or dislike, support or oppose, the fact is that this is our government and we, for the sake of security, must support it. Franklin Roosevelt said, "History proves that dictatorships do not grow out of strong and successful governments, but out the weak and helpless ones. If by democratic methods people get a government strong enough to protect them from fear and starvation, their democracy succeeds; if they do not, they grow impatient. Therefore, the only sure bulwark of continuing liberty is a government strong enough and well enough informed to maintain its sovereign control of its government."

America, we love you.

## THE TWIN CITY EXPERIMENT

## HON. BILL FRENZEL

OF MINNESOTA

## IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. FRENZEL. Mr. Speaker, last Thursday the Wall Street Journal contained an interesting article by Dennis Farney entitled "The Twin City Experiment." It is a description of the structure of the Metropolitan Council and the prospects for its future. The Metropolitan Council, a creature of the Minnesota Legislature, serves as a planning and co-ordinating agency of government in the seven-county area around the Twin Cities of St. Paul and Minneapolis.

The article says:

The Twin Cities area has clearly sorted things out and come up with a system that works.

This, of course, is a bit of an oversimplification. The Metropolitan Council is innovative. It does some things very well. There are, however, some things it does not do well, and there are a few instances in which it has offended the people or their local elected officials.

All things considered, it has been a highly successful experiment in specialized government, filling a decisionmaking policy void between the State government and the local governments without unnecessarily irritating either one. The Metropolitan Council is in a continuing state of evolution, but it is an experiment worthy of observation by other areas of the country.

The article follows:

## THE TWIN CITY EXPERIMENT

(By Dennis Farney)

ST. PAUL, MINNESOTA.—A friend calls John Boland "a tactician of politics" and the description fits. A visit to the Boland command post finds a gregarious man of 36, enjoying a cigar and heavily engaged in the strategems of an ongoing battle of sorts.

It is a political battle to regain the momentum for one of the nation's most innovative experiments in urban government.

For Mr. Boland is the chairman of a seven-year-old institution called the Metropolitan Council. The council may well be the best way yet invented to run a metropolitan area—rational, cannily tailored to political realities and already paying off in a more liveable region. Delegations of urbanologists have studied it and at least one other city, Atlanta, has copied elements of it. But for all its successes, the council has run into some political trouble.

Some members of the Minnesota legislature, which created the council, now mutter that it has grown too big for its britches. Some other units of area government with which the council must deal now charge it with high-handedness. Meanwhile, even council supporters agree that it remains remote to the lives of the 1.9 million people it is trying to serve. All of which explains why Gov. Wendell Anderson, a strong council supporter, handpicked Mr. Boland, a savvy state legislator with a politician's knack for persuasion and public visibility, to turn things around.

Today and tomorrow could tell whether he's succeeded or not. For the Minnesota legislature is moving toward adjournment and final action on a series of measures that would give the council new powers it badly needs. The 1971 and 1973 legislatures have

balked at granting just such powers, and the issue is still in doubt.

"We're very close to breaking through to beyond anything anywhere else in the country," says Ted Kolderie, the thoughtful executive director of the nonpartisan Citizens League, which helped lead the effort to create the council in the first place. "But it's still possible the legislation we need could fail. A hell of a lot is at stake here."

What is at stake, ultimately, is just how far a subtle and sophisticated supergovernment is going to be allowed to go beyond "planning" to "governing." That has been the underlying question ever since the legislature created the council and gave it its staggering assignment: Pull together a seven-county region that includes two major cities, 134 municipalities, a jungle of special-purpose agencies, half the population of the state and more than one-half its wealth.

## THE NATIONAL SIGNIFICANCE

The national significance of the council lies in the way it was structured politically to give it real power without the bitter opposition that "metropolitan government" typically arouses.

The legislature deliberately barred the council from such purely local matters as some suburb's parking regulations or the color of its police cars. But in a few limited areas where metropolitan-wide decisions are truly necessary—areas that together determine the pace and the nature of future area development—it gave the council the authority to take action and the power to make it stick.

The council's prime power is the power to veto. It reviews the applications of other units of government in the region for federal money, and an unfavorable council comment can doom an application. More important, it reviews the development plans of such other area-wide agencies as the sewer board, the transit commission and the airport commission.

Projects by such agencies, of course, can determine the future location of everything from subdivisions to heavy industry. So if the council finds a project inconsistent with its own ideas of where those subdivisions and industries ought to go, it can simply veto it and ask the operating agency to come back with a better idea. (The agencies may appeal to the legislature however.) One bill now before the legislature would empower the council to review and at least delay any project of "metropolitan significance," be that project either public or private.

Since 1967 the council has used its power aggressively. It has solved the problem that prompted its creation—metropolitan growth had outrun the sewer system—through a major expansion of the system. It has twice blocked the Metropolitan Airport Commission from building a new jetport in an ecologically unfavorable area. It compelled a reluctant suburb to accept subsidized housing. It has barred any more freeways through Minneapolis or St. Paul. It is moving toward a land-use policy that will minimize urban sprawl. And it is into everything from cable TV to criminal justice.

But while it was making all those decisions, it seems, the council neglected the business of cultivating grassroots support. "You know, it's hard to appreciate the beautiful symmetry of a metropolitan sewer system," says one council-watcher. "The council has yet to be seen by the man in the street as a problem-solving agency that's doing good for him."

And without enthusiastic grassroots support, the council lost ground in the legislature as the inevitable complaints came in from agencies and officials it had thwarted. To be sure, the council is in no danger of being abolished or even of being scaled back. But consecutive legislative sessions have balked at bills that would make council

members elective (they're appointed by the governor now), tighten its control over semi-independent entities like the transit commission, and give the council the tools for such things as preserving open space and attacking area housing needs.

What really counts is "the power to say what is going to happen," says Mr. Kolderie. "And that's what's now at issue here—whether these decisions of what to build, and when and where, shall be made by the council" or somebody else.

Dramatizing this fundamental issue has been a noisy debate over the kind of mass transit system this region should have. In late 1972 the semi-independent area transit commission was moving toward a commitment to a rail system. But the council members seem to have reasoned that, just as wars are too important to be left to the generals, the transit decision was too important to be left to the transit experts. It was all bound up with larger considerations. So the council cut the transit men off at the pass.

Before the transit people could make their final recommendation, the council recommended an expanded bus system instead. The infuriated transit people appealed to the legislature. And the legislature, in turn, decided it had better get into the act itself.

Now the legislature is about to vote on a measure that would strengthen the council's authority to determine regional transportation policy, which the transit board would then carry out. But at the same time the legislature has made it clear that it expects to have a voice in that policymaking—and that it is going to keep an eye on future council assertions of power.

#### THE LESSON

Gov. Anderson thinks there is a lesson for the council in all this. The lesson is to not take the legislature for granted.

"I think what the legislature has been saying to the council is 'look, you're our creature. We created you,'" he says. "Jealousy is probably too strong a word for it. But the legislature wants to remind the council who it's working for."

This lesson isn't lost on John Boland, the governors' appointee. "The legislature likes the council, likes its innovativeness," he says. "But at the same time there is a nagging doubt about just how far the council ought to go." Mr. Boland has been trying to ease those doubts in low-key talks with his former legislative colleagues. At the same time, he's working hard to rebuild local support.

In the first few months of his chairmanship he visited more than 100 of the 134 municipalities in the region. He also dispatched sometimes grumbling council members to local meetings and began setting up advisory committees of local officials. "If things ever get head-to-head with the local communities, we're going to lose," he says. "Because legislators listen to local officials."

Another element of the Boland strategy is to rein in his planners, who have sometimes antagonized local officials with a brusque approach to things. "Planners, many of them anyway, are not politically sensitive," Mr. Boland says. "They get up and talk in plannerese, and you're in trouble."

The next few days may only partly suggest how well the Boland strategy has worked. It may even be, as Ted Kolderie suggests, that another seven years will be required before the council evolves into its final form. But it's worth noting that while a single council misstep in some states might have brought forth legions of legislators ready to do the council in, nothing of the kind has happened here. This is merely additional testimony to a pattern that numerous social commenta-

## EXTENSIONS OF REMARKS

tors have observed in Minnesota—a rare openness to change, an uncommon commitment to common sense solutions to problems that might ensnarl other states in unproductive controversy.

And in the end the problems here—as in most metropolitan areas—do boil down to common sense answers to a few basic questions. Which are local problems and which are regional ones? Who makes the tough decisions? Who, really, is in charge of things? The Twin Cities area has clearly sorted things out and come up with a system that works.

That system has taken root for the long haul. But there remains a very real question of how much power the Metropolitan Council is going to be allowed to acquire. That is going to depend on the legislature, the governor and the persuasiveness of a "tactician of politics" named John Boland.

#### PLANTS, TOO, ARE ENDANGERED

### HON. JOHN D. DINGELL

OF MICHIGAN

#### IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. DINGELL. Mr. Speaker, from the April-May special publication by the National Wildlife Federation on endangered species, I insert the following article on one of the rarest plants in our Nation:

#### PLANTS, TOO, ARE ENDANGERED

(By Harold William Rickett)

Few botanists have ever seen it. It is so inconspicuous that the ordinary hiker would pass it by without notice. Yet *Isotria medeoloides* is a characteristic orchid. And it is one of the rarest plants in the United States.

Although it reportedly grows in a large area ranging from northern New England to North Carolina and in southeastern Missouri, it is found only occasionally, and then in isolated colonies of a few plants. Indeed, *Isotria medeoloides* is so obscure that it was just briefly described in the first two volumes of the definitive reference work "Wild Flowers of the United States," and no photographs were available to illustrate it. In fact, until shortly after publication of those volumes, I myself had never laid eyes on the plant. Then I received a letter from a man in the northwestern corner of New Jersey who said he had the species growing in his woods. It was there that I took my first look at *Isotria medeoloides*. The plant that I saw was an unspectacular little object, bearing an unspectacular little flower. Yet it displayed all of the intricate features of the orchid family. It was about 9 inches tall. Its erect stem was tipped with a circle of five leaves (some plants have six or more) about 2 inches long. Above these, on a short stalk, rose the single flower. It had three narrow green sepals.

Within the sepals, the corolla arched upward, composed of two upper greenish, overlapping petals forming a sort of hood, and a projecting whitish lower petal, the so-called lip, notched at the end. The typical orchid column, formed from the union of stamens, style and stigma, was scarcely visible within this corolla. The ovary is contained in the stem below the sepals; with the surrounding stem it becomes the seed-pod.

Why is this diminutive plant so rare? Probably because its ecological requirements are so exacting. Its sparse distribution certainly suggests a species on its way to extinction—in effect, a plant failure. Perhaps *Isotria medeoloides* is a poignant reminder of the critical interdependency of the earth's different life forms. For it may well be that the

exact species of insect needed to accomplish the pollination of this complex little flower is also extremely rare.

#### THAT PIANO PLAYER "FELT TO HOME"

### HON. LAMAR BAKER

OF TENNESSEE

#### IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. BAKER. Mr. Speaker, Mrs. Baker and I had the privilege of being in President Nixon's party when he and the First Lady attended the dedication of the new Opry House at Opryland in Tennessee last Saturday night.

It was a night to remember. The President and Mrs. Nixon were warmly received and they responded to this outpouring of affection and respect—a real honest-to-goodness Tennessee welcome—with love and appreciation.

There were many light-hearted moments which the Oprylanders and their fans on radio and television will long remember. The Nashville Banner captured the spirit of this wonderful evening in an editorial, "That Piano Player 'Felt To Home.'"

In remembrance of this occasion, I ask that the editorial appear at this point in the RECORD.

The editorial follows:

#### THAT PIANO PLAYER "FELT TO HOME"

They sure know how to make piano players "feel to home" at the Opry!

And they must have really liked this one, because they made him play three songs. Everybody else got to do only one.

It was the Grand Ole Opry's finest hour Saturday night as a relaxed President and Mrs. Nixon dedicated the new Opry House at Opryland amid what surely was one of their warmest welcomes anywhere, if not the warmest.

And the President obviously was elated—even exuberant—as he talked, joked and played piano to the delight of 4,000 first nighters who showered the President with standing ovations, unabashed cheering and mutual appreciation of his love for country music, which he said "radiates a love of this nation."

And it was fitting that Roy Acuff, the King of Country Music, should do the honors of introducing the Nixons on stage. Mr. Acuff set the real mood of what the Opry means with his down-to-earth introduction and his attempts to teach the President the art of yo-yo.

Then the President summed it up exactly: "Country music, therefore, has those combinations which are so essential to America's character at a time that America needs character."

Nashville and the Grand Ole Opry can be proud that they brought happiness to the Nixons. And indeed they did. They can also be proud they gave the nation—and the world—an opportunity to see what's right in America—a positive look at what Mr. Acuff termed "we working people"—the real America.

"This is a wonderful program. We'll never see another one like it in our state. We never have before," Mr. Acuff said.

But, then that was a pretty fair country piano player at that!

SANE AND WORLD FEDERALISTS  
USA SEEK COMPREHENSIVE MID-  
DLE EAST SETTLEMENT

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. BROWN of California. Mr. Speaker, two organizations which I hold in very high regard, SANE and the World Federalists USA, recently came forward with a joint statement regarding the Middle East situation that deserves the attention of every Member of Congress. I have seen very few statements regarding this complex tangle of overlapping interests that treat the issues involved so objectively and rationally. There are no easy solutions to the problems in the Middle East, and this statement, which appeared in the March issue of Sane World, recognizes the complexity of the situation.

The material follows:

TOWARD PERMANENT PEACE IN MIDEAST

SANE and the World Federalists USA have jointly approved the following statement on the Middle East. We invite your comments and your help in promoting community discussion on peaceful alternatives.

BACKGROUND

Four wars in 25 years have been fought because of the clash of Jewish and Arab nationalisms in the Middle East. This clash has been aggravated by the increasing participation of the superpowers. Peace in the Middle East requires reconciliation between Israelis and Arabs, aided by the world community.

In the first half of the 20th Century Arabs and Jews both worked to create independent states in the areas controlled by the Ottoman Empire, Great Britain and France. During World War I, Great Britain and France offered contradictory promises of political independence to Arabs and a homeland to Jews in exchange for their support against the Turks. The Balfour Declaration by Great Britain in 1917 held out the hope of establishing a Jewish national home in Palestine.

By the time the UN first voted in 1947 to partition Palestine into twin Arab and Jewish states, most of Palestine's neighbors had won their political independence. These Arab nations, in defiance of the UN decision, sent their troops to destroy Israel even before its existence could be officially proclaimed. When they were defeated, Jordan annexed the lands and peoples on the West Bank of the Jordan which would have been the core of Arab Palestine.

Israel, haven for the survivors of Nazi genocide, was thus born of siege, while the Palestinian Arab state decreed by the UN evaporated through war and annexation. By 1948, all of the peoples of the Middle East had states of their own except the Palestinian Arabs.

The Palestinians, mostly unable or unwilling to return to Israel and often excluded from neighboring Arab lands, festered in refugee camps. The Arab states, defeated in their attempt to wipe out Israel at its birth, refused to accept its existence. Israel, fearing extinction, relied increasingly upon military means for survival.

A spiral of fear and hatred followed. Each new armed conflict generated additional grievances among the Palestinians, the Arab states, and Israel. The leaders on all sides who sought military solutions to these griev-

EXTENSIONS OF REMARKS

ances achieved only a form of antagonistic cooperation with each other which guaranteed further conflict.

Following the Six-Day War in 1967, the UN achieved its first consensus on the outline of a settlement, in the form of Security Council Resolution 242. However, Resolution 242's ambiguous provisions—a cease-fire, Israeli withdrawal to secure and recognized borders from the occupied territories, and acceptance by all parties to Israel's sovereignty and security—were variously interpreted by the belligerents. There was no subsequent negotiation of these goals, and they remained without implementation.

By 1973 the Middle East had developed into two explosive armed camps where the United States and the Soviet Union confronted each other over the heads of their warring allies. The superpowers supplied enormous quantities of sophisticated armament to both sides, introduced military advisers, trained military personnel, and generally exacerbated the situation by using the region to pursue cold-war rivalries.

The recurring clashes in the Middle East remain a threat to peace of global proportions. For this reason SANE and WFUSA regard it as imperative that the forces of peace within the United States develop and pursue policies which can help facilitate a permanent settlement.

A PERMANENT SETTLEMENT

There are no military solutions to these political problems. The basic struggle in the Middle East is between two nationalisms in competition for sovereignty over the same territory. Such a conflict has a limited range of possible outcomes. One or the other side can dominate and thus sow the seeds of revenge; the status quo can continue and leave the grievances unresolved; or a compromise solution can be arrived at acceptable to both sides (or a majority on both sides). WFUSA and SANE are persuaded that the course of compromise which assures the security of all parties is the only one consistent with a fundamental concern for world peace and, in all likelihood, the fundamental survival and prosperity of the nations of the Middle East.

The international negotiations that began in Geneva in December, 1973, offer a possibility for moving toward a compromise solution. Our concern is that these negotiations lead to a permanent peace settlement, not simply to another truce. Independently of the judgments of any of the parties, it will be possible to identify the character of the agreements according to their content. A truce would include plans for enforcing a cease-fire and little more. A peace settlement, or moves toward a peace settlement, would be identified by the additional inclusion of arrangements for normal diplomatic, economic, and cultural relations among nations, termination of government-sponsored economic and other boycotts, and agreements to limit, or to negotiate limitations of armed forces.

SANE and WFUSA urge the government of the United States to use its good offices to influence the Geneva negotiations toward a peace settlement rather than merely a truce.

OUTLINE OF GOALS

We suggest no detailed proposals to deal with problems which must be resolved by the parties to the dispute. As concerned Americans, however, we ask our government—which is in a unique position to play a peace-making role—to seek achievement of the following goals:

1. Recognition of Israel's existence by her neighbors.

Israel still feels besieged after a generation of existence. In the absence of a political settlement which permits Israel to live in

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peace within secure and recognized borders, she will remain a garrison state, harassed by terrorism and facing the prospect of recurring wars in which she may succumb one day to superior Arab numbers and arms. Only the formal acceptance of Israel's existence by the Arab states, with international guarantees, can begin to allay her legitimate security fears.

2. Withdrawal of Israel's forces from occupied territories.

Israeli forces should be withdrawn from occupied territories as part of an agreement which guarantees recognition and security to Israel. The negotiation of recognized borders should be considered an intrinsic part of the process of compromise between the parties. Extensive demilitarized zones should be established along the recognized borders and elsewhere as required. Demilitarized zones should be placed under the control of the United Nations Emergency Force. Withdrawals should take place in a series of steps accompanied by reciprocal actions that will help advance normal relations between the former adversaries.

3. Recognition of the Palestinian people.

Israel must recognize the existence of the Palestinian people and assist in enabling them to determine their own future. Self-determination for the Palestinians is perhaps the most complex part of the problem in the Middle East, but without it there can be no permanent settlement.

The procedures under which the Palestinians can express their choices should be established with the assistance of the UN. The outcome could include a new and independent state; a new state federated with Jordan and/or Israel; and a return of some refugees to Israel.

Palestinian refugees are entitled to a choice of repatriation or compensation for lost lands and property, as reiterated by the UN General Assembly. Within an agreed annual maximum, Israel should agree to receive a number of returning refugees. For most refugees, this course will be neither feasible nor desired. This majority of refugees should receive generous assistance in reestablishing themselves, with financing to come from the world community on the basis of ability to pay.

Jews evicted from their homes in Arab nations since 1947 should be included in the compensatory programs on the same terms as Arab refugees.

4. An important role for the United Nations.

The services of the UN should be utilized to help bridge the negotiating gap between the two sides, to police the cease-fire and supervise the withdrawal of forces, and to promote the conditions of a lasting peace. Among these conditions are the right of free and innocent passage through the area's waterways; the establishment of open borders, travel, trade and diplomatic relations; self-determination for those now lacking a homeland; and establishment of mechanisms for regional cooperation.

In connection with the security of agreed borders, WFUSA and SANE believe that the United Nations Emergency Force, UNEF II, should be established and maintained in demilitarized zones on both sides of such borders. Moreover, UNEF II should be subject to removal only by mutual agreement of the nations involved. (It will be recalled that the "failure" of the UN peace-keeping operation in 1967 was a failure of the mandate under which it operated. The UN was required to withdraw the Force at the request of the host country, and no UN force had been allowed on the other side of the line.)

The UN Emergency Force, and potentially needed reinforcements, should be composed of contingents from nations mutually agreed

by the major powers as not representing the major powers or states closely aligned to them. (The problems of composing, operating and reinforcing a UN Emergency Force in the Middle East call attention to the importance of systematically designing the mode of operation of a permanent UN police force, as long called for by the UN Charter.)

UNEF II should be empowered to resist any attack across agreed borders, acting as a "tripwire" until the Security Council can respond under the appropriate provisions of the UN Charter. The prospect that an invader would have to engage significant numbers of UNEF troops representing the world community should be a substantial deterrent to resumption of hostilities.

Disputed provisions of the peace agreements should be referred to binding arbitration by mutually-agreed individuals or institutions, including the World Court.

#### 5. Jerusalem.

The uniquely complex and overlapping religious and national claims to jurisdiction over Jerusalem should be subjected to the same process of compromise as other issues in dispute.

#### 6. Regional Cooperation.

The Middle East possesses the agricultural and mineral resources which could dramatically raise the living standards of all the peoples in the area. However, these resources will not be used effectively until a mechanism for regional cooperation and planning is created by the Arab states and Israel. Such a mechanism should be established with the assistance of the U.N. and serve as the source of projects which can be multilaterally financed.

#### 7. Restrictions on the Arms Trade.

Even before the latest outbreak of war in the Middle East, over \$6 billion worth of arms—fully one-eighth of the world total of arms exports—had been imported by the countries of the region between 1961 and 1971. More than half of the arms shipped to the Middle East during that period came from the Soviet Union while almost 30% was shipped by the United States to countries on both sides (a reversal of the superpowers' worldwide totals). All of the recipients were developing nations which have undermined their economic and social development by using resources to amass modern weaponry.

The superpowers as well as other industrialized countries today continue to fuel an arms race in the Middle East.

We therefore call on the United States Government to propose the following measures:

1. An agreement with the Soviet Union, and other arms suppliers, to halt sales and transfers of arms to the Mideast beyond a minimum needed to defend recognized boundaries. This should not exceed a third of average annual arms shipments in the period 1963-73.

2. An agreement with all arms suppliers to reduce their arms exports by a given amount and to channel a share of the savings into multilateral economic and social aid to poorer nations.

3. An effective system of publicity, through the United Nations, to record information on arms exports and imports. This system would help, depending upon the facts, both to assuage suspicions and to pinpoint areas of impending confrontation.

As the world's leading exporter of arms, the United States should improve the climate for these new international arrangements by independently reducing the quantity of weapons shipped abroad, while inviting reciprocity by the Soviet Union.

We are aware that those who seek to preserve the world arms trade or who despair of ever controlling it might respond that a curtailment of this traffic by the big powers

## EXTENSIONS OF REMARKS

will only encourage others to sell weapons or to develop their own arms industry. Perhaps such developments would occur. However, it is difficult to see how less powerful countries could do as much to stimulate arms races in conventional weapons as is now being done by the two nations which have dominated the world arms trade. It is to the United States and the Soviet Union that we look to take the first steps to reduce the traffic in death.

#### CONCLUSION

An entire generation of mutual hostility whose roots lie buried in history will not be overcome easily or rapidly. Nevertheless the current negotiations offer the most hopeful opportunity to date to achieve permanent peace in the Middle East. Peace must be based on a complex fabric of new relationships, achieved through compromise and guaranteed by the world community. As elsewhere, there will be no national security for the countries of the Middle East without international security.

Mr. Speaker, I wish to emphasize that there would not be so much heated disagreement regarding the problems of the Middle East were it not for the fact that there are legitimate claims and desires held by various parties to the dispute which, in all too many cases, cannot be satisfied without denying the also legitimate claims and desires of other parties to the conflict.

I commend SANE and the World Federalists USA for their responsible voices of reason in a debate which often has been characterized by confusion and political expediency.

### BUCK BRISCOE: SUPER SALESMAN FOR ST. MARY'S COUNTY

#### HON. ROBERT E. BAUMAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. BAUMAN. Mr. Speaker, all of us who have served in public life meet unusual personalities who are natural leaders of their communities. St. Mary's County, Md., is the "Mother County" of our State, it being the landing place for the first settlers from England.

Perhaps no one citizen of St. Mary's County better typifies the wonderful diversity and appeal of St. Mary's County than does Arthur "Buck" Briscoe.

In recognition of the many years of devoted service that Buck Briscoe has rendered to the citizens of St. Mary's County, I include in the RECORD an article from the December 26, 1973, St. Mary's Beacon, the oldest newspaper in the county:

BUCK BRISCOE: SUPER SALESMAN FOR ST. MARY'S COUNTY

(By Arch B. Brown)

Approximately 20 years ago, my Associate General Counsel and I decided to take a day off to pay a visit to Southern Maryland—in particular, St. Mary's County.

We already had observed by the maps that this historic county was situated on a peninsula, and that it dead ends. You do not go through it—you go in and turn around to come back again. It is sort of a tourism cul-de-sac. That geographic feature, among

others, intensified our interest to visit what even then was referred to as "the land of pleasant living."

I had visited Leonardtown one time before—in the late twenties—when it took a full half-day to drive down in my T-Model Ford, and the other half-day to drive back to Washington. Already, during those prohibition days, I had heard a great deal of conversation and praise concerning what then was considered the famous "Southern Maryland Rye"; and, being a Baptist, and bearing in mind our old adage that "we Baptists do not drink in front of each other," I understandably came alone in search of this highly advertised "nectar of the gods!" But to no avail! I have never known why, except to presuppose that either I had struck a season when the stills were dry, or because all of my contacts unfortunately must have been Baptists!

On this second trip, many years later, the original motivation had materially vanished. The repeal of the 18th Amendment to the Constitution had taken care of that. So, this time my associate and I came to see the county—not to taste it!

And I might interpolate that we made the trip down during the space of an hour, as compared with the previous years when it took my T-Model Ford a half day. What a delightful change! We surveyed the county from Mechanicsville to Point Lookout, together with many other places of interest; and finally we ended up at the Leonardtown Wharf for a late luncheon. This restaurant, among many other sights, especially intrigued us because of its extension over the water.

Probably because of the late hour for luncheon, we were the only guests; and as we were about to take leave for our return to Washington, we looked up from our table to behold what to me appeared to be some sort of an "oddity" in the form of a human being! In comparison with my meager height of 5 feet 6 inches, quite naturally he impressed me at first glance of being at least 10 feet tall, and he was adorned with a broad-brim hat which, again, at first glance might possibly cover the greater portion of a half-acre of ground; At the base of its crown was a head band bearing the name "St. Mary's County."

Observing that we were out-of-town visitors, he immediately greeted us with sublime cordiality; and not long afterward—perhaps a few seconds—he began to revel over the history, geography and almost sanctity of this area. After so long a time of listening to his tirade, I recall having taken it upon myself to ask him if perchance he was a salesman. His immediate response was: "Yes, a salesman for all of St. Mary's County." And to this day I am convinced that he was—and still is.

During our conversation, he covered the water front, from the Ark and Dove to the present time; and when, inadvertently or otherwise, I announced my intention to retire within a few years, he instantly pulled out all of the stops, and at that moment he practically convinced me that St. Mary's County—and only St. Mary's County—was the one and only place for a retiree to enjoy the environs of a "land of pleasant living."

I returned to my home in Arlington County, and with it I carried a memory of the effectiveness of that most impressive "sales talk" of what I previously had characterized as the "odd man" whose name was Buck Briscoe. I could not escape the conclusion that he had "sold me." And he did.

His enthusiasm was irresistible, particularly with regard to the future progress of the county—and most emphatically, his vision that St. Mary's City some day might be equal to Williamsburg, Va. Then and there, I suc-

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cumbered to his prophecy, and now I am a proud resident of St. Mary's County; and I have not regretted it for over a period of 10 years. I distinctly recall Buck saying to me that notwithstanding the apparent clannish nature of the natives of St. Mary's County, the wonderful fact was that if a so-called outsider came within its bounds to be "one of them," such outsider would be taken to their bosom as one of their own. I have found this to be true.

Before and after my final residence in the county, I took it unto myself to more thoroughly investigate the background of this most interesting man whom I previously had characterized an "oddity;" but before making an exposition of my findings, I should like to emphasize that it has been the result of my independent study, and not from Buck Briscoe. I say this, because he is known to have said that "a man's reputation is a bubble which bursts when he tries to blow it up for himself." I have interviewed virtually hundreds of persons, both in and out of the county, and have reviewed much material publicized by this man; and, to my amazement, this is what I now am ready to report:

Arthur L. (Buck) Briscoe is a man you can hardly miss seeing in a crowd. Tall, hulking with ruggedly handsome features, he in most instances is adorned by upswept hats which set him out as a striking character. But that is only his personal appearance. Talking to him, his commanding presence, fog horn voice, and cordial manner swiftly make themselves felt. He has a disarming candor which is a part of his charm. Most people listen when he talks.

In Southern Maryland everyone knows him well, and thousands of people throughout the East are acquainted with him, either personally or by reputation. We have a number of "Bucks" in the county, but if in a conversation you were to refer to "Buck" without adding his surname, the chances are that the person to whom you are speaking would know you were referring to Arthur Briscoe. Few persons can pour beauty, enthusiasm and significance into a chat, a speech or a letter like Buck can. He can bore through a crust of indifference as easily as he can spear an olive in a martini!

What few people know is that Buck Briscoe, now a kind of a "dollar-a-year-man" with the St. Mary's County Economic Development Commission, once was a successful three-Cadillac, suite-in-the-Waldorf businessman in New York, and an intimate of some of the most famous and notorious figures on the New York scene. Names like Kate Smith, Anastasia, Dwight D. Eisenhower, Lyndon B. Johnson, and many, many others—Senators, Governors and Congressmen—roll off his tongue with authenticity.

He is a free soul; that's for sure. In the mid-40s he freed himself from the golden shackles of business responsibility. Then is when he happily returned to the county from New York where he had built a one million dollar marine welding business. Prior to that he had operated a burial vault business in Baltimore, which was forced to liquidate when steel grew scarce during World War I.

When he turned his back on his business career and returned to the county, his thoughts naturally reverted to his younger days when he vainly sought a job in his own neighborhood. The lack of opportunities for enterprising youth bothered him. He determined to do all in his power to help establish jobs and a higher standard of living for St. Mary's countians. To these aims, he has dedicated his life with devoted vigor and with much success.

Buck Briscoe! People fondly call him a one-man public relations agency, a human dynamo, Mr. St. Mary's County, Father of the Mother County of Maryland, and St. Mary's fairy godfather! Certainly, whatever he is called, his name in his own lifetime

has become a legend of high accomplishment. The county is his stage, and the entire country is his audience!

A realist probably would say that St. Mary's County has no more nor no less to offer tourists than many other Maryland counties. But whatever it has, Briscoe never lets the public forget it; and he never ceases placing its name in print, on the air, in the newspapers and on television. He has made presentations of St. Mary's County bred turkeys and succulent seafood to Presidents at the White House around Christmas time.

Moreover, through his efforts, arrangements were made to serve the unique St. Mary's County stuffed ham in the dining room of the Maryland pavilion at the New York World's Fair. This, as well as county oysters, crabs, clams and the accompanying literature, brought the country home to visitors from all over the nation. Publicity of these events not only reached people in the United States, but coverage likewise was given in European papers.

And, in this connection, the Washington Sunday Star of June 14, 1964, referring to Briscoe, stated: "With his staff of one valiant secretary, he (Buck) can thump a tub loud enough to be heard from Leonardtown to New York, and even beyond. In fact, he is trying to out-shout New York right now!"

And on Jan. 8, 1959, in an editorial appearing in the St. Mary's County Enterprise, it was pointed out: "The efforts of Buck and his committee should not be underestimated for a second. St. Mary's is unbelievably lucky to have a man who will do so much for so little." And in the Baltimore American of July 3, 1960, writer Tom Cofield emphasized:

"St. Mary's County and its recreational facilities have been broadcast across the nation in national magazine articles, direct mail by the tens of thousands and by that most valuable of all recommendations, word of mouth from those who sampled Briscoe's wares. Our hat is doffed to Briscoe. The state needs a dozen more like him."

I have been told that St. Mary's County has only in recent years begun to emerge from a cocoon which had wrapped it in a silken isolation from the near-by tension ridden, highly populated areas. Buck still recognizes that many of the old time countians are still yesterday's people, fiercely proud individuals who tend to avoid outsiders, but who, nevertheless, are inherently courteous and hospitable when approached by strangers. Consequently, his aim has been two-fold.

One prong is designed to "sell" the county with its vast resources to outsiders. The other prong encourages local people to put their best foot forward in making the county even more attractive and palatable, so that those who come will return and bring their friends or, perhaps, stay to live here.

Buck's magic personality and his intensive energy, projected through public communication channels and personal appearances before many clubs and organizations and at national events have opened a profitable door for the county. Proprietors of local restaurants, motels, marinas, fishing areas, drug, food, and other stores, in fact all local business and professional interests, are indebted to him and his colleagues for bringing greater prosperity to the county.

And so on and on and on! These are only a few personal glimpses of a personality we all should appreciate, respect—and even love. Based upon my observations, I have become convinced beyond a shadow of doubt that Briscoe is a genius when it comes to selling the virtues of St. Mary's County, and without him St. Mary's County most probably would be a name on a road map, a place in which travelers might get lost if they took a wrong turn off of U.S. Highway 301. I know, because hundreds of persons have told me so!

On Nov. 22, 1965, a testament of sturdy respect and the candid eloquence of high

praise were accorded to Arthur Briscoe by the Rotary Club of St. Mary's county—a club within which I proudly enjoy membership—at a heart-warming luncheon held at Sunset Manor in Lexington Park. It was a thrilling ceremony which draped well merited honors around the shoulders of a gentleman who for many years had raised an exciting and compelling voice on behalf of the county—a voice which has been heeded by thousands of people around the country, especially in the East.

The lunch room was crowded with distinguished guests representing the executive and legislative branches of county government, the professions, business and civic organizations. Tributes were given to St. Mary's verbal virtuoso by countless leaders; and a telegram from Governor Tawes expressed a personal accolade to Buck for being a solid, talented and esteemed citizen who has done more to publicize the virtue of St. Mary's County and Southern Maryland among strangers, potential visitors and residents, and eminent national leaders than any other person for the work that Buck has done as an emissary of the county to the public at large; and at that time the Rotary Club accorded him the honorary title of "Mr. St. Mary's County." The Club then concluded by formulating a "Testimonial of Appreciation," which I believe deserves publication. It read as follows:

"To a man who speaks and writes eloquently, enthusiastically, and impressively about St. Mary's County, about its beauty, its potentials for industry, and its passion for successful and happy living.

"To a man whose imagination, vision, and drive have earned wide acclaim as an influential ambassador of local people to the public at large, a long sustained activity which has brought material and spiritual growth to the county.

"To a man who lives abundantly in the realm of brotherly and whole-hearted devotion to the far-flung interests of St. Mary's County and who is vigorous in expressing his splendid views in varied and interesting ways through public communication media, organizations, and national events.

"To a man who has done more than any other individual to reveal the magic of the county to strangers.

"To a man whose guidance, leadership, eloquence, and gift of friendship we respect and cherish."

During my early days I had an aspiration to become a minister of the Gospel instead of being an attorney. Perhaps because of this background, I have constantly reminded myself of that great Biblical command: "Let your light so shine before men, that they may see your good works." This I believe Buck Briscoe has been doing—not only for himself, but for the wonderful county within which he so proudly resides. And I am further convinced that he will continue to do so until the day he is lowered into his grave.

Notwithstanding the foregoing, which has been a great delight for me to partially narrate, recent events have compelled me to conclude with a sad and disappointing ending.

For the last two years Buck Briscoe and his very capable secretary have been occupying space on the second floor of the First National Bank in Leonardtown at a very nominal rent. Each of them have been supplied a room, elegantly furnished, with walls clad with many interesting testimonials and numerous autographed photographs of persons from Presidents on down. Such an environ no doubt has had a most favorable effect upon persons from areas far and near who come here to confer with the county's outstanding public relations officer. The attractiveness of the bank itself, its well designed lobby and modern equipment all contribute to the enhancement of his office.

Recently, however, it is understood that

the St. Mary's County Commissioners has decided to remove Buck and his staff from these presentable quarters to a small opening in the wall at the rear of the Leonard Hall School in a location almost impossible to find—a single-room office not much larger than an ordinary broom closet—and certainly not of a calibre to impress the many visitors who come to the county. Such an improvident act on the part of the commissioners would appear tantamount to thrusting a wet mop into the face of one of our most outstanding citizens! Scores of persons join me in this view.

As of this date, I have been unable to ascertain the reason for such a move. Certainly, it cannot be expenses, because, as previously stated, the rental charged by the bank is unbelievably low. It is manifest that a man of the stature of Arthur L. Briscoe, and in appreciation for all he has done for the county, most assuredly is entitled to quarters equal to the dignity of his position and operations. His office, by its very nature, should equal many of the newly furnished offices in the Courthouse.

In the light of this unwarranted gesture on the part of our officials, it is believed incumbent upon every citizen in the county to come forth in vigorous protest against the removal of a man whose light has shown among men to a location where his light no longer can be seen.

We must also remember that Buck Briscoe is no longer a young man; and it is most unlikely that the county will ever again find his equal. So let us show him our appreciation now—at least by furnishing him with office quarters commensurate with the status of his activities.

#### HOPI SILVERWORK

#### HON. JOHN J. RHODES

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. RHODES. Mr. Speaker, the Hopi Indians of Arizona produce some of the most exquisite silverwork in the world. I would like to call to the attention of my colleagues a special television program which tells the story of one of these artisans in silver, and reviews the life-style of the Hopis today.

Produced by KAET-TV at Arizona State University, the film is entitled "Loloma" and concerns the work of a noted creator of contemporary silver jewelry, Charles Loloma. It was filmed on the Hopi Indian Reservation in northeastern Arizona. Loloma is noted as one of today's leading Indian craftsmen, working in the traditional Spanish motif, and incorporating the art of the very earliest periods for his trend-setting jewelry. The program is a fascinating story about a little-known art that is centuries old.

Loloma will be aired at 10 p.m. April 1 on WETA Channel 26 in Washington, and again at 3 p.m. on Saturday, April 6 on the same channel.

This is the first nationwide showing of a KAET film. I am proud of the university's versatile and talented TV department for making this presentation. I am hopeful that many of my colleagues will find time to see this graphic presentation of an historic craft, and the way of life of the Hopi Indians of Arizona.

#### EXTENSIONS OF REMARKS

##### INACTION ON INFLATION

#### HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. BINGHAM. Mr. Speaker, last week I argued that the mess the administration has made of wage-price controls does not provide the Congress with an excuse to take no action against inflation.

The following editorial from the New York Times of March 22, makes the point more eloquently:

##### INACTION ON INFLATION

For American consumers, it is slaughter at the checkout counters and the gasoline pumps. Food and fuel prices soared again in February, giving another big thrust to skyrocketing consumer prices. With last month's increase of 1.3 per cent, the cost of living has climbed 10 per cent in the past twelve months—the first double-digit rate of inflation in consumer prices since 1948. As a result, the real spendable income of workers has dropped 4.5 per cent below a year ago.

In the midst of this dangerous inflation, national economic policy appears paralyzed. Partly, this is because the speed-up of inflation is taking place while production is dropping and unemployment edging up. Policymakers are afraid to tighten fiscal and monetary policy, lest they exacerbate the recession that President Nixon has declared is not going to happen. Their liberal critics, in fact, are urging the Administration to provide at least moderate fiscal stimulus to the economy. Without stimulus, these critics warn, the hoped-for recovery in the second half of 1974 may never occur. But the Administration rejects this course, out of fear that it would worsen the inflation. Chairman Stein of the President's Council of Economic Advisers, notes that though 63 per cent of the February price increase was in the food and energy areas, inflation in other areas was also substantial, and hence, "great caution is needed about measures . . . to stimulate the economy."

The Administration, having convinced itself that price-wage controls only make a bad situation worse—a point on which it needed little convincing—has no intention of trying controls again. The existing stabilization program is in process of rapid disintegration ahead of its formal April 30 expiration date. The Administration seemingly wants to retain mandatory controls only on fuel and health services, with a residue of jawboning and gentlemen's agreements in construction and a few other fields, in line with the prescription of Director Dunlop of the Cost of Living Council.

Faced with the failure of past policies, some economists—including such conservatives as Milton Friedman and the economists of the State Street Bank and Trust of Boston—are saying that if we can't lick inflation, we should join it: that is, adjust interest rates, wages, rents, contracts, and so on to reduce inflation's impact on any group in the society. What the conservatives fear is that the effort to halt inflation will involve an increase in government power over the economy sufficient to wreck the free-enterprise system.

This represents a counsel of despair. There is real danger that "indexing" all incomes so that they go up or down with the price level would cause inflation to accelerate or simply become a way of life, a senseless merry-go-round that distorts decision-making and misuses resources.

The beginning of a program to stop inflation requires an act of will by Government in coping with complex problems,

rather than the present soggy mood, aggravated by a Watergate-logged President, in which nothing can be done. It is by no means impossible to devise a combination of fiscal measures to tax away windfall gains of some industries, especially oil, while providing some relief for working people, whose real incomes have been undermined by inflation. Such action may indeed be essential to prevent a wage explosion when controls lapse. The mess the Administration made of controls does not mean that such messes are inevitable. It is up to Congress to step into the vacuum left by White House inaction and impotence.

#### COMPETITION FOR THE OIL INDUSTRY

#### HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. WALDIE. Mr. Speaker, earlier this year I proposed legislation calling for the creation of a TVA-type public corporation to explore, produce, refine, and market petroleum products on federally controlled lands.

The basis for this proposal was to create a viable competitor for the multi-national oil corporations which I believe have a hammerlock on the American consumer.

Mr. Speaker, in support of such a proposal are such advocates as the Consumer Federation of America and its Energy Policy Task Force Chairman, Lee C. White, former Chairman of the Federal Power Commission.

Mr. White recently wrote of this proposal in the Los Angeles Times.

The article, one of the most informative on the subject, follows:

##### A TVA-TYPE COMPETITOR FOR PETROLEUM INDUSTRY

(By Lee C. White)

The Tennessee Valley Authority, launched 40 years ago, has demonstrated that the federal government can operate efficiently in the energy field without destroying or weakening private enterprise in that industry. This country needs a counterpart of the TVA in finding, producing and managing oil and gas deposits on behalf of the people who own them. It is an idea whose time has come.

Geologists believe that 60% to 75% of all oil and gas yet to be discovered in the United States is on publicly owned land. There is no reason why at least part of the valuable resources should not be discovered and developed by a government corporation for use by their owners—the citizens.

Until now, the government has permitted privately owned corporations to exploit these resources by bidding for the right to go on public lands and explore for petroleum. Less than 5% of the petroleum areas on public lands has been thus leased.

Unfortunately, the administration of this program has been wretched. Leases requiring prompt development have been so loosely enforced that in the Gulf of Mexico there are tracts for which bidders paid the government more than \$750 million, but from which not a drop of oil has been marketed even though oil and gas in commercial quantities have been found.

A Federal Oil and Gas Corp., while no panacea, would make a significant contribution to easing our basic and continuing energy problem. Nor is the idea as novel as

## EXTENSIONS OF REMARKS

it seems: The United States is the only major industrial nation that leaves all the handling of petroleum to privately owned corporations, whose management must be responsive to stockholder, as distinguished from national, priorities.

A Federal Oil and Gas Corp., as proposed in pending legislation, would:

Explore for and develop petroleum resources to meet national needs, not to maximize profits.

Develop and use the most advanced methods to minimize damage to the environment in all phases of the petroleum process.

Provide, for the first time in our history, complete and accurate information for public and government on the costs of producing oil and gas, as well as other data on the petroleum business.

Manage discovered reserves to reduce U.S. reliance on foreign petroleum sources.

Sell petroleum in a way that insures that a fair share goes to independent refiners and distributors, thus promoting a truly competitive industry.

Provide a competitive spur to the privately owned oil industry.

There was comparatively little need to consider major alternatives to our privately operated petroleum industry as long as the country's needs were being met. However, when things go wrong, as they obviously have recently, the system must be reexamined.

The advantages of a government oil corporation are many. Energy shortages may exist for decades. In this situation, there should be an energy-producing organization motivated not by profits, but by national needs. There is nothing inherently wrong with the profit incentive, but where the product is as essential to national well-being and security as energy, at least part of the country's effort to provide it ought to be motivated by America's security, and the needs of the public.

Environmentally, a government corporation would help assure that trimming or delaying our goals is done in the most acceptable way. Residents along the Atlantic and Pacific coasts, where offshore drilling probably will be stepped up, should have more confidence in the operations of a public corporation required by law to use the most advanced protective techniques than in those of a profit-making oil company.

Protecting independents in the oil business could be insured by requiring the federal corporation to allocate a fair share of its crude oil to them. Private companies naturally find it difficult to do this themselves. As one oil executive said: "There's no place in our corporate charter, the Constitution, the law, or the Bible where it says we majors must protect and preserve our competitors." He's probably right, but Congress ought to change things so the independents can stay in business as competitors of the majors.

There undoubtedly will be opposition from the oil industry to the proposed government corporation. But the industry ought to welcome the competition and the chance to show it can do a better job than a government agency. This competitive spur to the oil industry may be the best feature of a government oil corporation.

Objections include the assertion that the Postal Service and Amtrak do not augur well for another big government corporation. Apart from the merits of that argument, the TVA is a closer analogy. Though still somewhat controversial, TVA has long since ended any dispute over its electric generating operations. It is among the country's leaders, and has worked harmoniously with private, municipal, and cooperatively owned utilities. The Bonneville Power Administration is another example of an efficient energy agency run by government. I am confident that a federal oil corporation could be as successful as TVA and Bonneville.

Nor would such a public corporation be the first step toward nationalizing the oil industry, any more than TVA meant the end of the private electric utility industry as predicted by some in the 1930s.

No one can claim that creation of a Federal Oil and Gas Corp. is the single, dramatic solution to this country's energy needs for the next 20 years. But I think it is a minimal step that should be taken without delay.

We can no longer permit ourselves to be totally dependent for basic energy supplies on private industry that has failed to develop our resources in a way that meets national needs and protects consumers.

## AN EVOLVING VIEW

## HON. JOHN B. ANDERSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. ANDERSON of Illinois. Mr. Speaker, in a recent newsletter to his constituents, our distinguished colleague from New York (Mr. CONABLE) thoughtfully discussed the question of public financing of elections. He explains that his views have evolved on this issue and that despite strong disagreement with the total public finance approach adopted by the Senate bill, he now finds considerable merit in the mixed public/private financing mechanism embodied in the Clean Elections Act—a bill sponsored by myself, Mr. UDALL, and almost 150 other Members of the House. Because this issue is so timely, I believe that all of my colleagues will be interested in Barber's thinking on this subject and, therefore, ask that the text of his newsletter be included at this point in the RECORD:

## AN EVOLVING VIEW

WASHINGTON, March 20.—When you're not in the majority party in a legislative body, like me, and therefore don't have much control of the process of generating legislation, many of the proposals you have to vote on are not in the form you would have chosen if you were legislating all by yourself. The result is that sometimes you find yourself opposing something you may support in principle because you object to the manner in which it is presented or the details with which it is encumbered. When it appears in a different form, you find your resistance was not to the idea itself but to less basic concerns, and your thinking about the subject evolves. So it has been with me about the public financing of elections.

The big problem with this election financing approach to date has been the crazy version the Senate sent us, which some elements in the Congress are still pushing. This public financing bill would have made very large sums of money available from the public treasury (that is, from the taxpayers) to all candidates for federal office, with very few strings attached. Thus a candidate for Congress would have been able to draw \$90,000 when qualified, regardless of historical necessity, other possible sources of funds or the number of candidates seeking the office, and with uncertain accountability for the manner in which the funds are spent. Well, I've decided that we shouldn't judge public financing by this measure, and on looking around I find there is at least one other proposal which is not only sensible but quite possibly politically acceptable to the public.

I am referring to the Udall-Anderson Bill, which contains a limited form of public financing. In the part of the bill relating to

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congressional elections, a candidate must raise \$1,000 in political contributions of \$50 or less to qualify for public money. The Treasury will then match all contributions of \$50 or less, up to a total of about \$30,000. Many other limitations on spending, and a single contribution limitation of \$1,000 to a congressional candidate are included in this bill, the details of which I will not describe here since the important point I want to make about this bill is the emphasis it puts on public financing.

First of all, nobody qualifies for public money just because he is running for federal office. Next, the formula doubles the influence of the small donors in the candidate's funding effort by the matching grant out of the Treasury for small donations: this should go a long way to reduce the influence of the fat cats. And last, coupled with reasonable limits on spending, it should greatly increase the parity between challenger and incumbent and thus the viability of the choice offered the voter. It has usually been the incumbent who has been able to control the large donations in the past.

The President has made some worthwhile election reform recommendations during the past week, but has not supported public financing. Despite the Watergate concerns, he pointed out Congress has dawdled in moving bills that could improve the electoral situation. I hope the Udall-Anderson Bill will become the catalyst that will get us going before it is too late for changing this year's election process. There are no panaceas for our election difficulties, or for any other difficulties besetting the country, but if we keep an open mind and let our views evolve we should be able to prove that our system is capable of internally generated reform.

## AMNESTY

## HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. BOB WILSON. Mr. Speaker, as a result of the Judiciary Committee's hearings on amnesty, I am sure that many Members are receiving a considerable volume of mail on this subject, both pro and con. This is an issue which stirs strong emotions on both sides of the fence, but I was particularly impressed by the letter I recently received from a Navy hospital corpsman who served in Vietnam. I would like to share this letter with my House colleagues and commend it to their thoughtful review and consideration.

The letter follows:

MARCH 16, 1974.

Hon. BOB WILSON,  
House of Representatives,  
Washington, D.C.

Congressman WILSON: I have read recently in the newspaper and seen on T.V. that Congress is considering giving a blanket amnesty to draft dodgers. I am thoroughly against this as, a Viet Nam veteran and a career Navy man. I am a U.S. Navy Hospital Corpsman and served with the U.S. Marines in Viet Nam as a company aidman and saw many of my friends either killed or maimed for life. I was twice wounded myself. Though none of us wanted to be in a war we served our country because we were ordered to and because we thought it our duty to do so. But while my friends and I and countless thousands of other young men were serving our country, these draft dodgers were sitting up in Canada living off the fat of land so

they wouldn't have to go to Viet Nam. All of us who served in Viet Nam left some of our blood, sweat, & tears there. Quite a few of us left our buddies there also.

I believe these draft dodgers should be punished in some way, not necessarily put in prison, but put into some sort of service to the country for the same period of time that an enlistment in one of the Armed Forces would be. If all of these same people would want to join one of the services then I feel they should also be given that chance. I do not believe they should be let off "scott free". I feel these people are guilty of cheating the country as some who evades paying their income taxes.

I just hope and pray the Congress will carefully weigh the different sides to this issue, I know it is a very touchy one.

#### SCIENTISTS COULD NOT FIND AN AUDIENCE FOR OIL FORECASTS

**HON. ROBERT J. HUBER**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. HUBER. Mr. Speaker, predictably there have been many outcries about the energy crisis because it appeared to come upon us so suddenly. However, it is also true that no one likes to hear bad news and when the experts in the energy field were saying some years ago that we were going to encounter shortages, few persons listened. A story that recently appeared in the Royal Oak Tribune on March 19, 1974, tells of the frustrations of one of these experts in attempting to get his story across.

The article, which follows, I think my colleagues will find edifying:

#### SCIENTISTS COULDN'T FIND AUDIENCE FOR OIL FORECASTS

(By John Heritage)

The fickleness of public opinion and the malleability of energy facts are dramatically illustrated by geologist M. King Hubbert's decades-long battle to find an audience for his oil shortage forecasts.

No one listened when he foretold today's shortages. Will we listen now to his forecasts of graver shortages tomorrow?

The peaks and valleys in Hubbert's oil and gas production curves reflect a tough fact of life in energy affairs: The black gold that has powered the drive to unprecedented affluence and industrial power will only be a "blip" in U.S. and world history. In about 30 years American oil will cease to be a major energy source, and in 50 years the world's supply will have run its course, according to the Hubbert projections. The evidence indicates a similar short life span for natural gas.

Hubbert argues that the highly touted Alaskan oil field will only slow the downward U.S. supply trend and that a frequently predicted oil bonanza in the Atlantic Ocean off the American east coast is mere speculation. While Hubbert once favored nuclear energy as the long-term alternative energy supply, he has been increasingly concerned about its environmental and health dangers. He now thinks solar energy has a greater potential.

#### PREDICTION

It was at an American Petroleum Institute symposium nearly 18 years ago that geologist Hubbert began to warn finite natural resources would force domestic U.S. oil production into a permanent, inexorable downturn by the late 1960's. The oil-supply decline

#### EXTENSIONS OF REMARKS

would raise "grave policy questions with regard to the future of the petroleum industry," Hubbert argued. The Shell Oil Company, then Hubbert's employer, deleted the warning from the scientist's paper when the conference proceedings were published.

In a 1962 special National Academy of Sciences report to President Kennedy, Hubbert again projected the end of the era of bountiful American oil and urged the development of a new energy supply base. Initially, only 500 copies of the committee report were printed. The public and political impact was as tiny as the ripples from a pebble thrown into a pond.

Throughout the last decade, Hubbert's predictions were continually overshadowed by much more optimistic reports from the Government's chief energy resource advisory agency, the U.S. Geological Survey. While Hubbert was estimating that recoverable U.S. crude oil reserves in the lower 48 states would ultimately total about 170 billion barrels, published survey estimates including specific circulars and reports in 1962, 1967, and 1972, were ranging from 400 billion barrels up. The enormous projection gap has been due mostly to different analytical techniques and to heavy reliance by the U.S. Geological Survey on the assumption that human ingenuity would find a way to tap hard-to-develop oil deposits.

#### BIG GAP

Hubbert, who joined the Geologic Survey in 1965, thinks the rosy energy projections and the country's willing acceptance of them have been strongly influenced by an almost fantastic faith in the inexhaustibility of natural resources. As long as Texas and Louisiana oil was flowing into the U.S. economy at ever-increasing rates, it was easy to believe that a magic horn of plenty had been tapped.

Statistics now indicate that the historic turning point for production of U.S. oil was reached in 1970, two years later than the Hubbert forecast. In the January issue of the "Oil and Gas Journal" a chart shows the production level climbing year after year until that date, then beginning an ominous swing downward.

With the satisfaction of a man who has seen events catch up with his forecasts, Hubbert wryly notes that soaring oil prices and empty gas tanks have finally produced a willing audience. He now is on a nationwide lecture tour that has included a recent session before top financial experts from some of the largest banks and oil firms headquartered in New York.

The ending to the story of Hubbert's forecasts is unknown, however. The unsettled question is whether the profound lessons in the scientist's mathematical curves will permanently improve U.S. energy understanding and planning, or quickly be forgotten as soon as the flow of Arabian oil is restored.

**JULIA BUTLER HANSEN**

**HON. THOMAS M. REES**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. REES. Mr. Speaker, I was surprised and saddened to learn that our colleague, JULIA BUTLER HANSEN, has decided to retire after a distinguished career of service to her State and her country. While I wish that JULIA would reconsider, I can well understand her desire to return to her home for a well-deserved period of rest and relaxation.

All of us appreciate the leadership she

has shown in dealing with our environmental problems, especially her concern for the development of our national parks and forests.

JULIA, we will all miss you. You have given to all of us a high standard of service we hope we can emulate.

#### FOOD STAMP RULES NEED REVISION

**HON. CHARLES E. CHAMBERLAIN**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. CHAMBERLAIN. Mr. Speaker, while the Federal food stamp program offers assistance and increased purchasing power to persons in need, it appears that some may be taking advantage of this program. It was my understanding when we enacted this legislation that food stamps would be provided to the needy, for those who may suddenly be unemployed, for the handicapped, for those with low income, who, for some unfortunate reason, find it difficult to get work. The use of food stamps by students who are voluntarily unemployed while attending school, rather than accepting employment, raises the question whether such assistance is welfare or aid to education. A recent editorial in the Lansing State Journal suggests that a distinction must be made between welfare and student aid, for if the food stamp program is to be extended as a student aid program, the costs would be astronomical, and could, in fact, jeopardize funds available to those with more compelling need. I would ask, Mr. Speaker, that the editorial of March 20 be included in the RECORD.

The editorial follows:

#### FOOD STAMP RULES NEED REVISION

When the first federal food stamp appropriations were approved more than a decade ago it appears clear that the intent of Congress was to provide emergency aid to those in a poverty condition because of circumstances beyond their control.

This, of course, included a broad spectrum of situations including persons who are unemployed for a number of reasons and unable to get work, the physically handicapped, the elderly on low incomes, the sick and so forth. Now, the food stamp program has become a big thing with thousands of college students who are eligible under the heading of low income.

Congress has tried to change this situation to make it clear that students who are being subsidized by parents or guardians or have other sources of income should not be eligible for this welfare aid. Supreme Court decisions have nullified the congressional intent.

But questions need to be asked if it is morally and ethically right for students who voluntarily go to college, who presumably are physically capable of self-support, and indeed many who are being subsidized heavily, should be on the dole.

The eligibility issue is complex and officials in charge of selling the stamps stress that it is extremely difficult to determine if many students getting the stamps are ineligible because of other income or because they are claimed as dependents by another person.

Questions need to be asked about many students who graduate from high school, go

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to work instead of college but are not eligible for this type of aid. No doubt many students working their way through college—on their own—can use this help. But it is apparent that many others are probably riding the gravy train at taxpayers expense.

We agree with U.S. Rep. Philip Ruppe, R-Mich., that the eligibility rules for students should be tightened and this would best be accomplished by a direct student aid program rather than co-mingling it with a welfare program.

## TAX RELIEF TO LOW AND MODERATE INCOME TAXPAYERS

## HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. FORD. Mr. Speaker, today I join my distinguished colleague, the gentleman from Wisconsin (Mr. Reuss) in the cosponsorship of a bill designed to provide payroll and income tax relief to low- and moderate-income taxpayers.

Mr. Speaker, this legislation is badly needed. Under the Nixon administration's tax policies, families with incomes of \$15,000 or less have steadily lost ground. It has recently been brought to our attention that 402 Americans with 1972 incomes of over \$100,000 paid no Federal income tax at all for that year.

This does not surprise me, however, because the administration's tax policies encourage loopholes and tax shelters that are designed to benefit the very wealthy citizens of this country and the large corporations making record profits—particularly the oil interests.

Mr. Speaker, tax reform is badly needed in this great country and strange as it may seem the President has given us our best case for tax reform this year.

Recently, the President has disclosed his personal income tax records. These figures have outraged the public, and I can see why. Since Mr. Nixon took office he has paid only 7 percent of his total Federal income tax. In 1970 the President paid only \$792.81 in Federal taxes, in 1971 he only paid \$878.03 in Federal taxes and in 1973 he paid \$4,298.17. These figures came to less than three-tenths of 1 percent of his annual income of more than \$260,000. By contrast a worker with a wife and two children making \$10,000 a year must pay a tax of \$905—more than 9 percent of their annual income.

I ask, how can a man with such great wealth pay so little in taxes?

The people are asking the same question and they deserve an answer. I am happy to see that this great body has set up a Joint Internal Revenue Committee that is investigating Mr. Nixon's tax disclosures.

Mr. Speaker we must have tax reform that will close the loopholes, destroy the tax shelters, and lift the tax burden on the working people of this country by sharing it more equally with big business and our very wealthy citizens. In the past I have supported tax reform legislation that would achieve these ends, the

legislation I have cosponsored today will further those causes.

Statistics show us that the income shares—percentage of pre-tax total income of poor and middle-income families increased while the share of the richest one-fifth declined. When President Nixon took office in 1969, the trend reversed. By 1972, according to the most recent census figures, over \$8 billion had been shifted from the bottom three-fifths of American families to the richest one-fifth.

While the real income of the poorest one-fifth has been boosted through Federal programs such as food stamps, housing subsidies, and medicaid, the next lowest two-fifths suffer because they are generally not eligible for these programs. President Nixon's minimum guaranteed income proposal would not benefit middle-income families. These families are the hardest hit by inflation. They spend a higher portion of their income on basic necessities than do the wealthy, the soaring cost of feed, fuel, and housing takes a heavy toll on their real income.

Middle-income families are now bearing the brunt of the only general tax increase of the last 5 years. On January 1, 1973, the social security rate was increased from 5.2 to 5.85 percent, and wage base which the tax was computed on raised from \$9,000 to \$10,800. On January 1, 1974, the wage base was raised again from \$10,000 to \$13,200. For example, a family earning \$12,000 a year in 1972 paid a payroll tax of \$624. Today, the same family pays \$702. That is a 12.5-percent increase over a 15-month period.

I have previously cosponsored legislation to reduce the social security payroll tax by nearly one-third for low- and middle-income taxpayers. This reduction would be achieved by increasing the taxable wage base from \$13,200 to \$25,000 and by providing for a three-way split of payroll tax among employers, employees, and the Federal Government.

As a result of these tax increases and inflation, statistics show us that real spendable weekly wages have declined 2.8 percent during the first 9 months of 1973.

This bill would give approximately \$10 billion in tax relief to low- and middle-income taxpayers. The cost of the program would be offset by plugging loopholes such as the foreign oil tax laws; the failure to tax capital gains at death which benefits the wealthy, and hobby farm tax writeoffs which bid up farmland prices. The closing of these loopholes is desirable for both equity and the elimination of economic inefficiency. By raising the wage base on which the payroll tax is computed to \$20,000, \$5.7 billion in additional revenues could be provided.

We must have a sound economy. Statistics show us spendable income and production are down. That bad news coupled with evidence that Americans are in hock to the highest interest rates and largest consumer debt ever tells us that consumer demand must be expanded if we are to avoid a recession. Unless we can give the average wage earner who has been left behind by rising prices a reason to moderate his demands for a

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wage increase, we face increased cost inflation.

This legislation deals effectively with the problems I have just mentioned and provides for relief where it is needed most.

## LIFE BEGINS AT 70—NOT REALLY, BUT \*\*\*

## HON. JAMES A. BURKE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. BURKE of Massachusetts. Mr. Speaker, I would like to refer my colleagues to an article which appeared in a recent edition of the Boston Sunday Globe. The subject of the article is Mr. Charlie O'Donnell of Lynn, Mass., who is one of the closest friends that our Nation's senior citizens will ever have.

Mr. O'Donnell has long been a familiar figure in the Massachusetts State House, where for nearly 48 years he has stalked the corridors tirelessly, in behalf of the elderly. Many times, Charles O'Donnell has come to Washington at his own expense, in a selfless battle to assure proper recognition for our country's older generation.

I worked closely with Mr. O'Donnell in the Massachusetts State Legislature, and I know him to be one of God's great nobleman to the world. Mr. Speaker, today I wish to honor with my colleagues in the House of Representatives and all those who read the CONGRESSIONAL RECORD, Charlie O'Donnell and the outstanding work that he has so dutifully performed over the years.

## LIFE BEGIN AT 70? NOT REALLY, BUT . . .

(By Mary Sarah King)

Retiring? Don't fret! Now you can be master of your own destiny—without a boss, or another's drive forcing you to dance to his tune.

Three people who have found the thrill a decelerated pace can give them are Charlie O'Donnell of Lynn, 83; Ted Andrews of Wellesley Hills, 77, and Sam Messina of Roslindale, 73.

And all agree in their so-called "retirement" they expend as much, if not more, energy and effort as they did working full time for pay.

O'Donnell and his cigar are inseparable. So is his identity with the elderly. For nearly 48 years, he's been stalking State House corridors in behalf of the older generations. Once, he recalled, he slept through the night on a bench in the State House lobby to debate a bill to increase old age assistance.

The session lasted 32 hours and they kept moving the clock calling it a "legislative day," he said. "Finally, the late Gov. Herter, then speaker of the house got off the rostrum and urged passage of the bill over Gov. Leverett Saltonstall's veto."

O'Donnell insists that those on Social Security still "aren't getting enough" to maintain a standard of living "compatible with the American way." Even the recent increase, in his estimation, is not near enough to his "fair figure" of \$300 monthly for a single person.

It's a far cry though, from the monthly dole to the elderly in the early 1930s, when the administration of old age assistance was under the jurisdiction of the cities and towns.

If a recipient wasn't satisfied and appealed the local board's decision and O'Donnell thought it was a legitimate complaint, he'd represent him—"and we won in over half the cases," he said.

There were many suicides among old people in those days—"they just couldn't take it," he said and told of how too many ended up in poor houses.

In 1926, O'Donnell founded the Massachusetts Society for Old Age Pensions, which later was incorporated as "The Senior Citizens and Associates of America." He's still executive director and first vice president.

His slogan, "Too Old to Work—Too Young to Die" appears on the cover of his book: "Humanitarian Land" in which he records the beginning and progress of the elderly's battle for recognition.

He believes that too many groups today "are riding on the backs of the aging and getting government grants." His suggestion is to "do away with the grants, 75 percent of them go for salaries anyway, and give the money to the aged where it belongs."

He cherishes a tattered letter of thanks dated July 16, 1930 and signed by Franklin D. Roosevelt, then governor of New York, which notes: "There is no question in my mind that unemployment insurance will be an important factor in the life of the coming generation."

#### WILLA BENGE AND "BLACK ON BLACK"

#### HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. STOKES. Mr. Speaker, today I wish to salute one of Cleveland's most dynamic television personalities.

For 5 years now, Willa Benge has made WEWS' "Black on Black" an event of great vitality and importance for the black community, indeed for the whole community of Cleveland. She is an aggressive interviewer, with an excellent grasp of issues crucial to the community. Her questions are always incisive and her guests yield their most.

"Black on Black" has presented programs on such topics as black militancy on campus, black education, black nationalism, and the black man in the white media. There have been programs on politics—"Prince or Pawn," "The Role of the Black Woman," "The Invisible Woman." A prime time entertainment special was devoted to "Christmas and the Black Experience."

Panel guests appearing on the program have included national and international, as well as local, figures: white and black, social workers, politicians, businessmen. Facing a panel of knowledgeable newsmen from the black community, in sessions entirely unrehearsed, "Black on Black" has established itself as an outstanding piece of public service broadcasting.

"Black on Black" has entered its 6th year of service on the air. With the creative energies of Willa Benge at the helm, I am certain that "Black on Black" will continue to be one of the most provocative, entertaining, and informative programs serving any community in this Nation.

#### EXTENSIONS OF REMARKS

##### ADMIRAL MOORER RECEIVES FORRESTAL AWARD

#### HON. F. EDWARD HÉBERT

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. HÉBERT. Mr. Speaker, I was privileged on last Thursday to be present when Adm. Thomas H. Moorer was given the 1973 James Forrestal Memorial Award here in Washington before the National Security Industrial Association.

It is most significant that Admiral Moorer should receive this award as I consider James Forrestal, now deceased, to be one of the greatest Americans. And I consider Admiral Moorer, the Chairman of the Joint Chiefs of Staff, to be deserving of the respect, confidence, and gratitude of the American people.

Admiral Moorer is a great American, a great patriot, and a dedicated sailor. No greater honor could come to him than the Forrestal Award, and I wish to share with you the splendid address he made upon accepting it:

ADDRESS BY ADM. T. H. MOORER, U.S.N.,  
MARCH 21, 1974

Distinguished Guests, Ladies and Gentleman. I am highly honored and deeply grateful that the National Security Industrial Association has seen fit to award to me the 1973 James Forrestal Memorial Award. As a matter of fact, this award provides to me a source of great personal satisfaction, because, for many years, I have held Mr. Forrestal in the highest esteem. As a young officer, it was my good fortune to observe him in action during the latter part of World War II. Subsequently, I followed very closely his full participation in the decisionmaking processes of our government as it came to grips with major national security policy issues which emerged—both as a consequence and as an aftermath—of the world's most destructive war. One only has to read the "Forrestal Diaries" to get a feel for the depth and breadth of the vision and understanding of this great man.

I recall a young aide of Mr. Forrestal's telling a story about how impressed he was with the sound judgment of his boss and the ability to meet head on every problem. One day he summoned up enough courage to ask Mr. Forrestal, then Secretary of Defense, "Just how is it that you can make decisions so quickly and, at the same time, apparently, never make a mistake?" Mr. Forrestal replied, "It is because of my experience." When queried by his young assistant, "How does one get experience?" Mr. Forrestal replied, "By making mistakes." He was undoubtedly drawing a distinction between education and wisdom.

James Forrestal was painfully aware of the difference between the real world of decision and the dream world of uninformed opinion in which so many blissfully and irresponsibly live today.

At the end of World War II, Secretary Forrestal, more than any other individual, recognized the great challenges ahead for our military forces. He also fully recognized that the decision-making machinery at the highest levels of government which, up to that time, functioned primarily without an organized structure, urgently required updating and formalization.

Not the least of the challenging problem areas was that generated by many proposals to fully consolidate, merge, and unify the Armed Forces. There were many who felt that this unification should bring about the elimination of the individual services under

their civilian heads and the creation of a single uniform and a single Chief of Staff. President Truman himself was inclined towards this view and he even took such a bold approach as to suggest that the Army absorb the Marine Corps. This was, of course, not unlike trying to pick up a porcupine with your bare hands and, as I recall it aboard my ship, the Marine Corps detachment gave some consideration to organizing the first "Young Republicans Club"—and the Marine Corps survived.

When the long battle over unification finally culminated with the National Security Act of 1947, there is no question about the fact that the influence of James Forrestal was indelibly printed on the organization therein established. In the years since 1947, there have been, as should be expected, many changes made to improve the organization and functioning of the Department of Defense. Yet, the basic organizational concept of separate services with their own civilian Secretaries, functioning under the Secretary of Defense, a National Security Council to integrate foreign and military affairs, and the Joint Chiefs of Staff providing military advice to civilian authority, is, and will remain sound in the years ahead. Thus, it was the efforts of one of our most outstanding public servants that set the enduring pattern for our national security organization and procedures.

Ladies and Gentlemen, I believe it is clear that in some circles in America today the attitudes we see, generated to a large degree by our long and disenchanted involvement in Vietnam, as well as worldwide pressures overall, are similar in many respects to the attitudes prevailing at the end of World War II.

We see the same proposals to reorder priorities, reduce defense spending, and cut down sharply on U.S. involvement overseas. While these are the similarities, there are also major differences which impact even more heavily upon our efforts to maintain national security.

In a military sense, we are faced with a significant momentum in the build-up and modernization of the military forces of our potential adversaries. Nuclear weapons have proliferated; and the world has shrunk in terms of response times available to those who choose to initiate hostilities. This means that we must maintain ready forces in being, for today the United States finds itself to be the front line of defense—rather than the arsenal of democracy.

In a political sense, there are also many changes. The relationship between Soviet Russia and the People's Republic of China has changed from cooperation to confrontation. Two of our prime enemies in World War II—Japan and Germany—have made remarkable recoveries and, today, allied with us, have a major impact on the world power equation. Many new sovereign countries have been created and they, too, must be heard in the international forums—such as the United Nations and the Law of the Seas negotiations.

In an economic sense, perhaps the most difficult aspect, with respect to the future, lies in the fact that whereas in 1945 we were at times, concerned about the distribution of surplus commodities, the world now faces a very serious problem of allocation of, and competition for, critical materials.

It is now a fact of history that the United States, unlike the position we held prior to World War II, finds itself with the principal responsibility for maintaining balance and stability throughout the world. We did not seek this responsibility by our own free choice, but I believe it is an international moral obligation that can't be let go by default.

Today we have a large number of formal commitments for mutual defense—we are wrapped up in agreements with more than

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forty nations in nine multilateral and bilateral treaties. In fulfilling these commitments by discharging our responsibilities towards maintaining a worldwide military equilibrium, we must take into consideration the fact that we are dealing in a world which is, from a military point of view, primarily dominated by two large and powerful countries—the United States and the Soviet Union. Hence, from a quality as well as quantity point of view, our military forces must be structured in light of the capabilities rather than the intentions of the Soviet Union.

This is not to say that we consider the Soviet Union or, for that matter, any other nation, an immediate threat. Indeed, President Nixon has taken several initiatives aimed at a reduction of arms in furtherance of peace. The Strategic Arms Limitation Talks and the Mutual and Balanced Force Reduction negotiations currently underway are aimed at improving relationships throughout the world. But, one cannot negotiate from a position of inferiority. Until success is achieved in these negotiations, we cannot unilaterally reduce our strategic nuclear, nor our conventional forces.

It is with this goal in mind that the Defense Department has gone forward to the Congress with a request for the funds considered necessary to maintain our current forces in a high state of readiness and to ensure that the forces of the future are adequate to fulfill the political, economic and moral obligations which our country must discharge in light of our position in the world today. In structuring our forces, we do not seek to simply develop a mirror image of the other side. What we do seek and what we must always maintain, is—a posture adequate to deter attack on our homeland and our allies—a posture adequate to ensure the freedom of the seas—and a posture adequate to contribute to a number of regional balances throughout the world.

You should know that, today, we have fewer ships, fewer aircraft squadrons, and fewer divisions than we have had since the Korean War. Measured by any yardstick—percentage of our Federal budget, percentage of gross national product, number of military and civilian personnel—the real cost and structure of the Defense Department today is well below that of pre-Vietnam days.

When those of us in the Defense Department make statements such as I have just made, some suggest that we do this for the sole purpose of increasing our military forces or, even worse, for some kind of personal gain. Let me assure you that, at this point in time, after some forty-five years in uniform, I am not trying to get promoted—and neither am I seeking election. And, in the case of my good friend, Secretary Clements, with whom I frequently testify, I can say with confidence that he also speaks with total sincerity and with a full understanding of what is involved in providing for the common defense of our great nation.

Let me add one more point as to the nature of our defense posture. As I said, our primary military objective is deterrence of attack. In other words, peace and stability. This peace and stability come from two perceptions—one, the perception of a potential adversary as to his probability of success in the event he chooses to initiate military actions against the United States; secondly, the perception of third-countries as to the military balance which exists between the two major powers of the world today. This perception is conditioned by three factors as viewed from the other side; the first is the military strength, in terms of dedicated and combat-ready personnel and equipment; secondly, the will and determination of the American people at large to use this strength and to support the courageous and dedicated men and women of our Armed Forces; thirdly, the industrial and technical capa-

bility of our country to maintain and increase this strength, when required.

Certainly, with respect to the will of our nation, I believe our security demands that we never, by word or deed, develop a world image which can be judged as weak and lacking in national will. That in itself can invite attack. And, finally, I know you gentlemen recognize more than anyone, that the great industrial capacity and technical know-how of this country is also a vital part of this deterrent posture. Our potential adversaries know full well what you can do.

While there are those who tend to ridicule and downgrade the relationship between the Defense Department and industry as if it were something sinister—I am proud and thankful for the accomplishments of this great team. For, the facts are, that we do have the best military equipment in the world—we do have the best manufacturing processes—we do have the most advanced research and development programs—and we do have the best management. While I recognize that the cost of weapons is soaring, I, for one, will never support any program which would result in a young American fighting with inferior equipment while we have the technical know-how to build the best. I found myself in that position in 1942 and I didn't like it.

So, once again, I come back to the vision and foresight of Mr. Forrestal who recognized the need for this close teamwork between the Department of Defense, that establishes military requirements; and the great industries of our country, who meet these requirements. Our country is fortunate that Mr. Forrestal formally recognized this relationship by the establishment of the National Security Industrial Association.

Let me close by expressing my deepest appreciation to you individually, and as a group, for what you have done for the security of our country and, in particular, to thank you for the great honor you have bestowed on me this evening by presenting to me the James Forrestal Memorial Award.

FIFTY-SIXTH ANNIVERSARY OF  
BYELORUSSIAN DEMOCRATIC REPUBLIC

HON. JAMES M. HANLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. HANLEY. Mr. Speaker, on March 25 the people of Byelorussia will celebrate the 56th anniversary of the Proclamation of the Byelorussian Democratic Republic. For over half a century, the people of Byelorussia have struggled to maintain the traditions and culture of their homeland in the face of Soviet attempts to rob them of their cultural identity as well as their personal freedom. Even today the Soviet Government continues "operation rewrite," a project designed to destroy the nationalist spirit of the Byelorussian people by rewriting their history to make them appear to be a backward people who were filled with shame until they became part of the Union of Soviet Socialist Republics.

In fact, the history of Byelorussia is one of a proud and progressive people who became leaders in printing and who developed for themselves a legal system far more advanced than those of their neighbors. The language of Byelorussia became an international language used in diplomatic relations in Eastern Europe

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much as Latin was used in Western Europe. Indeed, the history of this beautiful land is a proud history, one that can never be destroyed, darkened, or obscured.

The spirit of independence and progress that led the people of Byelorussia to declare their independence 56 years ago lives on today.

In their struggle to maintain their national identity the people of Byelorussia have not lost sight of what is most precious to them, their goal is liberty and I pray that we will see the day when this goal becomes their victory.

ADMINISTRATION PROPOSES TO  
ASSIST IN DEVELOPMENT OF  
RUSSIAN OIL FIELDS DESPITE SOVIET  
ENCOURAGEMENT OF ARAB  
OIL BOYCOTT

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. EVINS of Tennessee. Mr. Speaker, it appears that a deal is brewing between the United States and Russia for development of Russian oil and gas fields for resale of petroleum to the United States.

This is very difficult to understand in view of the fact that Russia encouraged and agitated the Arab boycott of oil exports to the United States—and was opposed to relaxing the boycott.

Because of the interest of my colleagues and the American people in this matter, I place in the RECORD my recent newsletter, "Capitol Comments."

The newsletter follows:

ADMINISTRATION PROPOSES TO ASSIST SOVIET UNION IN DEVELOPING OIL FIELDS IN SIBERIA WHILE RUSSIA URGES CONTINUED ARAB BOYCOTT ON OIL EXPORTS TO UNITED STATES

This week in Washington brought developments indicating that more deals are brewing between the United States and the Soviet Union. We all know who usually winds up on the short end in these transactions. Now the Administration wants to lend Russia \$49 million to explore for oil and gas in Siberia—and a \$4 billion deal is in the works to develop these fields and transport the liquefied natural gas to the United States. The American people may rest assured that they will pay through the nose for gas from Russia.

These proposals stagger the imagination because at the same time that Russia was applying for loans from the United States to develop its own petroleum fields, it was urging the Arab nations to continue their boycott of oil to the United States.

The Russians have made a killing off the boycott because they have increased their oil prices along with the Arabs—so for reasons of economic self-interest and also for military and foreign policy reasons, the Soviet Union wanted the boycott to continue. Fortunately, most of the Arab nations have been our friends and the boycott was lifted recently on a conditional basis.

The widely heralded détente or cooperation with Russia seems to be in effect when it is to the Russian advantage, but becomes inoperative when the United States needs some help.

The proposal to make the \$49 million loan to Russia by the Export-Import Bank has come under heavy fire in the Congress, and I have joined other Members in co-sponsoring a resolution that would put Congress on

record as being opposed to this transaction. The General Accounting Office has stalled the deal temporarily by ruling that the President must affirm that the transaction would be in the national interest.

Someone has said the United States has never lost a war or won a conference. In disarmament negotiations with the Soviet Union, our diplomats have made agreements which many interpret as giving Russia a clear superiority in intercontinental ballistic missiles and nuclear submarines.

Also, the Russian grain deal was a disaster. This \$1.2 billion deal depleted supplies of American grain and wheat reserves, increased the price of food to American consumers and the price of feed to farmers, and resulted in major dislocations of our rail freight system. The deal cost taxpayers in the United States hundreds of millions of dollars in unnecessary subsidies and higher food costs—and fed the fires of inflation.

The Soviet Union has a record of determined and undeviating self-interest—the Soviet leaders look out for themselves and their country first, last and always. It is time for the leadership of our Nation to deal from strength and conduct relations with Russia on a *mutually* satisfactory basis—not on a basis that benefits the Russians as against the best interests of the United States.

#### WHATEVER HAPPENED TO THE AIRPLANE?

**HON. JOHN J. McFALL**  
OF CALIFORNIA  
IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. McFALL. Mr. Speaker, on February 26, 1974, my colleague on the Transportation Appropriations Subcommittee, WILLIAM MINSHALL, made an important address to the Aero Club of Washington.

His address deals with the administration's apparent lack of concern with respect to aviation matters. I feel that the aviation industry is an important component of our Nation's transportation system. It makes a significant contribution to our overall national economy. In view of this the administration's complacency in this field should be of concern to all of us. I include in the RECORD Mr. MINSHALL's complete address:

#### WHATEVER HAPPENED TO THE AIRPLANE?

The President's transportation message to Congress two weeks ago included recognition of the need for a strong system, but it did not spell out the kind of positive action necessary to assure it.

The President emphasized the need for flexibility, diversity and balance in the nation's transportation system. Then he said: "Let us maintain our worldwide supremacy in air commerce."

I couldn't agree more with that statement. In terms of government planning and priority, I was beginning to wonder—whatever happened to the airplane?

Vast amounts of time have been spent on rail and highway matters. Proposals involving vast sums have been put forward to aid rail. Much of this activity is good, given the economic importance of the rail network in an industrial nation like ours.

But with all the other transportation needs—reaching from the subway to the highway to the airways—I was distressed to read in the February 4th *Aviation Daily* that the Secretary of Transportation characterized 1973 as "the year of the rail" and ex-

#### EXTENSIONS OF REMARKS

pects that rail matters will take most of his time again in 1974.

I have detected a tendency in government to push air transport matters to the back burner, to discriminate against air transport, and, on occasion, to shoot from the hip in making regulatory decisions with substantial impact upon air transportation.

No better example of this can be cited than the Administration's action on the fuel problem. When fuel allocations were being proposed last fall, it was first proposed that fuel for corporate flying be cut back by 40 percent and that there be a 50 percent fuel reduction for other flying. Subsequent regulations did improve these allocations substantially.

Thousands of jobs in the manufacturing of general aviation aircraft and in fixed based operations would have been lost, had the earlier allocation proposals been allowed to stand. I don't think this was realized by those who first formulated the original allocations.

But to those of us who are involved in, and keep a keen eye on, general aviation, it was very apparent that the results would be catastrophic. I was on the phone to the White House immediately, and made several calls there to my friend Mel Laird and visited with him personally on this matter. Other Members did the same, and I take a certain pride in the fact that we in the Congress, with your help, averted a severe cutback and the hardships that would have resulted.

Having plugged up that hole in the aviation dike, we find that another one has appeared—Administration user charges—

As you know, we included a separate specific provision in our Transportation Appropriations Bill last year which prohibited the Department of Transportation from implementing its user charge program. Without that prohibition, new charges would have been imposed upon owners of private aircraft, upon airlines, and upon others for such things as the certification and safety inspection of aircraft. These charges would not have been fixed by Congress, as is usually the case, but would have been imposed through administrative action of the Executive Branch. I assure you that I and others in the Congress will see to it that no such charges are imposed this year.

New charges, such as administrative user charges, cannot be considered in a vacuum or without regard for those user charges already being paid. The aviation community will, in fiscal year 1975, pay more than \$900 million into the Airport/Airway Trust Fund created by Congress nearly four years ago. These are user charges to support continued development of our airport and air airway systems for air navigation and traffic control. They were determined by the Congress only after the most careful consideration. And any decision on new user charges should also be determined by the Congress.

I am afraid that the Department of Transportation has become overly complacent about the air transportation industry. A look at the facts convinces me their attitude should be one of concern. I certainly would hate to think that the future will not require for air transportation the sort of desperate, massive, last-minute rescue mission of the kind now being undertaken to save rail transportation.

I have some suggestions for positive actions to strengthen aviation in the United States—to insure that we do, indeed, as the President said, "maintain our worldwide supremacy in air commerce."

First: we must step up investment of trust fund money in the hardware necessary for handling traffic in terminal areas around our airports and to speed the flow of traffic in these areas. We must also accelerate expenditures of trust fund money designed to improve the facilities and efficiency of the en-

route system. At the end of last year, nearly \$500 million of funds already appropriated for these purposes had not been spent.

As a matter of fact, most of these funds had not even been obligated. This means that many important facilities already approved by Congress still are not installed.

Second: We should open up the trust fund to help finance construction or expansion of public areas of airport terminals. At present, matching grants made from the fund are confined, for the most part, to projects on the airfield side. Yet it is in the terminal area that we find the greatest need for improvement. A recent FAA report, which our Committee directed, states: "The airport landside will become the ultimate source of congestion and restriction to further growth in the early 1980's at nearly all locations". If FAA believes this, why aren't they doing something about it?

Third: We need to buy land for future airport development while land is still available, in desirable locations, hopefully at reasonable prices. This is especially true for airports near metropolitan areas, both for airports serving air carriers and general aviation. In the case of general aviation airports, we need to preserve existing private airports which are being forced out of existence either by taxes or other land use development. This will help ease traffic away from the major hub airports, as well as providing business and personal aviation first class facilities.

These three actions would rule out use of trust fund revenue to meet the FAA's operation and maintenance costs in the immediate future. The trust fund was created to meet the capital needs of the airport and airway systems. Much improvement remains to be accomplished. Until it is accomplished, trust fund expenditures should be confined to these purposes.

In addition to these proposals, we should act to insure the fair treatment of U.S. air carriers operating abroad. Our flag carriers should not be placed at a competitive disadvantage in foreign markets. We need to prevent practices such as discrimination on landing fees and the exclusion of U.S. carriers from competing for certain categories of traffic in foreign markets. It is essential for us to maintain a strong U.S. flag carrier participation in international aviation.

As an additional suggestion: the significant transportation role of general aviation must be recognized by the policy-makers in government. General aviation is a valuable resource for this country. It is the most viable form of transportation. Thousands of businesses rely on it every day for the conduct of their activities. It ties in well with the scheduled airline service. A recent survey of business aircraft operations showed that approximately 30 percent of their flights to airports served by airlines were to make connections with scheduled carriers. This is a most impressive figure.

Officials at the Dallas-Fort Worth Airport were astonished by the amount of general aviation activity that occurred at the new airport in the first few weeks of operation. These were primarily bringing passengers to connecting flights with the scheduled airlines. The new airport forecast was for 15 flights per day. They are averaging 55, and that is in addition to their activity at Love Field which remains as a first class general aviation airport.

I cannot agree with the statement in the President's budget message that the airport/airway system should be completely self-supporting in four years. This is an unrealistic and impossible goal. It fails to recognize the important public benefits of this system and its widespread value and contribution to the overall national economy.

In summing up, I repeat again that Federal taxes on general aviation and on the traveling public are high enough. In view of the unsettled conditions caused by fuel

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shortages, this is not the time nor the year to talk about new taxes on any segment of the aviation industry. I would hope that the Administration would recognize this and delay any proposals for changes in the tax structure or the trust fund until a more propitious time. Aviation has enough problems without the government creating additional economic strains on the industry—strains which could badly damage the industry, with far-reaching ramifications.

For example, for general aviation alone, last year more than 3,500 aircraft, totalling over \$230 million, were exported. This accounted for approximately 25 percent of our production. This year it is expected that exports will account for more than 30 percent of the manufactured production of general aviation aircraft. Obviously this is a substantial contribution to our nation's balance of payments.

Our country's export business remains strong because U.S.-manufactured aircraft are more competitive in the world marketplace. Moreover, our exports are supported by a strong domestic market. Without such a strong market, our ability to compete in the world marketplace would be severely hampered.

It is unnecessary for me to have to emphasize for you how vital aviation is to our industrial growth and general national prosperity. But that is a message that must be pounded home again and again, both in the halls of Congress and, most particularly, to the Administration. As I prepare to next year conclude 20 years as a Member of the House, I shall drive home the points I have made here today. I shall work for their implementation, so that never again will we have to ask: "What ever happened to the airplane?"

THE BICENTENNIAL STUDENT GRANTS PROGRAM AT DAVIDSON COLLEGE

HON. JAMES G. MARTIN

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. MARTIN of North Carolina. Mr. Speaker, the American Revolution Bicentennial efforts have not been without their critics. The criticism has centered on costs and irrelevances. It is my pleasure to insert in today's CONGRESSIONAL RECORD news of two small, but significant projects at Davidson College. The projects were funded by the North Carolina Bicentennial Commission's program of encouraging, through grants, student-originated projects. Both projects are fitting for the Bicentennial and both have lasting significance apart from the Bicentennial observance.

NORTH CAROLINA BICENTENNIAL COMMISSION GIVES TWO AWARDS TO DAVIDSON STUDENTS

(By Earl Lawrimore)

Davidson College students have won two awards totaling \$3,480 from the North Carolina Bicentennial Commission's student-originated grants program. Both will concern local history.

Three seniors have won \$2,490 for an oral history study of Cramerton, N.C., as it existed before World War II. Recipients are E. G. "Woody" Connette III of Wilmington, M. Thomas Hatley III of Charlotte, and Roger B. Manley of Goldsboro.

A second grant of \$990 to restore a log cabin, found near Davidson in good condition and believed to date back to 1790, has been awarded to seniors Thomas H. Jenkins III of Crozet, Va., and Donald F. Rhodes of Mari-

etta, Ga., and sophomore Daniel B. Thorp of Bowie, Md.

The Cramerton project was described by Connette as "an objective, straightforward study of the development of a typical Southern textile mill town, using oral history based in interviews of people who have recollections of the pre-war years." The students will produce a typed report, illustrated with still photographs, and also a documentary film.

Hatley, who has long been interested in Piedmont industrial development, noted that "before Burlington Industries bought Cramer Mills in 1946, the town was a classic mill-centered town. No objective study has been made of Cramerton, and we think it is an ideal example of a textile mill town, a classic Southern industrial phenomenon."

The three students doing the Cramerton study attended a three-day workshop on oral history techniques at West Point in November and have secured about \$1,200 in additional support from various college departments. They will receive credit from Davidson's Center for Honors Studies upon completion of their work.

The students planning to restore the log cabin will be relating a seminar in architecture and independent study in history and art. The professor leading the seminar, art professor Larry L. Ligo, was so impressed with the log cabin, found near Mooresville, that he bought it and plans to build a home around it.

The three student grant recipients and several others will be studying restoration techniques, researching the history of the cabin and the era of its construction, and exploring early American architecture.

Daniel Thorp said, "I plan eventually to teach history and do reconstruction of historical buildings, so this is an exciting opportunity for me. I will be doing research on primary documents, such as county records, and interviewing local residents."

Thomas Jenkins commented, "I'm looking forward to learning about colonial architecture and restoration. We plan to produce a manual on restoring a log cabin and documenting the history of the cabin for the state archives."

The cabin was praised by A. L. Honeycutt Jr., restoration supervisor for the Historic Sites and Museum section of the N.C. Division of Archives and History.

"This is one of the best preserved log cabins now surviving in North Carolina from around 1790 to 1810," Honeycutt said. "Its original trim, such as door and window treatment, and its very rare two-shouldered brick chimney, are particularly interesting."

WILLIAM R. COLE RETIRES AFTER 37 YEARS WITH SOCIAL SECURITY ADMINISTRATION

HON. ED JONES

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. JONES of Tennessee. Mr. Speaker, in 1937 William R. "Bill" Cole opened the Social Security Office in Jackson, Tenn., as its district manager. Today, 37 years later, he still holds the same position. However, Mr. Cole has announced his plans to retire in the very near future.

Cole is a native of Gibson County, Tenn., and received his education in the Medina public schools and at Mississippi A. & M. College—now Mississippi State University—in Starkville, Miss. His wide experience as a life insurance executive

qualified him for the manager's position with social security. After brief training in Washington he opened the Jackson office in July 1937.

Bill has actually grown with the program, beginning with a staff of two, whose principal duties were assigning social security numbers and educating the public. There are now 30 employees who assist approximately 50,000 beneficiaries in matters related to old-age assistance, survivors annuities, and disability and health insurance commonly referred to as medicare. Beginning January 1, 1974, three adult assistance programs formerly administered by the Department of Public Welfare throughout the United States were federalized and given to the Social Security offices to administer. The new program, which is known as supplemental security income, provides help for the needy aged 65 or over, aid to the needy blind, and the needy disabled. Eligibility is based on a person's income and assets and is the same nationwide. The area served by Bill Cole's Jackson office consists of the following west Tennessee counties: Chester, Decatur, Hardin, Hardeman, Haywood, Henderson, Madison, and McNairy.

In January of 1970, he received a high quality increase. The following year he was awarded social security's highest honor—the Commissioner's Citation at Baltimore. This bronze plaque bears the following inscription:

For outstanding leadership, initiative and dedicated public service, and sustained exemplary performance as a District Manager for more than one-third of a century.

In June of 1972 he was chosen "Boss of the Year" by the American Business Women's Club. He assisted in organizing the first Senior Citizens Club and was the first president. He is a member of the Madison County Commission on Aging and a former director of the Exchange Club. He also is a director of the Tennessee Sheriff's Youth Town.

Bill's most recent honor was his second high quality increase in September 1973, awarded for sustained outstanding performance during the period January 1, 1972, through June 30, 1973, the most significant factor being a community resources and referral directory. This publication provides ministers, public officials, and community leaders with a concise listing of services available. The Jackson Exchange Club assumed the cost of printing more than 1,000 copies which were widely distributed.

He is married to the former Mary Lasiter of Trenton, Tenn. He has two children by a prior marriage—William R. Cole, Jr., chief engineer for Kellwood Corp., St. Louis, Mo., and Mrs. John V. "Susan" Anderson, of Bolivar. He has eight grandchildren.

Bill is the only living social security district manager in the Nation who opened the office in 1937 and who has continuously served as its manager. His 37 years of service will be climaxed by a retirement party given by the Jackson district office staff at the Ramada Inn on May 31, 1974. It is expected that a number of social security officials from the Baltimore headquarters and the Atlanta regional office will attend, in addi-

tion to many district managers and other employees of the Social Security Administration.

Mr. Speaker, Bill Cole has served his community and his Nation well, and I want to be among the first to wish him a long and happy retirement.

**GREEK INDEPENDENCE DAY AND THE AHEPA NATIONAL BANQUET**

**HON. FRANK ANNUNZIO**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. ANNUNZIO. Mr. Speaker, this year AHEPA—American Hellenic Educational Progressive Association—is holding its 21st biennial national banquet in honor of the Members of Congress on March 25, a milestone in the proud history of Greece since this date is the 153d anniversary of the independence of Greece from Turkish domination.

Since coming to Congress 10 years ago, I have attended every banquet of AHEPA, never missing a single one, because this banquet stimulates me as an ethnic and I am so proud to be a participant in a banquet given by the entire Greek community in honor of all of the Congressmen and Senators of the greatest democracy in the world that embodies all of the lofty principles set forth by the Greek philosophers who actually gave the world democracy.

The date for this year's banquet is especially appropriate, because Greek Independence Day, celebrated on March 25 of each year, commemorates the day in the year 1821 when the flag of the Greek revolutionaries was blessed by Bishop Germanos of Palaeion Patron, at the monastery of Aghia Lavra.

There followed 7 years of grim fighting during which a handful of rebels held at bay the combined might of the Ottoman Empire and its Egyptian domination, who had been summoned to the rescue by the Sultan. The episodes of Valtetsi, Dervenaia, as well as Messolongh, where Lord Byron fought and died, rank among the most glorious pages of Greek history, while the exploits of the Greek navy, under Miaoulis, Kanaris, and Sachtouris stirred the hearts of the peoples of Europe, who finally brought pressure upon their governments to intervene in the fight and to compel the Sultan to recognize Greek independence.

The Greek War of Independence was the result of the awakening of Greek nationalism which had been fanned by the ideals of the American and French Revolutions. It is indeed noteworthy that the young American nation was among the first to support the Greek Revolution, both morally and materially. Many young Americans were inspired to take an active part in the Greek struggle for freedom.

The American and Greek peoples have a long tradition of warm friendship and mutual assistance and AHEPA has been continuing and strengthening this tradition for over 50 years. Today many

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Americans of Greek descent are emulating this heritage through the AHEPA creed to promote loyalty to the United States of America; respect the inalienable rights of mankind; strive for the betterment of society; abhor all political corruption; defend and protect all oppressed people everywhere; cultivate the noblest attributes and highest ideals of true Hellenism; labor for the perfection of a moral sense, the spirit of altruism, and true benevolence; champion the cause of education; love God and man, and hope for happiness.

The public and private record of AHEPA members is outstanding in all fields. In its 51-year history the order has contributed money and assistance to practically every worthy cause all over the world.

If there is one theme which runs through every century, every decade, even every hour of Greek history, from the golden age of Pericles to the present, it is the undying flame of liberty and freedom which all the world has adopted as the Olympic symbol. The torch carried around the world every 4 years is indeed a living symbol of the flame kindled so many years ago in Greece.

Mr. Speaker, we in this great Republic are deeply indebted to the Greeks for their invaluable contributions to our way of life. I am proud to join Americans of Greek heritage in my own city of Chicago and all over this Nation as they join with Greeks everywhere in celebration of Greek Independence Day, and extend my warmest greetings and best wishes to the members of the Order of AHEPA as they continue their contributions to America and carry on the long and illustrious tradition of Greek-American friendship.

**MR. SOUTH TEXAS 1974**

**HON. ABRAHAM KAZEN, JR.**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. KAZEN. Mr. Speaker, one of the significant annual events in south Texas is the annual Washington's Birthday celebration. For 76 years, in my home city of Laredo, our citizens, visitors from many places and good friends from Mexico have gathered to honor the birthday of the "Father of His Country." When George Washington was President of our Nation, Texas was a Spanish colony and the only Europeans were priests or soldiers, but our city honors the principles and early leadership of our first President.

Part of the celebration each year since 1952 has been the choice of a prominent citizen as "Mr. South Texas." The selections have ranged widely in education, business, government, civic affairs, but have always recognized outstanding contribution to the progress, growth, and development of south Texas.

This year the honor went to my very good friend, Thomas C. Frost, Jr., chairman of the board of the Frost National Bank in San Antonio. He was recognized for the many significant contributions

that he has made to the development of south Texas.

The formal presentation was made at the President's Luncheon on February 16 by the very able mayor of Laredo, J. C. Martin, Jr. I am pleased to share with Members the remarks of Mayor Martin and the response of Tom Frost. First, the presentation statement of Mayor Martin:

**REMARKS BY MAYOR MARTIN**

Mr. President, Distinguished Dignitaries from the United States and Mexico, and Friends: We are privileged this afternoon on the occasion of the President's Luncheon to pay tribute to one of San Antonio's lion-hearted sons, whose principles and patriotism practiced in the banking profession and in his personal life have captured the imagination and admiration of the people of South Texas and Mexico. Indeed, his contemporaries in the banking field have consistently accorded him their highest tribute—"That in the counting halls and councils of the mighty, he has kept an unprincipled faith and integrity with all with whom he has dealt and reached out in his every day service to touch the heart and hands of all humanity."

The philosophers tell us that one of the secrets of a successful and rewarding life lies in the ability to choose wisely between alternate paths seemingly leading to success, and perhaps this is most graphically illustrated by the story of the rich and miserly man who came to visit his Rabbi and complain of his unrewarding existence. The Rabbi led the man to the window and said, "Look out there, and tell me what you see."

"People," answered the rich man.

Then the Rabbi led him to a mirror. "What do you see now?" he asked.

"I see myself," answered the miser.

Then the Rabbi said, "Behold—in the window there is glass and in the mirror there is glass. But the glass of the mirror is covered with a little silver, and no sooner is a little silver added than you cease to see others and see only yourself."

The converse of this story most aptly illustrates the attributes of our Honoree today, for he directed his gaze out of the window of life and dedicated his efforts to the humanities and enrichment of his fellowman. Well has he recalled throughout his lifetime the memorable words of Edwin Markam who wrote:

"We all are blind until we see

That in the human plan

Nothing is worth the making if

It does not make the man.

"Why build these cities glorious

If man unbuilded goes?

In vain we build the world, unless

The builder also grows."

Forty-six years ago, Tom Frost, Sr., and his lovely wife were blessed with the birth of their first son a day which to them was the event when the morning stars sang together. As a youth, he was both studious and energetic and as he became of high school age, he attended Texas Military Institute in San Antonio.

He was an active and enthusiastic participant in the R.O.T.C. program of this renowned educational institution. Here he acquired in his youth the discipline, the pride of achievement, and the comradeship engendered through the military program, and learned early in life that the pinnacle of achievement is attained only through dedicated and repetitious preparation and the singleness of purpose to pursue to attainment the ultimate goal. He learned also that unalterable truth, that to be capable of command, he first must learn how to serve.

Graduating from High School with honors, he entered the military service and from 1946 to 1947 served in the U.S. Army.

Upon his discharge, he resumed his educa-

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tion, entering Washington and Lee University, graduating in 1950 with a degree in Business Administration—was class Valedictorian and Phi Beta Kappa.

It is part of the rich character of our Honoree that he has consistently in adult life devoted many years of service to those institutions which enriched his training and knowledge in his youth. This is evidenced by his tenure of service as a member and Chairman of the Board of Texas Military Institute and as a member of the Board of Washington and Lee University.

Permit me to allude to the outstanding career of our Honoree in the field of finance and banking. At 46 years of age, this dynamic gentleman is Chairman of the Board of one of the leading banks in the Southwest that bears his family name—The Frost National Bank in San Antonio. He became affiliated with the bank in 1950 and he served in numerous positions beginning as Assistant Cashier and ascending to Chairman of the Board of the Frost Bank Corporation. Our Honoree was elected President of this institution in January of 1962 and in the ten years that he has been serving in this capacity and as Chairman of the Board, the bank has tripled its assets to more than Six Hundred Million Dollars; is presently manned by over 800 employees; and enjoys the reputation of one of the most progressive modern banking institutions seeking the advancement of the interest of the people of Texas and of Mexico.

In reflecting upon this career, I cannot but recall the memorable words in the address of Wilbur Allen entitled, "The Banker as a Patriot" delivered in 1916 in Houston, Texas. He spoke of a new breed of banker, the banker patriot, "the patriot of everyday helpfulness, the patriot of everyday service, the patriot who exemplified the courage to go into new and unexplored fields, to create new utilities, to make two blades of grass grow where one had grown before, to draw not from your neighbors but from nature's ever recurring reservoir."

Mr. Allen spoke of that patriotism of service which harmonizes its general practices with its abstract principles; elevates instruction into knowledge; deepens knowledge into wisdom; renders knowledge and wisdom complete in righteousness; and makes the love of country perfect in the love of men. It was the consummate consecration to these fundamental principles by our Honoree's father and family so successfully and assiduously followed by Tom Frost, Jr. that has brought this financial institution to its pinnacle of fame both in South Texas and throughout Mexico. Material splendor unsustained by moral principle will surely in time disintegrate and decay; but our Honoree has sought a wealth far beyond the dreams of the Cathay of Columbus or the El Dorado of De Soto and he has found it in his fundamental dignity, decency and respect for his fellowmen.

What, then, of this man we honor here today? Have his accomplishments been narrowed to his chosen field of endeavor or has he, throughout his lifetime, lent of his time and talents in a broad range of endeavor that would demonstrate his love of art, his belief in trying to make two blades of grass grow where one grew before, his concern for the sick and the infirm, and finally, his recognition by his contemporaries in the field of banking and finance? A brief recitation of the institutions to which he has so generously tendered his talents is sufficient to grant overwhelming summary judgment in his favor.

He has served as Trustee of the McNary Art Institute of San Antonio. He has been Treasurer of Southwest Texas Methodist Hospital and Trustee of the San Antonio Medical Foundation. He has been a Trustee of the Southwest Research Institute dedicated to the advancement of Technology and

production in enumerable fields of endeavor. He is a Vestryman of Christ Episcopal Church and in his chosen profession, his contemporaries have honored him with the position of President of the Texas Bankers Association and President of the San Antonio Clearing House Association.

One last reference to our Honoree's financial ability. I remember the story told in a small East Texas town with only one banking institution about a young merchant who had only recently established his enterprise and was experiencing the necessity of a loan to expand his business. The young merchant went to see his friend who was President of one of the larger retail stores and inquired of him what the atmosphere was in the local banks insofar as commercial loans and who he should talk to. His friend told him: "Charlie, there is only one bank and you're gonna have to talk to the President because he approves all the loans, but I want to warn you of one thing. He will make a fair loan and get sufficient collateral, but don't make the mistake of listening to his advice about how to run your store because if you follow it, you will surely fall into bankruptcy."

And Charlie thanked him and said, "Well, I'll go by the end of the week and talk to the banker and see how it works out." And Friday came along and as he was approaching the bank, he forgot some of the advice that the friend gave him but fortunately, he ran into him coming into the door of the bank and he said, "Jim, what was that analysis you had of the President on these loans? Quickly if you will", and Jim said, "Charlie, to summarize, he is Christ on collateral, but the Devil's counsel on commerce".

Our Honoree today defies even that ancient anecdote for he serves as Director of seven major industrial and commercial enterprises and his rare knowledge and insight of banking operations, both in the United States and Mexico, and the economic relationship between these two countries have brought him both state and international recognition.

We have spoken today of treasures but truly, what treasure does one possess more dear to the tendrils of his heart than that of his own family. We are both honored and delighted to have with us today the very gracious, lovely and charming Mrs. Patricia Holden Frost, the wife and Sweetheart of Sigma Chi of our Honoree and their four lovely children, Thomas C. Frost, III, William, Donald and Patrick Frost.

May I ask that you stand so that all assembled may accord you due recognition. Truly, your presence here today ennobles our efforts, for you indeed are the "Apple of our Honoree's Eye" and those above all else of whom he would say, "These are my beloved in whom I am well pleased."

Ladies and Gentlemen, when one's lifetime has been so symmetrically entwined in every aspect of service to his fellowmen, both on the national and international levels, it is fitting indeed, that such a man should be selected to receive the highest honor which the Washington's Birthday Celebration Association can bestow. Interwoven in all the filaments of his heart is a conscience and moral constitution which gives tone and temper to an uncommon life—which has become transcendent, vital and richly radiant in every aspect. I wholeheartedly urge you to join us in honoring this remarkable man; he, more than anyone else I know, embodies the achievements of the past, the success of the present, and the potential of the future of our Great Area of South Texas—

Ladies and Gentlemen, Mr. South Texas of 1974—The Honorable Thomas Claybourne Frost, Jr.

## REMARKS OF T. C. FROST, JR.

Thank you, Mayor Martin, for your most generous and kind remarks. I want to take this opportunity to thank all of the people in Laredo who have worked so hard to make

this wonderful Washington's Birthday celebration a success, and especially to thank every one of you for the many courtesies you have extended to me and my family.

Today, I was reminded that it has been said that we do not live our lifetimes by years, months, weeks, days nor hours, but by moments. Today we experienced some most significant moments in reflecting upon the many benefits which all of us enjoy by living at this time in this country and in this particular section of the world. One of these moments occurred early this morning on the International Bridge when an impressive ceremony commemorated the many years of peaceful friendship between Mexico and the United States. Another great moment was during the impressive parade commemorating the birthday of the founder of our country, participated in by thousands of both young and old, who marched and lined the streets of Laredo to pay tribute to this occasion. Just a few minutes ago we experienced another significant moment when the blessing of the Almighty was asked upon this gathering and all who have joined in these festivities. I am grateful for these moments and particularly for being invited to be here today.

The honor which you have paid me is significant because of those who have bestowed it. I appreciate very much being selected by my many friends here in Laredo who in so many ways are deserving of honor and recognition themselves because of their long standing civic services to their community. Perhaps we do not often reflect on all of the blessings we enjoy in this life as they come to us, but pause only when we have lost someone close to us. Then we hear the words that we have come into this world with nothing and that we take nothing with us when we leave. The corollary to this is that we are given all that we have, and I might suggest that we should strive to leave a legacy greater than that which has been entrusted to us by those who have gone before.

Those whom you have honored as Mr. South Texas in the past form a most impressive group, impressive not because of individual fame or high position, but because of what you have done through service to your fellow man. I want to say that I am well aware that I have been given much and will continue to strive to leave what I have been given by my predecessors here in South Texas, that it might have been improved upon in some way for those who follow.

As a parent, I am often given the inescapable opportunity to listen to the music played by my children. It is well to reflect that the arts of any era portray the hopes and aspirations, as well as the problems and difficulties of the time. At this moment, I recall hearing a song played by my boys a few years back entitled, "With A Little Help From My Friends." I should like to say to you today that I have certainly had a lot of help from my friends.

First, from a family who has not only left me a great heritage of generations but who have given me all the support and encouragement that a person can ask. I particularly want to acknowledge this to my mother, my wife, my sons, and my sister who are here today. There is also another group from San Antonio, many of whom possess a list of civic accomplishments greater than mine and are more worthy of honor as any in South Texas. I refer to the Texas Cavaliers who with their wives number 160 strong, here today to participate in this great celebration by marching in your parade this morning and attending this luncheon. I want to acknowledge all of those from San Antonio and to express my appreciation for the opportunity to have worked with you for our community and to pledge to you my efforts

to continue to work for the betterment of all in South Texas.

I am also proud to include among those I count as my friends many who live in Mexico. As you know, I have the privilege of traveling through that country in connection with my job and my interest to promote commerce between this area of Texas and the whole of Mexico. If I might be permitted to reflect the international aspect of this great celebration I should like to express a closing thought in their native tongue.

TRANSLATED FROM SPANISH

I consider it a true privilege to live in a place where two cultures join. It is quite an advantage to understand that in our differences, we find the strong ties that unite us. I appreciate the opportunity to have known people who speak another language, but think the same with regard to human rights; to know those who live under another governmental system, but a system which always searches for the same liberty and dignity of each citizen; to associate with people who work in another economic system with its own medium of exchange, but who direct their economic forces toward the benefit to all. In closing I express my sincere thanks and hope that God will continue to give me the opportunity to work together with all in South Texas and Mexico for the security of our families, the well-being of our friends, and the continued progress of both our countries.

NUCLEAR POWERPLANT  
CONSTRUCTION BAN

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. WALDIE. Mr. Speaker, most, if not all of us, are aware of the widely divergent views of many in the scientific community regarding the question of safe operation of nuclear fission powerplants.

While there is no question but that the safety record of nuclear powerplants has been quite good, except for minor accidents, I am troubled by reoccurring reports of leaks and other mishaps at plants now in operation.

Recent articles in the Los Angeles Times spotlight the concern of many regarding the operation of the San Onofre nuclear plant in California and the Hanford, Wash., facility which is disposing atomic waste materials.

At both facilities, according to press accounts, a number of troublesome incidents have occurred.

The most recent article in the Los Angeles Times on San Onofre, March 11 "Clear-Cut Accident Plan Lacking for San Onofre A-Plant" has heightened my own concern regarding safe operations at that plant and the others in the country.

Nuclear energy now accounts for five percent of the Nation's total. With energy conservation methods now diminishing the acute energy shortage and the resumption of the flow of Arab oil into this country, the times would seem to be right for a full reexamination of the question of how much of a risk we are assuming with the continued operation of nuclear powerplants.

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There is no question, Mr. Speaker, that the Atomic Energy Commission is busily promoting more and more nuclear fission plants. Some estimates indicate that the AEC wants 1,200 plants in operation by the end of this century.

I am concerned that the zeal of the AEC to construct new plants is far in excess of its concern for safety. I am concerned that the AEC is caught in a conflict of interest which obscures a truly necessary review of the safety aspects of nuclear energy powerplants.

Given this situation, then, I am introducing legislation today that would suspend the granting of operating licenses by the AEC pending the outcome of a truly independent and comprehensive study of all aspects of the nuclear fuel cycle.

Mr. Speaker, this study would be undertaken by the Office of Technological Assessment with the assistance of the scientific community of the Nation.

Built-in safeguards would prevent any possible conflict of interest.

The office would issue yearly reports to the Congress and would present a final report within 5 years. Resumption of construction licensing would be resumed if the report is favorable, although the licenses would be granted under conditions agreed to by the Congress after the report is made.

Mr. Speaker, if we are to allow the dramatic expansion of nuclear plants as envisaged by the AEC, we must do it safely and that is the purpose of this bill. The panic to meet the so-called energy crisis must not manifest itself in disregard of major hazardous operations to obtain marginal increases of energy.

The full text of my bill is printed in the RECORD at this point:

H.R. 13716

A bill to terminate the granting of construction licenses of nuclear fission powerplants in the United States pending action by the Congress following a comprehensive five-year study of the nuclear fuel cycle, with particular reference to its safety and environmental hazards, to be conducted by the Office of Technological Assessment

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Nuclear Energy Reappraisal Act".*

Sec. 2. (a) The Congress declares that the deployment of civilian nuclear fission powerplants is presently inconsistent with national security and public safety as required by section 3 d. of the Atomic Energy Act of 1954; and the Atomic Energy Commission is herewith directed under the authority of section 187 of that Act to enforce an immediate moratorium on the granting of construction licenses and export of all civilian nuclear fission powerplants.

(b) This termination shall continue until the Congress, after having adequate time to study the results of the investigation described in section 3, shall provide by law—

(1) for resumption of the licensing of nuclear fission powerplants and the development of criteria and standards for the licensing of such plants; or

(2) that resumption of such licensing be permitted but only under conditions specified in the law; or

(3) that resumption of such licensing be prohibited because of unacceptable safety, health, or environmental effects.

Sec. 3. (a) The Office of Technology Assessment is hereby directed immediately to un-

dertake a comprehensive study and investigation of the entire nuclear fuel cycle from mining through fuel reprocessing and waste management and, as described in section 4, to determine the safety and environmental hazards of this cycle.

(b) The Office of Technology Assessment shall conduct this study independently. The Office may, however, call upon the National Academy of Sciences to conduct certain aspects of the study. The Office shall also call upon scientists, engineers, and consumer and environmental representatives in conducting the study. The Office shall have the power to enter into contracts with individuals or corporations for the purposes of conducting the study, but shall not enter into contracts with any industry which provides materials for nuclear fission powerplants or which otherwise in the judgment of the Office might have an interest in perpetuating the nuclear industry.

(c) All Government agencies shall cooperate to the fullest extent with the Office and shall provide access to their personnel and data. At the request of the Office, any Government agency shall furnish any information which the Office deems appropriate for the purpose of conducting the study under this section. The Office is further empowered to compel the delivery of any information in the possession of the National Laboratories which the Office deems necessary for conducting the study.

(d) Within five years after the enactment of this Act, the Office of Technology Assessment shall submit a final report to the Congress concerning the safety and environmental hazards of nuclear fission powerplants and the nuclear fuel cycle. It is the intent of Congress that all nonproprietary information compiled in preparation of this report be open for public review. The Office will provide a yearly report to the Congress and the public on the progress of the study, and provide the opportunity for a yearly public hearing concerning the progress of the study.

(e) The final report shall include recommendations as to whether a resumption of the licensing of nuclear fission powerplants should be allowed, and if so, the conditions under which licenses should be granted. Such recommendations shall employ a cost-benefit analysis discussing—

(1) the safety and environmental hazards associated with the entire nuclear fuel cycle compared with any benefits;

(2) the economic effect of a commitment to nuclear fission powerplants, particularly in relation to long-term cost and availability of raw materials, and the costs of all necessary safeguards; and

(3) the central question of proliferation of nuclear fission powerplants in relation to the possible alternatives.

Sec. 4. The comprehensive study to be undertaken by the Office of Technology Assessment under section 3 shall include (in addition to those topics cited in section 3)—

(1) the safety of existing nuclear fission powerplants, including a discussion of the adequacy of design features and criteria;

(2) the safety and environmental hazards posed by the mining, milling, transportation, reprocessing, and waste management of nuclear materials;

(3) the safety of routine emissions from nuclear fission powerplants and nuclear fuel reprocessing facilities with projections of future health effects if proliferation of these plants were allowed to occur;

(4) the indefinite storage of high level radioactive waste and potential dangers of such storage;

(5) the transportation of nuclear materials from civilian nuclear fission powerplants and the safety hazards inherent in such transportation, and the possibilities for diversion or sabotage present in such transportation;

(6) the possibilities for diversion of nuclear materials and sabotage throughout the entire nuclear fuel cycle; and

(7) an evaluative assessment of the prospects and problems, and the ultimate net energy yield, in the production of electric power through the use of nuclear energy, compared with alternative sources.

SEC. 5. There is authorized to be appropriated for the study under section 3 the sum of \$100,000,000 for each of the first five fiscal years beginning after the date of the enactment of this Act.

**MARYLAND STATE SENATE SUPPORTS ABERDEEN PROVING GROUND**

**HON. ROBERT E. BAUMAN**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. BAUMAN. Mr. Speaker, as evidence of the wide public support for the retention of the U.S. Army Ordnance School at Aberdeen Proving Ground, Md., I include for the RECORD a resolution passed unanimously by the State Senate of Maryland expressing that body's view on this subject. This is another evidence of the popular feeling against any plans which the U.S. Army may have to transfer the Army Ordnance School away from Aberdeen Proving Ground:

**SENATE RESOLUTION No. 41**

(By Senator James)

A Senate Resolution concerning United States Army Ordnance School for the purpose of urging that the United States Army Ordnance School remain at Aberdeen Proving Ground, Maryland.

Whereas, The United States Army Ordnance School has served the country for half a century at its present location at Aberdeen Proving Ground, Maryland.

In 1919 formal schooling of Ordnance officers began at Aberdeen Proving Ground. In the more than fifty years since then, tens of thousands of officers, officer candidates, and enlisted personnel have completed training programs there. The School has emphasized timely integration of new concepts, doctrines, and equipment into the training programs, all designed to insure the best possible support to troops in the field.

The Ordnance School employs approximately 500 civilians and 1800 permanent military members. An average of more than 1800 students are undergoing courses at the School at all times. Many of these persons rent or own property in the areas near the facility. They and their families attend local schools and churches, are active in civic organizations and are intimately involved in Harford County and in nearby communities. The School's annual payroll exceeds \$24.5 million, much of which is spent in the local area.

The proposed removal of the School to a southern state would continue the present trend of removing major military installations to a few select states in the South. If the all volunteer Army becomes a reality, the presence of most of the major military installations in the same area could pose a dangerous concentration of military power.

Removal of the Ordnance School from Harford County, Maryland would work a severe hardship on the State. The economic structure of northeastern Maryland would be disrupted due to a decrease in population, closing of schools and a diminution of the tax base; now, therefore, be it

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*Resolved* by the Senate of Maryland, That the United States Army Ordnance School remain at Aberdeen Proving Ground, Maryland.

**INTERNATIONAL UNDERSTANDING**

**HON. BILL FRENZEL**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. FRENZEL. Mr. Speaker, Deputy Assistant Secretary of State Alan A. Reich recently addressed the Southwest Regional Conference of the National Association for Foreign Student Affairs and the Institute of International Education in Fort Worth, Tex. His remarks dealt with international understanding, the foreign student and community action in this field. Because our world is continually shrinking, the Congress and the President are increasingly looking for new ways to improve international understanding. In this light, Mr. Reich's speech is particularly interesting. His remarks follow:

**REMARKS OF ALAN A. REICH**

Technological advances have made nuclear war a threat to mankind's existence. Fortunately, new initiatives and agreements in the disarmament field offer hope that the deadly cycle of weapons build-up may be broken. Prospects for increased government-to-government cooperation look better now than at any time since World War II. The great powers are focusing on areas of common concern and not only on their differences.

But while technology has made nuclear annihilation possible, it also has sparked a revolution in communication and transportation which brings increasing numbers of people in all walks of life into direct, open, and immediate contact. International diplomacy, traditionally the task of men behind closed doors, has gone public. Many foreign offices no longer confine themselves to speaking with other foreign offices for peoples; they help and encourage their peoples to speak for themselves across national boundaries. People-to-people communication has become a dominant force in international relations throughout the world.

My remarks today concern people-to-people diplomacy, the interest of the Department of State in it, and the importance of foreign students to international understanding.

**THE NEED FOR INTERNATIONAL INVOLVEMENT**

Many Americans ask why we should concern ourselves with international problems when we have so many serious domestic concerns. There are good reasons for our getting "involved with mankind": First there is common charity; second there is common humanity; and third there is common sense. Modern transportation and communications, not to speak of modern weapons, have brought our neighbors' problems to our doorstep. We have no choice but to become involved, because if the problems next door are ignored, they soon become our problems.

Poverty, illiteracy, hunger, and disease recognize no national borders; they travel under no country's passport. It is not a matter of the world's poor getting poorer while the rich get richer. The poor are getting richer, too. But their lot is improving so slowly that the gap between rich and poor is widening, not closing. Unless some way can be found to reverse this trend, those who are better off must one day suffer the horrible consequences. Neither we nor our

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children will have the luxury of working on our domestic problems if we do not succeed in bringing about peaceful cooperation throughout the world during the next few years. Whether we cooperate with our international neighbors because it is good, right, or necessary, we must get on with it while we are improving the quality of life at home. The job is not ours to do alone. Many other nations share with us the desire and the capacity to help close this gap between the have and have-not peoples of the world. The facts of international life today are that common sense and common survival dictate common action to solve common problems. Stronger people-to-people bonds improve the environment for cooperation in reaching solutions. No group plays a more vital role than the 150,000 foreign students on our university and college campuses.

**THE RELEVANCE OF NON-OFFICIAL CROSS-CULTURAL COMMUNICATION**

The geometric increase in citizen involvement in world affairs has special significance for the diplomat. When people-to-people bonds and communications networks are more fully developed, there will be a greater readiness to seek accommodation, and to negotiate. The likelihood of international confrontation diminishes, and prospects for peaceful solutions are enhanced. This rationale governs the interest of the State Department in the furtherance of meaningful people-to-people interchange.

In the past few years, social scientists have increasingly studied the relevance of informal non-governmental communications activities to matters of war and peace. Research scholars, such as Dr. Herbert Kelman at Harvard University, are developing a more scientific base for these transnational cross-cultural communications activities. Their research suggests that existence of informal communications tends to reduce the level of tension when conflicts of interest occur; they contribute to a climate of opinion in which conflicts may be negotiated more effectively. Second, their research indicates that informal relationships create a greater openness in individual attitudes toward other nations, peoples, and cultures; these predispositions lead to greater readiness to communicate and to resolve differences peaceably. Third, social scientists tell us that international cooperation and exchange contribute to world-mindedness and to an internationalist or global perspective on what otherwise might be viewed either as purely national or essentially alien problems. Finally, international people-to-people relationships help develop enduring networks of communication which cut across boundaries and reduce the likelihood of polarization along purely political or nationalist lines.

**DEPARTMENT-SPONSORED EXCHANGES**

When you think of the State Department's conduct of our international affairs, the exchange-of-persons program and people-to-people diplomacy do not come immediately to mind. It is, however, a significant activity of the Department. The Bureau of Educational and Cultural Affairs works constantly to improve the climate for diplomacy and international cooperation. The exciting, challenging job of the Bureau is to utilize its modest funds and manpower to reinforce the work of American individuals and organizations who want to help construct, a little at a time, the foundation of better relationships with the rest of the world. It also coordinates, as necessary, the activities of other government agencies with international exchange programs in substantive fields such as health, education, social welfare, transportation, agriculture, military training, and urban planning. The Bureau of Education and Cultural Affairs:

1. Helps present and potential opinion leaders and decision-makers to gain through

first-hand experience more accurate perceptions and a deeper understanding of political, economic and cultural realities in each others' societies.

2. Encourages a wide variety of institutions, including the mass and specialized media, to strengthen their capacity to cultivate both an understanding of cultural, social, economic, and ideological differences and an awareness of similarities and interdependences.

3. Helps develop transnational linkages based on shared intellectual, artistic, social, humanitarian, professional and economic concerns.

4. Works to increase the quality and efficiency of intercultural dialogue by various means including strengthening the role of English as an international language.

There are several major elements of the Department's exchange program which currently is funded at \$45 million annually:

The Fulbright-Hays exchange program over 25 years has involved more than 100,000 people in academic exchanges. Annually, some 5,000 professors, lecturers, and scholars are exchanged to and from the United States.

The international visitor program brings to the United States about 1,500 foreign leaders and potential leaders annually for one- or two-month orientation programs. This includes nonacademic leaders and professionals, from Cabinet officers to journalists. One out of every 10 heads of state in the world today has been a State Department exchange visitor, as have some 250 Cabinet ministers of other nations.

The Department of State sends abroad annually several leading performing arts groups and athletic stars; for example, the Arena Stage and the New York City Ballet performed recently in the Soviet Union; the Philadelphia Philharmonic Orchestra just returned from a successful tour to the People's Republic of China; Kareem Jabbar (Lew Alcindor) and Oscar Robertson of the Milwaukee Bucks visited Africa, and two track and field tours left last week for the Near East.

Some 150 prominent U.S. lectures went abroad for six-week lecture tours in 1972.

Nearly 500 United Nations specialists selected by their home countries and funded by the U.N., are programmed annually by the State Department through 30 other government agencies for six- to nine-month training programs in the United States.

The commitment to these programs is substantial. They are administered, in cooperation with thousands of volunteers and many private organizations, by Bureau personnel in Washington and at our reception centers in Honolulu, Miami, New Orleans, New York, and San Francisco. Abroad they are administered, in cooperation with the United States Information Agency, by the cultural affairs officers in our embassies. In 50 countries there are binational commissions which have responsibility for supervising the academic exchange program.

The State Department's small but catalytic exchange-of-persons activity with 126 countries stimulates constructive communication among leaders and future leaders in many fields here and abroad. It demonstrates the Department's commitment to people-to-people diplomacy and the recognition of its importance to our foreign relations.

#### PRIVATE SECTOR PARTICIPATION

As you in the National Association of Foreign Student Affairs (NAFSA) know, the success of these programs depends heavily on the willing cooperation of countless private individuals and organizations throughout the United States. The Department contracts with a number of organizations to assist in carrying out these activities. COSERV—the National Council for Community Services to International Visitors—is a network of 80 local voluntary organiza-

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tions which enlist some 100,000 Americans to provide hospitality and orientation for international visitors. They serve voluntarily because they believe in the importance of their work to increase international understanding. This makes an indelible impression on the foreign visitors they serve.

We in the Department of State are aware that our programs represent only a portion of the total private-public participation in exchanges that further international mutual understanding. Numerous service organizations, professional associations of doctors, lawyers, journalists, municipal administrators, and others link their members with counterparts throughout the world. More than 30 American sports organizations carry on international programs involving their athletes in competition, demonstrations, and coaching clinics here and abroad; youth organizations conduct international exchanges involving nearly 5,000 Americans and foreign teenagers annually. Foundations, businesses, institutions, and community organizations throughout America facilitate the private studies of the nearly 150,000 foreign students who come to study in the United States annually and approximately half that number of Americans who study abroad each year. Private American performing arts groups tour other countries; reciprocal opportunities are offered to counterpart groups from abroad. The People-to-People committees actively promote and carry out meaningful exchanges; the sister city program links 450 American cities with communities in 66 countries of the world.

Before we recently undertook to encourage new exchange activities in the private sector, we asked the cultural affairs officers in our embassies around the world whether they believed an increase in exchanges by private groups was desirable. They were also asked whether these activities further our long-term purpose of increasing mutual understanding with their respective countries. Almost without exception the posts replied that they wanted increased exchanges. They want them both to and from the United States. They confirmed that these activities contribute to removing barriers to understanding and to forming durable cooperative relationships.

Recently the Bureau of Educational and Cultural Affairs set up a special office to respond to the needs of private organizations seeking to participate in international person-to-person programs. This Office of Private Cooperation, on request, helps private organizations to become active internationally.

#### FOREIGN STUDENTS AND COMMUNITY ACTION

I could continue at great length about the significant international work of private U.S. organizations. None is doing more than the National Association for Foreign Student Affairs and the Institute of International Education by ensuring that the 150,000 foreign students on our campuses are well-oriented and making the most of their opportunities.

Foreign students comprise the largest group of resident visitors in the United States. When these students return home, they are apt to become leaders in their governments and in their societies. Their future interactions with us in solving major world problems, either on a governmental or nongovernmental basis, will be influenced by their perceptions and understanding of us developed in their student days here.

You know about the needs of the foreign students and what is being done to meet them. I am concerned, as I am sure you are, with articles which appear from time to time suggesting foreign students in the United States feel alienated. I understand research on foreign student attitudes is being undertaken to understand and begin to solve this problem.

I frequently have been asked what we, the American people, might do to improve this

situation. The capacity for commitment of the American people and their willingness to serve is generally acknowledged throughout the world. There is much to be done, and I believe Americans will cooperate when the way is pointed out to them.

Research suggests that one of the most significant elements in the experience of foreign students in our country is the relationship they enjoy while here with their professional counterparts. Foreign students have told me how much they value these relationships and also how seldom they are able to develop them. They are eager to pursue common professional concerns with Americans sharing their interests. When they have no such contact, they are disappointed and sometimes frustrated. More than half the foreign students in the United States are graduate students, and with them particularly, professional societies and associations can help. Community organizations can greatly enrich their programs by involving the foreign students. While recognizing many of these things are being done, professional and community groups can form international committees and take an active interest in the foreign students in their midst. Some organizations in some localities are already engaged in such activities.

I would suggest community groups—Rotary, Lions, Kiwanis, Civitan, Jaycees, PTA's, church and youth organizations—do more broadly what is being done so well in some communities in ensuring that foreign students are brought into American community life in meaningful ways. Many imaginative programs are being carried out, such as involvement of foreign students in necessary voluntary, community activities and in conferences with local business executives. The Foreign Policy Association, the UN Association, the League of Women Voters, and Chamber of Commerce, to name a few, can do more along these lines. In a few communities People-to-People chapters have been formed specifically for this purpose. The foreign students represent an immense resource for enriching community as well as campus life; it is greatly underutilized. Leaders of these groups will find full cooperation from the foreign student advisors on campus.

My colleagues and I in the Department of State have been gratified by the continuing commitment and cooperation of American university and college presidents and their administrators to enhancing the experience of foreign students on their campuses. Their support and reinforcement of the work of the foreign student advisors and community volunteers are essential to the success of this important work.

The college public relations directors (and the American Collegiate Public Relations Association at the national level) have been most helpful because they recognize the importance of this activity to the perception by the community of the colleges and universities as international centers with worldwide interest and concern. To make the need and opportunities known, and to expand programs through public exposure, editors and broadcasters should be enlisted. Their national organizations have shown great willingness to assist.

The alumni directors (and the American Alumni Council at the national level) can help in ensuring continuing ties with the *alma mater* when the students return to their home countries. The students develop great loyalty to their American colleges and want to remain in contact.

The foreign student advisors, the admissions officers, teachers of English, and the community volunteers of NAFSA are carrying forward these activities—and with great benefit to the foreign students and to our foreign relations. All of us in the Bureau of Educational and Cultural Affairs are constantly aware and appreciative of the effec-

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tive network of communication which you on the campuses maintain between the "Town and Gown." We recognize that our overseas guests, students, scholars and professors have been the fortunate beneficiaries of your constant and abiding concern for them while in the United States.

If they are not already doing so, I would urge the appropriate American organizations, in cooperation with foreign student advisors and community volunteers to undertake the following twelve-point program:

1. Invite foreign students to national, regional, and local conferences of professional organizations.
2. Invite them to participate in and deliver papers at workshops and seminars.
3. Invite them to join professional and community organizations, reducing membership fees as appropriate.
4. Provide foreign students with journals and publications in their fields.
5. Assist them with graduate school placement and finding jobs as appropriate.
6. Include foreign students in community volunteer work.
7. Provide scholarship assistance.
8. Provide them with home hospitality and assist in forming lasting personal ties with American families.
9. Invite them to address local groups; set up foreign student speakers bureaus.
10. Include them (and their spouses) in community events and activities.
11. Invite them on tours of businesses and provide them with community orientations.
12. Enlist foreign students in helping solve community problems in which they may be able to assist.

Few Americans have the opportunity that you have. Your day-to-day labors, your patience, your understanding, your professional expertise are having a deep and lasting effect on world affairs. You can take pride and satisfaction in knowing you are increasing mutual understanding, in demonstrating so well American values of individual freedom, pluralism, openness, concern, and friendly hospitality. Your dedicated efforts with foreign students are supporting one of the nation's most basic international objectives—helping establish strong people-to-people relationships based on trust and understanding.

Thank you for your continuing cooperation. My colleagues and I are proud to work with you in this important process of helping build "the human foundations of the structure of peace."

hope that Byelorussia will once again regain her freedom.

Our goal is to improve the work of the House so that major problems will be anticipated and considered in a coordinated and timely fashion.

Unfortunately, the select committee speaks in one direction and decides in the counter direction.

Since 1959, the House Merchant Marine and Fisheries Committee has had sole and total legislative jurisdiction over the increasingly important field of oceanography. The Select Committee decided to transfer this oceanography jurisdiction to the Committee on Science and Technology. Throughout the transcript of the Bolling Committee deliberations the Select Committee members continually referred to the Merchant Marine and Fisheries Committee "oceanography" jurisdiction. The line item appearing in its resolution under the Committee on Science and Technology is "oceanic and atmospheric sciences." Obviously, this line item reflects the Select Committee's concept of "oceanography."

The Bolling Select Committee also decided to break off ocean dumping and transfer it to the Committee on Energy and Environment. Similarly, it decided to break off coastal zone management and transfer that program to the Committee on Energy and Environment. Sea Grant Colleges would go to science and technology and seabed mining, marine mammals, and Coast and Geodetic Survey to energy and environment. These are all oceanography programs and must be considered together.

How will committee operation be improved if marine mammals are moved to the Committee on Energy and Environment while fisheries matters remain with the Committee on Merchant Marine and Fisheries? Porpoise mortality in the tuna fishery remains a problem of concern to the industry, the conservation community and the Government. If a coherent policy with respect to management of porpoises and tuna is a desirable objective, it is not likely to be achieved with split jurisdiction.

Marine mammals and fish cannot be treated separately nor can ocean dumping policy and fish. High incidence of mortality in California sea lion pups is directly traceable to high concentrations in DDT in the mother. Oversight responsibility splitting will hinder, not advance, efforts to force solutions.

What possible sense can it make to:

First. Split committee responsibility for coastal zone management and fisheries when 70 percent of the fish spends some part of their life cycle in the coastal zone?

Second. Split sea grant from coastal zone management when 80 percent of all sea grant's funds are expended on research in the coastal zone?

Third. Split fisheries from sea grant when major program thrusts in sea grant include maricultural projects and an extensive network of marine advisory services personnel dedicated to helping the fishermen?

Fourth. Split coastal zone management from coastal mapping and chart-

## THE 56TH ANNIVERSARY

## HON. ALPHONZO BELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. BELL. Mr. Speaker, today marks the 56th anniversary of the Proclamation of the Byelorussian Democratic Republic. On this day in 1918, the Byelorussian people proclaimed the end of the 18th century Czarist Russian take-over. In the mid-1900's, the country was once again conquered and is presently under the rule of the U.S.S.R. Through the bond of common heritage, the Byelorussian people have retained their individuality and preserved their rich culture. I ask that we join the Byelorussians in honoring this day of independence, and

## SELECT COMMITTEE ON COMMITTEES' FRAGMENTATION OF THE EXISTING MERCHANT MARINE AND FISHERIES COMMITTEE'S OCEANOGRAPHY JURISDICTION

## HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mrs. SULLIVAN. Mr. Speaker, on Thursday, March 21, 1974, I inserted certain remarks in the RECORD concerning the Select Committee on Committees' recommendations with respect to stripping the Merchant Marine and Fisheries Committee of certain of its jurisdictional responsibilities. At that time, I commented on the shifting of our existing Panama and interoceanic canal jurisdiction to the Foreign Affairs Committee. Today, I would like to discuss briefly the select committee's erroneous decision to disperse the Merchant Marine and Fisheries Committee's existing unified oceanography jurisdiction.

At the beginning of the Bolling select committee hearings, the vice chairman stated:

We are prepared to accept the great challenge of how to better create a more efficient committee operation, the heart and soul of that legislative process. (Hearings, vol. 1 of 3, part 1 of 2, page 3.)

In a colloquy with the Speaker of the House following the Speaker's testimony, one of the Bolling select committee members stated:

There might well be a greater degree of focusing attention with newer committees instead of this fragmentation which presently takes place. (Hearings, vol. 1 of 3, Part 1 of 2, page 14.)

In his article entitled "Committees in the House" the chairman of the Select Committee on Committees listed several ways in which he felt the present committee system fails the House. His fourth point states:

It (the present committee system) does not facilitate coordinated policies, nor does it coordinate emerging issues, because the jurisdictions of House committees are outdated. (Congressional Record, March 12, 1974, page 6491.)

In his article the chairman quoted one of the select committee members as follows:

Our first obligation is to see that there is a coherent realistic and contemporary setting for the consideration of all legislation and to be sure that the most commanding and imminent issues of public policy are mirrored and realized in the organizational structure of the Congress. (Congressional Record, March 12, 1974, page 6492.)

In the joint statement announcing the introduction of the resolution to reform the structure, jurisdiction, and procedures of the House, the chairman and vice chairman state:

ing, the source of many basic data items needed in the management process.

Fifth. Split the listing and enforcement responsibility for endangered species in the ocean from the committee's responsibility for fisheries and ocean research.

How can there be a greater degree of focusing committee attention to correct the Select Committee's concern for "current fragmentation" if ocean science research, the bedrock of management decision making, is placed in the Committee on Science and Technology while oversight responsibility for ocean program enactments is with the Committees on Energy and Environment or Merchant Marine and Fisheries?

The chairman of the Select Committee says that outdated jurisdictions in the House do not facilitate coordinated handling of emerging issues or policies. How can this statement be reconciled with passage by the Congress in the past 2 years of the Coastal Zone Management Act, the Marine Mammal Protection Act, and the Ocean Protection, Research, and Sanctuaries Act on the initiative of the Merchant Marine and Fisheries Committee in the House? Each enactment treated a pressing contemporary ocean problem.

The ocean is the contemporary setting for many national problems: energy sources, energy facility siting, minerals, food, recreation, and global transportation—each giving rise to commanding and imminent issues of public policy. As I mentioned above, since 1959 the Merchant Marine and Fisheries Committee has had sole and total legislative jurisdiction over this increasingly important field. The scattering of its responsibilities over the committee landscape can hardly be viewed as an improvement in the Congress' ability to provide the coherent realistic and contemporary setting that the Select Committee says it seeks.

Nor is the proposed reorganization likely to improve organization so that national problems will be anticipated and considered in a coordinated and timely fashion. With the science of the sea in one committee and all of the application of that science spread in two others, only a diffusion of leadership can result. The present effective focus will be lost and for the life of me I cannot see how the noble and worthy objectives of the Select Committee will be served one tiny bit.

According to the reams of publicity in the media concerning the Select Committee recommendations and the words and theories of the Select Committee members, one is under the impression that the purpose of the Select Committee was to streamline and improve the workings of the House. Taking just this one example of oceanography, which is traditionally one unified whole with all its jurisdictional entities in the Merchant Marine and Fisheries Committee and which is now fractured among three committees, I just cannot see that this is improvement. Contrary to its avowed purposes, the Select Committee has dis-

persed the former unity and cohesiveness of oceanography so that it will now be treated in different parts by diverse and different jurisdictional entities with what can only result in chaos and confusion.

It is ill-conceived decisions such as this which should provide ample evidence to compel the Members of the House of Representatives to vote down House Resolution 988, the Select Committee on Committees' resolution.

#### U.S. POSTAL DIS-SERVICE'S COLORING BOOK PROGRAM DRAWS CRITICISM

#### HON. BILL ALEXANDER

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. ALEXANDER. Mr. Speaker, March 25-30 has been proclaimed Student Postal Week by our Postal Service. In announcing the celebration, Postmaster General E. T. Klassen noted that the Service's new school program, heretofore known as the Junior Postman Coloring Book, will be launched this week to teach third, fourth, and fifth graders how to use the mails. I was quite concerned that the release announcing Student Postal Week contained a sampling of only favorable responses to the program. No doubt the unfavorable ones were lost in the mails. I feel compelled, Mr. Speaker, to counter the overwhelming support the Postal Service would have us believe this program is getting by sharing with my colleagues several letters from people all over the country who are fed up with the U.S. Postal Dis-

BIRMINGHAM, MICH.

March 9, 1974.

DEAR MR. ALEXANDER: In the Detroit News today I read about your criticism of the latest Post Office spending plan. It's good to know that at least one representative in Washington is aware of our disgraceful postal management and service.

It's anybody's guess how many days it will take a letter to get from A to B but you can be certain it will take about twice as long as it did before the Post Office became "independent." The other guarantee is that with every rate increase there will be a corresponding service decrease. Also, since every location is now called Postal Service we don't even know where a letter was mailed, let alone where it has been hidden in the meantime.

Children don't need a \$310,000 campaign to learn how to use the mail. It is the U.S. Post Office that needs to learn efficiency in getting that mail to its destination.

Thanks to you and keep at it.

Sincerely,

(Miss) HELEN B. CONDON.

WICHITA, KAN.

March 18, 1974.

REPRESENTATIVE ALEXANDER: I would like to commend your stand against the postal system's "coloring books."

Whether the amount is \$1,000,000 or \$450,000 the enormity of the amount is evident.

Any school teacher from third grade up does have a child write a letter as part of

an English assignment. She has that child address an envelope with street address and zip code. She does not have the child place a stamp on the envelope, but could if the child couldn't do it for himself.

I learned in the third or fourth grade at school, didn't you? Zip codes were not in existence for me.

As a school teacher I would like to congratulate you on your stand against this ridiculous expenditure.

Sincerely,

SUE HIGHFIELD.

WENATCHEE, WASH.

March 10, 1974.

DEAR MR. ALEXANDER: I have just read in the paper at your outrage about the Postal Service sending out 5 million copies of funny books, etc. to the schools. Believe me you are not alone in the way you feel. Only a few days ago there was a three quarter page of propaganda in our newspaper telling why the postage was raised. Ours is a town of only about 18,000 so you can see how many such ads there were. There was the same ad in a Spokane paper. And have you seen the list of things Reps. Gross and Udall found in Postmaster General's place of business when they investigated? Here is just a few of them. \$130,000 reception room. His receptionist desk \$1,576, phone desk \$194, convertible couch \$1,143, 7 fancy chairs \$5,748. Bathroom marble counter top \$800. Carpeting \$11,666.

Full kitchen \$44,909, Pantry \$5,280, 13 dining tables \$7,607, 80 dining chairs \$11,044. I am sure the PMG doesn't do the cooking and dishwashing so there must be a staff of servants also. On top of all this he ran up a \$12,900 bill for travel.

On top of this the postal clerks and letter carriers negotiated a billion dollar 2-year contract which will give them more than \$11,000 per year with 2 cost-of-living increases per year and a no-layoff guarantee, and the postal service will pay a greater proportion of employees' health and life insurance premiums.

It seems to me that something will have to be done to clip the wings of this outfit.

We had better mail service 30 years ago than we have now and it doesn't cost half as much. I have lost two pieces of mail since the first of the year that I know of. One a check to the phone co.

Mr. Klassen has said that the first class postage may go up to 30c. That is very probable if he is allowed to keep on spending the way he has been. I don't blame you for feeling as you do about the postal service. I hope Mr. Alexander you can find some way to put a stop to such waste.

Respectfully,

Mrs. ETTE PAXTON.

WINSTON-SALEM, N.C.

March 12, 1974.

DEAR SIR: Thanks to God we people of this great country of ours have one man in the House of Representatives, one man whom looks after the Taxpayer of our country.

I read with joy where you were giving the Postal Service fits over spending a million dollars on a color book for the kids of this country, and which has not one thing to do with our sorry postal service.

What the Congress of the United States should do now is to throw Elmer T. Klassen out on his head, as the Postal Service has gone to hell since he got into the Postal Service and has hired over fifty of his very personal friends at a high salary to do nothing, and has kept the old people like I am from writing his family each week, as on my small pension I can not make ends meet.

Why did not Congress stop the High Price of stamps, and all Klassen wanted was more

## EXTENSIONS OF REMARKS

money for him to throw away and hire more of his friends—

I was talking to a supervisor of the mails here in Winston-Salem and he said that the mail service had gone to hell and it should be taken out of Klassen's hands as he has ruined it, and the service had fell off 33% since he took over.

Our mail service is rotten to the core, so mail comes three to seven days late, and it is this service we are paying for. *No* it is rotten.

Everywhere people are angry at the price on stamps, and at the senior citizens meeting last week it was brought up as the hardship it was causing on the poor people so that the Postal Service could sit back and draw a great big fat salary and also bring people into the Postal Service that knew nothing but drawing their "fat checks."

Keep up your good work, and the poor people who bears the tax burden of this country will put you in high esteem in their memories—

Stop this extra foolish spending on this Junior Postman books, and dump this Elmer T. Klassen out of office.

We in N.C. admire your work.

Yours truly and friend,

W. R. PERRY.

**REFORM OF THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970**

**HON. JAMES ABDNOR**

OF SOUTH DAKOTA

**IN THE HOUSE OF REPRESENTATIVES**

*Monday, March 25, 1974*

Mr. ABDNOR. Mr. Speaker, the Select Labor Subcommittee of the Education and Labor Committee held hearings March 19 and 20, on the Occupational Safety and Health Act of 1970. This marks the beginning of an extensive review of the act's implementation and general applicability toward the achievements of the purposes and policy of assuring every working man and woman safe and healthful working conditions.

Next month will mark the act's third year of implementation. There are many concerns to be brought to light regarding various aspects of the operations and enforcement procedures of OSHA. As a participant in the proceedings of providing testimony on the need to reform the act, I indicated that we need to change provisions starting from the manner in which standards are set all the way through the inspections process and into the review and appeal rights afforded the cited individuals.

Mr. Speaker, I submit my testimony before the Select Labor Subcommittee of the Education and Labor Committee for the consideration of my colleagues:

**STATEMENT OF CONGRESSMAN JAMES ABDNOR**

Mr. Chairman, Members of the Subcommittee on Labor, I greatly appreciate the opportunity to appear before you today with testimony reflecting the feelings of my constituency, as well as my own, on the Occupational Safety and Health Act of 1970. Appearing with me are representatives of South Dakota's major economic bases, the farmer and the small businessman. Mr. Gary Enright, Executive Director of the South Dakota Farm Bureau, and Mr. Art Kroetch, President of Little Scotchman's Industries, will present the specific cases concerning the farmer and the small businessman and their relationships with OSHA.

The declared Congressional purpose and

policy of the 1970 Occupational Safety and Health Act was:

"To assure so far as possible every working man and woman in the Nation safe and healthful working conditions and to preserve our human resources."

I do not feel this purpose and policy is now being carried out. There is ample evidence that OSHA is punitive rather than remedial in its approach to assuring safe and healthful working conditions. The act is negative where it should be positive. The act does not help to create safe conditions; it only penalizes where they are lacking. If the act is not amended to meet its purpose, then it should be repealed. I would like to think that Congress would rather amend and provide a helping hand to the employer and the employees in order to create safe and healthful working conditions, rather than to punitably club the employer for innocently violating standards as they specifically apply to his business.

Although the act has as its main purpose the positive goal of assuring safe and healthful working conditions, the act attempts to achieve that goal through negative practices and procedures of highly questionable Constitutionality. Inspections are to find fault and penalize, rather than to provide advice and direction for compliance. Citations cite faults and abatement periods with no guidance to the employer on how to come into compliance. Standards and regulations are virtually impossible to understand unless you have a library of legal documents for cross reference purposes. Most employers are unable to determine which standards apply to them once they do understand what is meant by the regulation. Too often the cost of compliance outweighs any benefits gained. The act's review and appeal processes create havoc with the Fifth Amendment's due process guarantees in that arbitrarily fixed time limits are mandated for contesting citations, and limitations are put upon the employer as to evidence for his defense. Only after the Occupational Safety and Health Review Commission renders a final decision can the cited individual gain the constitutionally guaranteed protection of due process by seeking judicial review of his case in an appellate court.

In order for the act to maintain a semblance of positive and helpful intent, certain reforms must be made. The goal of creating safe and healthful working conditions can better be attained by aiding and cooperating with the employers of businesses and their employees. The following are my suggestions for reform which in most cases have been widely agreed to by others in Congress and the business-labor community.

**INSPECTIONS**

The act should provide for announced inspections affording the employer the opportunity to be present during the inspections as well as afford him the opportunity to have available on the "walk-around" his own expert in the safety and health field. By having his own man, *per se*, the employer could be advised of the significance and professionalism of the inspector's notations of supposed violations.

**CITATIONS**

The punitive nature of the citation process accompanied with mandatory fines for "serious" violations and discretionary fines for "non-serious" ones should be removed and replaced by the positive method of no penalty unless abatement has not been carried out in the specified time limit. Such a provision is provided in H.R. 2448. The OSHA inspector should also at the time of the citation of violations provide expert advice as to how the employer may come into compliance and thus meet the time limit for abatement. Congress should provide the legislative authority needed for advising compliance in order to achieve the intended purpose of the act. To ignore this badly needed service to an em-

ployer, we state, in essence, that the government is more interested in finding fault and collecting fines than it is in attempting to provide safe and healthful working conditions. The burdensome costs of the employer, especially the small businessman, in hiring a private engineering and safety consulting firm drains financial resources and may cause plant closings and labor layoffs.

**STANDARDS**

As proposed in H.R. 2449, there should be a separation of applicable standards for the varying aspects inherent within the differences of small and large businesses. In one specific case, separate standards should be written for "light residential construction" and "heavy construction." Generally, standards are too complicated for the individual to understand. They should be written in lay language with specific delineation and separation into the various business enterprises. All proposed standards and regulations should be subject to an economic impact study which would afford facts for the determination of the cost benefit as well as needed background for applicability to business concerns. The enforcement of some standards would in some instances drive businesses out of business with little increase in the safety factors.

**ON-SITE CONSULTATIONS**

H.R. 6592 provides for "on-site consultations" by the OSHA inspectors to businesses employing 25 or fewer employees. This is badly needed in that, above all else, it provides for the employer to see what he is doing wrong and how to correct the situation without being subject to a fine.

**REVIEW AND APPEAL**

The time period for contesting citations of violations should be changed from the present 15 days to 30 working days. The Occupational Safety and Health Review Commission should not have the power to increase fines, as this presently acts to deter one from taking advantage of the proper review and appeal rights he does have however limited. Final decisions by the Review Commission should be immediately stayed upon appeal of the case to the appellate court. Presently OSHA cannot withdraw mistakenly cited violations without a hearing in an appeal nor can the employer withdraw from his contest without proving abatement, fines paid, or employees notified. The strict restrictions on withdrawal should be removed, thus saving money and ending burdensome time consumption.

Further, a thorough review should be given to overall enforcement procedures of OSHA. It would behoove Congress to remove the onerous "guilty until proven innocent" implication this act carries. Provision should be made providing for judicial review in the first instance rather than the last. OSHA should be vested with the powers to conduct hearings and issue orders directing specific compliance with legislation or regulatory standards, only after the proper judicial review rights are provided as in the cases of the Federal Trade Commission, the National Labor Relations Board, and the Equal Employment Opportunity Commission.

Finally, the Subcommittee will find of interest the following selected letters and cases from my files regarding OSHA. The letters briefly noted are representative of the feelings toward OSHA as expressed by my constituents. I would like to bring special notice to the cases of the S & L Millwork Company, Inc., of Rapid City, South Dakota.

Thank you for affording me this opportunity to testify on the need to change a law abridging the rights of individuals in order to achieve a meritorious goal. I believe this goal could better be achieved by other means while yet maintaining all rights of due process.

From Mr. and Mrs. Don Erickson, Don's

March 25, 1974

Custom Cabinet Shop, Route 2, Box 198, Rapid City, South Dakota: "We as a small business employing 2 full-time men, feel that OSHA has been very unreasonable and dictatorial. The little business is being cited and fined for such petty and insignificant things as no lid on a waste receptacle in the ladies' room. Complying with real safety and health laws is acceptable but we feel that these penalties and harassments are just out of line and a bit unconstitutional."

From Gordon Thune, Vice President, The Thune Hardware, 815 North Main, Mitchell, South Dakota, addressed to the Occupational Safety and Health Administration in Billings, Montana: "Enclosed please find our check for ninety dollars in payment of the so-called violation to the safety of our employees. We feel it is cheaper to pay the fine, rather than take such matters to court. However, our Constitution gives us the right to protest what we feel to be an injustice to our right to live and earn a living."

"We have been in the hardware business in the Mitchell area since 1937, with my father's original time dating back over fifty years. In all that time we have never had a so-called reportable injury."

"The operation of this store has not been or will it be to run a business hazardous to our employees or customers."

"Local independent hardware stores throughout the country are usually family affairs, with customer service as a very important facet—bolts on a wagon, sharpen mower blades, or oil a mother's stroller, etc. We do not operate a manufacturing or assembly plant. We merely try to give the service that larger chain and discount stores don't give."

"The number of employees can vary here in our store according to the season; but even with ten or twelve employees, we only have one man in our repair shop. He is a qualified repairman and knows his tools and what to do with them. The female employees in this store do not operate, nor do they want to be involved with them, the service department."

"We were very displeased to learn that institutions were given five days to comply with the citation issued to them and we were not given that same courtesy. We do want to comply, and we have corrected the non-serious citation from your office."

"Safety is important. Most stores of our type would gladly try to comply. We think, however, they could be inspected and given the citation—then if they do not comply or correct the situation, a fine would be necessary."

"Copies of this letter have been sent to Washington in hopes that this law can be amended to take care of retail stores in a different manner than manufacturing firms."

"Thank you for letting me print my thoughts and for your courtesy in printing this letter."

From David Richards, Howes Route, Box 30, Sturgis, South Dakota: "Since I employ youth and am an advisor to the Meade 101 Vo-Tech school on agriculture, I could offer some suggestions."

"1. Children need to learn to work early in life to establish good work habits for later occupations. I suggest that freshmen in high school be allowed to work on farms and ranches provided that they have been given some safety training through either 4-H clubs or a school ag course."

"2. Most farmers and ranchers have learned safety through experience. They teach the youth employed as fast as they can how to handle machinery, tools, chemicals, or livestock because injury or damage to livestock or machinery is costly. I suggest that rural employment of youth from high school freshmen on up be exempt from the OSHA regulations except where more than two youth are employed at a time for 12 months of the year."

## EXTENSIONS OF REMARKS

"3. OSHA regulations pertaining to tools and conditions of machinery should be exempt on farms and ranches or feed lots where no more than one or two youth are employed. This would be satisfactory since when a youth is going through apprenticeship a farmer tells him what to do and farmers can teach safety as well as an instructor."

From Mr. and Mrs. Frank Hoffmeyer, Vance Motor, Inc., 30-5th Avenue, Belle Fourche, South Dakota: "I would like very much to see the entire law repealed. There is nothing fair about the way the regulations are enforced. A criminal guilty of drug, robbery or murder charges is shown more consideration for his Constitutional rights than the owner of a business. For example, an OSHA inspector can enter your place of business without a search warrant. Try that on a drug pusher and the whole thing is thrown out of court."

"A law as far reaching as this should never have been passed as a rider to something like the E.P.A. legislation. If any one of the senators or congressmen would take the time to read even one of the many booklets of regulations, and they are written in very fine print, and then try to enforce or cover all of them, maybe they could better understand the problems a small businessman faces in having to deal with a created monster like OSHA."

"As for the fines and penalties, one is fined more for not having a three-pronged plug on an adding machine than you would be fined for speeding in a school zone, including court costs. The whole thing smells like complete government control over anyone who has the courage to try to make something of himself."

From James Bruns, President, Hazard Specialists, Inc., 3209 South Prairie Avenue, Sioux Falls, South Dakota: "Recently the Occupational Safety and Health Association under the Department of Labor proposed new safety standards for farmstead equipment, farm field equipment and other agricultural equipment. These proposed regulations and, I assume, penalties could have serious effects on the American farmer and his ability to produce. In this time of shortages, I feel that a serious study should be taken into the actual need for this type of legislation in which the average farmer has no voice. I am also wondering if the committee which was appointed to proclaim these regulations ever considered the cost of having the necessary guards installed, or for that matter the feasibility of even getting someone to design, manufacture and install all of these guards. According to these regulations, all farm machinery comes under the guarding requirements. I'm sure that the committee never considered the amount of machinery which a small farm must have for occasional use. If he is required to install the guards, there is a good possibility that he will try to do the job himself and will create more of a hazard than what he already has."

"I personally think that if the committee had considered the cost, feasibility, or the possible hazards which the average do-it-yourself farm could create they would not have proposed these regulations."

"Perhaps as I mentioned earlier in this letter, a cost and feasibility study should be undertaken. A similar study was undertaken by a private company of the costs in the reduction of the maximum noise levels allowed for the industry. The proposed reduction was from the present 90 dB to 85 dB. The results of the study indicated that for the benefits gained the costs were unjustified. Consequently, the regulation has remained unchanged."

From H. P. Howard, Argus Printers, P.O. Box 37, Stickney, South Dakota: "The trouble with OSHA it seems is that the inspectors are too anxious to find something wrong (to build up their reputations for efficiency) and unable to distinguish between the dangers in a small plant with a few pieces of equip-

ment and a large one with many pieces. So they end up by hurting small business."

"I don't think Congress intended to do anything but make plants safe. I don't think Congress intended nit-picking."

"Mainly where the law could be amended is in that feature where inspectors have judge-and-jury powers. That's not right at all. And the inspectors ought to give plant owners a chance to rectify whatever is wrong."

From Linus Storms, Winner, South Dakota: "I just listened to a program on the radio that motivated me to write this letter. It had to do with OSHA. I have always been opposed to this bill, and now that there is an effort to get rid of it. I urge you to join it. I was employed by a pole building company before coming to the farm. One of OSHA's laws nearly caused a serious accident for me. I am not accustomed to wearing glasses and when I was forced to wear safety glasses at all times on the job it was pure discomfort. One day we were putting steel on the roof and I was walking down the 2X4 spaced about 21" apart. I started walking down them when all of a sudden I fell through. I saw the rim of the glasses and mistook it for a 2X4. I had walked up and down a thousand times before and had never done anything like that before."

"There is a time and a place for all safety measures and the workmen should be able to choose for themselves when and where to use them. If a man isn't smart enough to protect himself against obvious dangers, then no law in the world can protect him from his ignorance. I urge you to strike this law from the books."

From Mr. and Mrs. Lyle Stoner, Lyle's Red Owl, Gettysburg, South Dakota: "I feel this is the worst piece of legislation ever passed. An inspection was made of my business on October 25, 1973. The alleged violations were: fire extinguisher had no inspection date entered on the durable tag; there were three pieces of equipment not properly grounded. I agreed to fix these immediately which I did. Two weeks later I received a citation from the U.S. Department of Labor, Suite 525, Petroleum Building, 2812 First Avenue North, Billings, Montana. They informed me that I had been fined \$30.00. I paid the fine but feel this is as undemocratic as things can become. Several businesses were fined in Gettysburg. One businessman has refused to pay his fine."

"I have four full-time and three part-time employees. I am a small business struggling to stay in business during these turbulent times. Also, I was sent a recordkeeping booklet which stated I would be required to make a report early in 1975 on occupational illnesses and injuries. I have been in business since 1968 and have not had an occupational illness or injury occur in my business. I do not feel small businesses should be subjected to this type of requirement."

"A few years ago this type of harassment by the mobsters was considered illegal. Today the U.S. government does it, and it is legal."

"I can't imagine how such poor legislation can be permitted to become law. When will one of their inspectors decide to inspect my place of business and fine me again? You get no warning or opportunity to correct the error. It doesn't seem possible this type of action is happening here in the United States. In Russia, yes, but in the United States? Goodness knows what will be next."

From Hiram Dutton, Faith, South Dakota: "I think it would be a good idea to repeal the OSHA law. I like to give high school boys work in the summer, and with this law you don't dare take a chance."

From Wallace F. Sweetland, Executive Secretary, Training Director, Electrical Contractors of South Dakota, P.O. Box 926, Mitchell, South Dakota: "You might consider the obvious problems which will be created if OSHA compliance officers are recruited from

## EXTENSIONS OF REMARKS

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union ranks as indicated in the attached informational sheet. There is no doubt that another "in-house labor council" is being developed within the Labor Department. Most affected will be manufacturing and construction."

From Brian Crane, Crane Publishing Company Inc., P.O. Box 822, Rapid City, South Dakota: "Naturally everyone should be aware of safety on the job and it should be a continuous effort for everyone to work toward this goal. I think that if you will check some of the statistics on industry over the last 40 years, there are less accidents per man hour than ever before. Naturally, we want to make them even less yet, and I am sure that the William Steiger Act was brought about to accomplish this goal, however, it is an unconstitutional act. Free Enterprise system must be allowed to cleanse itself and government intervention and government control will only make the problem worse. The William Steiger Act should be declared unconstitutional and we should rid our country of this gross inadequacy."

From Charles J. Root, Route 1, Box 450, Rapid City, South Dakota: "The most dastardly program any branch of our government has ever foisted upon its small businesses, contractors, and industries is that program executed by OSHA. No man can know what all their regulations are nor can he meet their demands even if he did know, nor can they possibly execute them in any sort of a fair fashion. Conceived by the Communist leadership of the Health, Education, and Welfare Department and handed to the Labor Department to give it some sort of excuse for its necessity, it stands hated by all persons with any ambition to build any kind of a business of their own and even feared by most because of its wicked looking

teeth. The only answer to it that I know aside of its death is a good ever loaded shotgun."

From Gerald K. Miller, Miller Equipment Inc., Rapid City, South Dakota: "We were fined \$25.00 for the noted violations, after being given a reasonable amount of time to come into compliance. We did correct the so-called violation in the time given, and were fined anyway.

"It seems to us that this is certainly not the American way. If the legislators in Washington have to resort to this kind of law and have the power to fine American business even after they come into compliance with the OSHA laws, we had better replace them with people that have been in business. These people at least understand how to make their time count. They understand that a person should usually get a chance to correct a mistake."

From Donald Haedt, dba Haedt Sash and Door Company, 110 E. St. Louis Street, Rapid City, South Dakota: "On July 3, 1973 we were inspected by an OSHA compliance officer and received a citation with a list of 14 non-serious violations, and fined a total of \$155.00.

"We are a small company only employing two people and have an excellent safety record. This is not a large fine but the parts and labor to bring these so-called violations into compliance amounted to \$1100.00 and left some of our machines practically useless.

"I do not believe this kind of control has any positive results in a small business that employs skilled help and has a good safety record. The very fact that you are fined and then told what to do instead of consulted and helped makes the whole program dictatorial and leaves the employer with an even more negative attitude, with more paper work, less efficient machinery, and less incentive than before."

## S &amp; L MILLWORK COMPANY, INC.

The following are the documented citations, petitions for variance, and employee statements relative to the S & L Millwork Company's contest of their case. Thus far in the proceedings OSHA has noted that they make a mistake in citing the company but are unable to withdraw from their actions without the Review Commission's decision to do so. Hearings on the case will occur on March 21, 1974.

It should be noted that in order for this company to complete its type of work of cabinet making by the use of the rip saw, anti-kickback dogs and guards cannot be used. OSHA has recognized this and does have a standard which provides that in the cases of grooving, dadoing, rabbeting, slotting, and kurfing, no guards are required, but in inspecting the company noted citations were issued for the lack of anti-kickback dogs and guards on the rip saw. This case clearly points out the need for reform of the review and appeal processes of the Occupational Safety and Health Act of 1970.

OCCUPATIONAL SAFETY AND  
HEALTH ADMINISTRATION,  
BILLINGS, MONT.

## CITATION

S & L MILLWORK CO., INC.  
Rapid City, S. Dak.

Type of alleged violation(s): nonserious.

An inspection was made on July 3, 1973, of a place of employment located at Rapid Valley just above School Road and described as follows: All types of millwork.

On the basis of the inspection it is alleged that you have violated the Occupational Safety and Health Act of 1970, 29 U.S.C. 651 et seq., in the following respects:

Item number	Standard, regulation or section of the act allegedly violated	Description of alleged violation	Date by which alleged violation must be corrected
1	29 CFR 1910.106(g)(8)	No Smoking signs were not provided at the fuel dispensing unit located on the south side of the mill building. (1)	July 30, 1973
2	29 CFR 1910.213(c)(1)	The following hand-fed ripsaws in the mill shop were not guarded by a hood as required: (2). 1. Wallace universal; 2. Atlas SN 006537	Sept. 13, 1973
3	29 CFR 1910.213(c)(2)	The following hand-fed ripsaws in the mill shop were not furnished with a spreader: (2). 1. Wallace universal; 2. Atlas SN 006537	Aug. 14, 1973
4	29 CFR 1910.213(c)(3)	The following hand-fed ripsaws in the mill shop were not provided with nonkickback fingers or dogs: (2). 1. Wallace universal; 2. Atlas SN 006537	Aug. 14, 1973
5	29 CFR 1910.213(h)(1)	The DeWalt 85490 radial saw along the north wall of the shop was not provided with a guard for the lower exposed portion of the blade. (1)	Sept. 13, 1973
6	29 CFR 1910.213(h)(3)	The DeWalt 85490 radial saw along the north wall of the shop did not have the stop adjusted to prevent travel of the blade beyond the edge of the table. (1)	July 30, 1973
7	29 CFR 1910.213(h)(4)	The DeWalt 85490 radial saw along the north wall of the shop was not installed so that the cutting head would automatically return to the starting position when released by the operator. (1)	July 30, 1973
8	29 CFR 1910.213(j)(3)	The jointer located near the center of the mill shop was not provided with an automatic adjusting guard as required. (1)	Aug. 14, 1973
9	29 CFR 1910.215(a)(2)	The King N2-63 abrasive wheel grinder located near the west wall of the mill shop was not provided with a properly designed safety guard. (1)	Aug. 14, 1973
10	29 CFR 1910.309(a) NEC 1971, article 110-17(a)	Live parts of electrical equipment operating at 50 volts or more located on the south wall of the plywood storage room were not guarded against accidental contact. (1)	July 30, 1973
11	29 CFR 1910.309(a) NEC 1971, article 250-45(d)	The Stanley H-36A heavy duty hand held electric sander near to the south wall of the mill shop was not grounded. (1)	July 30, 1973

The law requires that a copy of this citation shall be prominently posted in a conspicuous place at or near each place that an alleged violation referred to in the citation occurred. The citation must remain posted until all alleged violations cited therein are corrected, or for 3 working days\*, whichever period is longer.

## RIGHTS OF EMPLOYEES

Any employee or representative of employees who believes that any period of time fixed in this citation for the correction of a violation is unreasonable has the right to contest such time for correction by submitting a letter to the U.S. Department of Labor at the address shown above within 15 working days\* of the issuance of this citation.

"No person shall discharge or in any man-

ner discriminate against any employee because such employee has filed any complaint or instituted or caused to be instituted any proceeding under or related to this Act or has testified or is about to testify in such proceeding or because of the exercise by such employee on behalf of himself or others of any right afforded by this Act." Sec. 11(c) (1) of the Occupational Safety and Health Act of 1970, 29 U.S.C. 651, 660(c) (1).

## [U.S. Occupational Safety and Health Review Commission]

(Peter J. Brennan, Secretary of Labor, U.S. Department of Labor, Complainant, v. S. & L. Millwork Company, Inc., Respondent).

## AMENDMENT TO PETITION FOR VARIANCE

Pursuant to 29 CFR 1905.11 of the Occupational Safety and Health Standards, Chapter XVII of Title 29 CFR, the following additions are added to the Petition filed by the petitioner.

1. Name and address of the applicant: S & L Millwork, Inc. East of Rapid City,

South Dakota, P.O. Box 3123, Rapid City, South Dakota 57701.

2. The address of the place or places of employment involved: Same as 1. above.

3. The normal high grade of cabinet and fixture millwork used in S. & L. Millwork, Inc.

4. Ninety-nine percent (99%) of all work done by the petitioner, which involves the use of the rip saw, is grooving, dadoing, rabbeting, slotting, kurfing, which pursuant to 1910.213 C2, the spreaders, anti-kickback dogs and guards are not required by the standards. Attached to the amendment to the petition are pictures of various kinds of cuts that are performed in the petitioner's business which are impossible to do with the equipment required by the standard, therefore, the request for the variance is sought.

5. The standard set forth in the regulation is not the standard for the type of operation involved herein. All the saws used by the petitioner, S & L Millwork, Inc., are spe-

\*Under the Occupational Safety and Health Act, the term "working day" means Mondays through Fridays but does not include Saturdays, Sundays, or Federal holidays.

cially sharpened to prevent kickback. The saws are sharpened specially to a different type of angle on the cutting teeth to insure a better cut and a smaller cut. The standard rip blade has a hook in the teeth, they are very big teeth, they use very big blades with fewer teeth. The type of rip blade used by the petitioner herein has more teeth and they are filed to take the hook off the teeth. For rough rip sawing the petitioner buys a special carborundum blade which has more teeth and less of an angle to the hook. For fine rip saw work your petitioner files its own blades and files them so they don't have a harsh tooth.

Attached hereto are Affidavits by the Superintendent and employees of the petitioner, S & L Millwork, Inc. which show not only that they know of the petition but that they are concurring and request it.

ROBERT A. WARDER,  
(Gunderson, Farrar, Aldrich, Warder,  
DeMerssman & Wilkins, Attorneys for  
Applicant.)

## AFFIDAVIT

I, Russell Skog, Superintendent of the Petitioner, S & L Millwork, Inc., being first duly sworn upon oath, depose and state as follows:

That I have been a cabinet maker in excess of forty-six (46) years; that the last accident that I can recall in S & L Millwork, Inc. was approximately twelve (12) years ago and was not with a rip saw; that I, personally, have never been injured on a rip saw; that I have never had the occasion to see a rip saw tooth break off; that all of the saws used in S & L Millwork, Inc. are specially sharpened to prevent kickbacks; that I cannot recall a kickback type to which the standards apply.

WHEREFORE, I join in the request of the Petitioner, S & L Millwork, Inc. to allow a variance to the standards pursuant to the requests set hereinbefore and to which this Affidavit is attached and made a part hereof.

RUSSELL SKOG.

## AFFIDAVIT

STATE OF SOUTH DAKOTA,  
COUNTY OF PENNINGTON, ss:

I, Orvall Skog, being first duly sworn upon oath, depose and state as follows:

That I have been engaged in mill work and cabinet work in excess of twenty-five (25) years; that I have never been injured on a rip saw; that it is impossible to do the fine cabinet work that we do if the saw has a spreader, anti-kickback dog and blade guard.

WHEREFORE, I know this Affidavit will be attached to a Petition for Variance and I herewith join in the petition for the variance.

ORVALL SKOG.

## AFFIDAVIT

State of South Dakota, County of Pennington, ss.

I, Earl Sparlund, being first duly sworn upon oath, depose and state as follows:

That I have been engaged in cabinet work in excess of thirteen (13) years; that I have never been injured on a rip saw; that it is impossible to do the fine cabinet work that is done by petitioner with an anti-kickback dogs, spreader devices and blade guards; that I have never been injured using a rip saw without any of these devices and it is impossible to work with them.

Wherefore, I join in the petition for the variance and request that the variance be granted.

EARL SPARLUND.

## CERTIFICATION

I, Russell Skog, Superintendent of S & L Millwork, Inc., herein certify that I have

## EXTENSIONS OF REMARKS

informed my employees of the application for a variance; that I have posted such application in a conspicuous place upon the premises wherein the petitioner, S & L Millwork, Inc., is located and further, that my employees have joined in this petition and signed affidavits to that effect.

RUSSELL SKOG,  
Superintendent, S & L Millwork, Inc.

## TENNESSEE FARM INCOME EXCEEDS \$1 BILLION IN 1973

## HON. LAMAR BAKER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. BAKER. Mr. Speaker, the final figures are in and it is wonderful news for us in Tennessee to learn that farm income for the Volunteer State exceeded \$1 billion in 1973.

It becomes all the more impressive when you realize that every person in Tennessee benefits from this achievement, because every dollar of farm income generates over \$3 in local non-farm income. That means that Tennessee farmers, directly and indirectly, contributed more than \$4 billion to the State's economy last year.

Knowing the character of the Tennessee farm community, it is a foregone conclusion that they will strive for even greater goals, continuing to provide the abundance of food and fiber which we Tennesseans and all Americans enjoy today.

In recognizing this milestone, Gov. Winfield Dunn has stated:

Congratulations to our state farmers on this attainment of their goal of one billion dollars in farm sales. The sale of cattle and calves alone last year was equivalent to an industry employing 44,712 individuals at \$3.00 per hour, 40 hours a week for 52 weeks. All Tennesseans feel a sense of pride in this accomplishment.

And from the Tennessee Commission of Agriculture, Guilford Thornton, this acknowledgement:

The Tennessee farm family who provides food for our table and fiber for our clothing and shelter feels a sense of pride in their ability to produce an abundance of these necessities. It is this ability to supply the world that gives the consumer in our state and nation the greatest freedom at the least possible cost enjoyed by any people in any country ever before in history. We are grateful that someone is working to provide those things we need.

I join with Governor Dunn and Commissioner Thornton in recognizing the record advancement Tennessee farmers have made. There has been steady advancement since 1960, but the biggest gains have come since 1970. During the remainder of the 1970's we can expect even bigger gains as Tennessee agriculture continues to realize its potential in the production of food and fiber for here and abroad.

## POLICEMAN'S MEDAL OF HONOR

## HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. GILMAN. Mr. Speaker, I am today introducing legislation creating a Policeman's Medal of Honor in recognition of the valiant deeds of our Nation's law enforcement officials.

Patterned after the Congressional Medal of Honor, my bill will allow the President, in the name of Congress, to award a medal of honor to a police officer who has distinguished himself beyond the call of duty.

Law enforcement officials—local, State, and Federal—have a difficult task—a task that is often unappreciated and unrecognized. Each day, our policemen and women put their lives on the line defending our citizens, and protecting our way of life from the criminal elements in our society. Many of their valiant deeds go unnoticed by the daily newspapers, the radio and TV.

Accordingly it is timely that we bestow well-deserved honor on our law enforcement officials by providing a vehicle whereby they may receive the recognition they so richly deserve. Mr. Speaker, I invite my colleagues to join me in support of this measure creating the Policeman's Medal of Honor and I include the full text of the measure in the RECORD at this point:

H.R. —

A bill to establish a medal of honor to be awarded by the President to law enforcement officers for distinguished services above and beyond the call of duty

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President may award, and present in the name of Congress, medals of honor of appropriate design, with ribbons and appurtenances, to any person who while a member of a Federal, State, or local law enforcement agency, distinguished himself conspicuously by gallantry and intrepidity at the risk of his life above and beyond the call of duty.*

Sec. 2. (a) No more than one medal of honor may be awarded to a person. However, for each succeeding act that would otherwise justify the award of such medal, the President may award a suitable bar or other device to be worn as he directs.

(b) Except as provided in subsection (c), no medal of honor may be awarded to a person unless—

(1) the award is made within three years after the date of the act justifying the award;

(2) a statement setting forth the distinguished service and recommending official recognition of it is made within two years after the distinguished service; and

(3) his service after he distinguished himself has been honorable.

(c) If the President determines that—

(1) a statement setting forth the distinguished service and recommending official recognition of it was made and supported by sufficient evidence within two years after the distinguished service; and

(2) no award was made, because the statement was lost or through inadvertence the recommendation was not acted on; a medal of honor or device in place thereof may be awarded to the person concerned

within two years after the date of that determination.

Sec. 3. There will be established under this Act, a five-member advisory committee for selecting and screening candidates for the police medal of honor award. The advisory committee will include at least one representative from the law enforcement field.

Sec. 4. Any medal of honor or any bar, ribbon, or other device issued for wear with or in place of such medal, that is lost or destroyed or becomes unfit for use, without fault or neglect of the person to whom it was awarded, shall be replaced without charge.

Sec. 5. If a person dies before the award of a medal of honor, the award may be made and the medal or device presented to his representative, as designated by the President.

#### MAN STACKS THE EVOLUTIONARY DECK

**HON. JOHN D. DINGELL**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. DINGELL. Mr. Speaker, I insert in the Record an article from the April/May issue of the magazine published by the National Wildlife Federation concerning man's relationship in the evolutionary process which I commend to the attention of the Members of Congress.

#### MAN STACKS THE EVOLUTIONARY DECK

(By Isaac Asimov)

It is slow and it is subtle, but above all, evolution is a stunningly arbitrary process. For more than three billion years, it has functioned like a deadly game of fortune, inflicting an aimless and terrible toll on the earth's creatures, wiping out the magnificent and the modest alike. The trilobites, a simple shellfish that ruled the warm seas of the Cambrian age, proliferated into many species, but all were already gone 500 million years ago. The massive plants that flourished 350 million years ago have long since decayed into trillions of tons of coal. The dinosaurs that once lumbered across the earth—the brontosauri, and brachiosauri, and stegosauri, and tryannosauri—vanished 100 million years ago. And some 50 million years ago, such ponderous mammals as the baluchiteria—which towered 18 feet high at the shoulder—and the smilodonts, with their sabre-teeth, succumbed to destiny's wheel.

Behind the disappearance of these and thousands of other animals is a tangle of reasons both numerous and complex. But one thing is certain: all extinct life forms were defeated in a ceaseless competition for survival, as evolution unfolded in one continuous chain of essentially random changes. Now, however, even that is changing. For with the relatively sudden emergence of man as an intelligent creature with a seemingly unlimited potential to influence the evolutionary process—the old roulette wheel is becoming hopelessly rigged.

Before man arrived on the scene, the basis of evolution was the phenomenon known as mutation. Mutations are small changes in the genes that take place as an animal lives, so that eggs, sperm and young are produced with genes not quite identical to those of the parents. In any group of young of particular parents some are a little larger, some smaller; some faster, some slower; some stronger, some weaker; some one shade of color, some another; and so on. There is no way of telling when or in what direction these mutations take place. They are caused by such things as cosmic rays, sunlight, radioactivity, heat, and chemicals—all acting more or less randomly and unpredictably.

Some mutations are more beneficial under

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one set of circumstances than another. An animal that runs faster will catch more food, or escape enemies more efficiently, than one that runs slower. The faster ones are more likely to survive and we thus have horses and wolves, or antelopes and cheetahs. On the other hand, where an animal need not run for food to survive, slowness tends to conserve energy. Thus the slower animals, such as sloths, chameleons and tortoises, are more likely to survive food shortages because they require much less.

There is a steady drift, then, in the direction of more successful competition for food or security, but there can be many directions, each with its own advantages. This drift is the result of "evolution by natural selection." A second factor is change in the environment—and our earth has gone through many: continental drift, mountain-building, earthquakes and volcanoes, wind and water erosion, and many other natural phenomena. The immediate environment grows warmer or cooler, wetter or drier. These changes, too, can be considered virtually random. And if the world grows harsher in climate—as it may have 70 millions years ago—creatures like the dinosaur, which were adapted to more equitable surroundings, perish.

In addition, the reaction to the environment by living species adds a further random factor. One species evolves to become faster, stronger or less conspicuous—and this affects other competing species that find their food supply or their security diminished or enhanced. As reptiles grew less dependent on water, for instance, they overrode the earlier amphibians; and as mammals developed warm blood and could be active on chilly mornings, they outpaced the torpid reptiles.

Because of constant changes in both the environment and the balance of species, the changes brought about by natural selection must forever be altering in direction. Evolution is terribly slow, of course. At least hundreds of thousands of years can be required to bring about significant evolutionary change. This means that it is not only important to consider how the environment changes, but how fast. If large sections of the earth grow cooler, warmer, drier or wetter very slowly, evolutionary changes keep up with it. Hair may become shaggier or sparser; water may be gathered and preserved more efficiently or less efficiently. In glacial periods there are long-haired mammoths and musk-oxen; in tropical climes, hairless elephants and rhinoceri.

Such happy accommodations require mutations that just happen to carry the species in the right direction. If this happens not to happen, however, the species must either physically move out of the habitat into another more hospitable one—as birds do when they migrate in winter—or die out. And if the change in the environment proceeds too rapidly, then the beneficial mutations cannot keep up. Again the species may have to move or become extinct.

Actually, though, there are two other ways a species can counter the possibility of a swift change in the environment. First, it may be short-lived and have dozens of generations per century. That means the mutations can build up much more quickly than in the case of long-lived species with only two or three generations per century. Second, species may be fecund; that is, have many young at a time. This increases the chance that some among those many young will have useful mutations and survive, and that out of their many young, the original size of the population will quickly be restored.

This is why insects, fecund and short-lived, have so successfully evolved into all sorts of specialized niches and have developed in every direction. (Starting with a fertile queen, Italian bees can produce a population of 75,000 in 13 weeks. By contrast, a pair of Indian elephants and all their

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progeny can produce only about 125 elephants in 50 years.) It is not surprising that there are more species of insects than of all other living things combined. There are far fewer mammalian species than insect species. But among the mammals, the small rodents and bats, which are comparatively fecund and short-lived, are easily the most numerous in numbers and species.

The evolutionary process has continued into recent times, but with an increasingly significant difference. That difference is man. When he entered the picture, the old hit-or-miss system began to undergo some modifications.

Man was intelligent enough to be a tool-designing animal in a large way, and that meant that a new kind—a much faster kind—of evolution began to take place. Man did not have to evolve claws slowly; he developed stone knives and hatchets rapidly. He did not have to evolve missile projection; he developed spears and arrows. He learned how to use fire. And over a relatively short period of time, man "evolved" through his own intelligence into a much fiercer and more deadly animal than he was to begin with. What's more, no other species of life could evolve quickly enough to cope with him.

In his rapid climb to predominance, man has increased his numbers and used his intelligence to favor some species and to fight others. He has herded animals to serve as food, as amusement, as a labor force. He has grown grain, vegetables and fruit for food, destroying plant and animal life that would compete.

The result is that such domestic animals as cattle, horses and sheep and such plants as wheat, corn and barley, are much more common than they would have been without man's intelligence directing the course of evolution and increasing their security for his own benefit. And, of course, as more and more land and food is given over to the plants and animals man desires, less and less is available for other species of plants and animals. As man's numbers expand, then, so does the number of other species he favors. The number of other species decline—not through the blind action of evolution, but through the weighted effect of man's intelligence.

Not all the changes man brings about are deliberate, or even beneficial to himself. As he changes the balance of living species, he changes the environment and this affects the evolutionary process, sometimes in ways he cannot counter. When man cultivates grain in large continuous areas, animals who can feed on the grain or parasitize it find an enormously favorable environment and multiply explosively. Rats, locusts, crows and others become "pests"—that is, annoying competitors. As he multiplies, man himself offers a secure home to creatures that parasitize him. Under conditions of crowding, disease-contagion becomes rapid and produces wildfire epidemics of which the Black Death of the 14th Century was the most fearful example. Organisms man does not want—the cold virus, for example—are dangerous in direct proportion to their life span and fecundity. The larger species, longer lived and with fewer young, are relatively easy to counter. Even prehistoric man helped drive the large mammoth to extinction, and in more recent times, the extinction or near-extinction of large animals at man's hands has become a childishly simple process.

What about small animals, though, which can hide, which live on man's leavings and multiply, which are short-lived and fecund, so that even concerted and determined efforts by man can make little inroads in their numbers? They flourish. They evolve quickly enough even to counter radical changes man produces in their environment. Thus, the introduction of pesticides can kill particular species of insects in vast numbers and reduce them nearly to the vanishing point. A tiny fraction, however, through natural variation may be resistant to that insecticide; these will suffice to restore full numbers in

a few quick generations. Then virtually all the new strain will be resistant in the same way that germs become resistant to antibiotics.

So although the large and magnificent animals diminish in numbers from year to year, rats, bugs, weeds and germs are always with us. Sometimes, man even creates pests for himself. A few rabbits, introduced into Australia as pets, found an environment which presented them with much food and few dangers, so that they quickly multiplied to fill the niche, and became pests that are fecund enough to defy all efforts to exterminate them. English sparrows and starlings were introduced into the United States around 1850, the former out of nostalgia for a familiar English bird, the latter in the hope that it would kill insects. What's more, man's animal allies can bring about the extinction of species that might have lived on for ages. In Australia and New Zealand, domestic animals contributed to the extinction of the dodo by eating their eggs.

Man alters the physical environment in a variety of ways, such as cutting down forests, building dams, filling swamps. Furthermore, man's crowding numbers and his industrial civilization produce wastes of all sorts. Some of these wastes are part of the natural life-cycle and encourage the extraordinary growth of organisms that tend to flourish in those particular wastes, such as algae growth in lakes. Other wastes are not part of the natural life-cycle; they do no harm and may even be useful. But some wastes are actual poisons to which few, if any, life forms are adapted, and this is terribly dangerous.

Many species are endangered because man is making a deliberate effort to reduce their numbers since they are "competitors" (like the cougar), or "direct dangers" (poisonous snakes). A growing number of species, however, are endangered because man, in his self-centered desire to make the world more comfortable for his blindly increasing numbers, is changing the habitat to suit himself. In the process, he is introducing changes at a rate far faster than most animals and plants can evolve to meet them.

What's to be done about it? Surely we should not let endangered species become extinct through our own indifference. As life loses its diversity, the world becomes impoverished. In practical terms, as the ecosystem grows less complex, we will find ourselves damaged in many ways. When market hunters wiped out the hippopotamuses occupying one section of a river in Africa, for example, natives in the area came down with a disease carried by snails formerly preyed upon by the hippos.

But consider this: If man's knowledge continues to increase, we may attain a third level of evolution—one that is neither hit-and-miss nor directed by man to satisfy his short-term need. The third level can be man's intelligent interference with evolution for the purpose of securing the entire ecology.

Suppose, for example, that man learns how to modify genes at will in known directions. He may then be able to introduce what he considers desirable mutations into any species, including his own. Mutations will be chosen for the manner in which they strengthen the ecosystem, making it more complex, more versatile, more stable. It may be that not only will old species be modified, but new species, quite different from anything in the past, may be designed. Dogs with quasi-human intelligence may be developed; chimpanzees that can talk, birds that can be trained as aerial observers, pygmy elephants that can be house pets.

All history shows, of course, that introducing changes into the ecology inevitably produces any number of unexpected side-effects, some of which are bound to be strongly undesirable. It is necessary, therefore, to learn more about ecological interrelationships, so that we can predict and al-

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low for the side-effects. Very likely, the matter would be complex enough to require a delicately programmed computer to help in this matter.

Conceivably, it is possible that evolution in the old style might vanish altogether. Life in all its manifestations may be designed to fit comfortably and securely into a world which will still be physically changing—but the changes will be foreseen and provided for. Only then will life reach a full unity and maturity, with man the guiding factor of a whole that includes him and yet is greater than him. For that matter, perhaps it is toward this end that evolution has been blindly progressing all along. Moreover, this end may be destined to occur in only one out of a hundred, or even a million, life-bearing planets. And perhaps it is only in those in which that end is attained, that life may then go on to the next level—whatever that next level may be.

### WHEN NATURE WANTS A MAN

(By John H. Sheffey)

When Nature wants to drill a man,  
And drill a man,  
And skill a man,  
When Nature wants to mold a man to play  
the noblest part;  
When she yearns with all her heart to create  
so great and bold a man  
That all the world shall praise—  
Watch her method, watch her ways!  
How she ruthlessly perfects whom she royally  
elects;  
How she hammers him and hurts him,  
And with mighty blows converts him  
Into trial shapes of clay which only Nature  
understands . . .  
While his tortured heart is crying and he lifts  
beseeching hands!  
How she bends, but never breaks,  
When his good she undertakes . . .  
How she uses whom she chooses and with  
every purpose fuses him,  
By every art induces him to try his splendor  
out . . .  
Nature knows what she's about.

When Nature wants to take a man,  
And shake a man,  
And wake a man;  
When Nature wants to make a man to do the  
future will;  
When she tries with all her skill  
And she yearns with all her soul  
To create him large and whole . . .  
With what cunning she prepares him!  
How she goads and never spares him,  
How she whets him, and she frets him,  
And in poverty begets him . . .  
How she often disappoints  
Whom she sacredly anoints,  
With what wisdom she will hide him,  
Never minding what betide him  
Though his genius sob with slighting and his  
pride may not forget!

Bids him struggle harder yet.  
Makes him lonely  
So that only  
God's high messages shall reach him  
So that she may surely teach him  
What the hierarchy planned.  
Though he may not understand,  
Gives him passions to command.  
How remorselessly she spurs him  
With terrific ardor stirs him  
When she poignantly prefers him!

When Nature wants to name a man  
And fame a man  
And tame a man;  
When Nature wants to shame a man  
To his heavenly best . . .  
When she tries the highest test  
That she reckoning may bring—  
When she wants a God or King!  
How she reins him and restrains him  
So his body scarce contains him  
While she fires him  
And inspires him!  
Keep him yearning, ever burning for a tantalizing goal . . .

Lures and lacerates his soul.  
Sets a challenge for his spirit,  
Draws it higher when he nears it—  
Makes a jungle, that he clear it,  
And subdue it if he can . . .  
So doth Nature make man.  
Then, to test his spirit wrath  
Hurls a mountain in his path . . .  
Puts a bitter choice before him  
And relentlessly stands over him.  
"Climb, or perish!" So she says . . .  
Watch her purpose, Watch her ways!

Nature's plan is wondrous kind  
Could we understand her mind . . .  
Fools are they who call her blind.

### HON. WALTER E. FAUNTRY

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 20, 1974

**MR. FAUNTRY.** Mr. Speaker, I have just received a letter with a poem that I would like to share with my colleagues from one who has just recently experienced life in a penal institution. I do not know what this person was convicted of doing nor do I know what experiences he came upon that made him put pen to paper for these words. They are, however, very moving and they project an understanding of life that so many of us miss in a world that seems to tests more than reward. Perhaps as we read both the poem and the portions of the letter that I have attached, each of us will better understand the divine purpose for which we have been given life on this Earth.

WASHINGTON, D.C.,  
February 21, 1974.

Congressman WALTER E. FAUNTRY,  
G Street, N.W.,  
Washington, D.C.

DEAR CONGRESSMAN FAUNTRY: I wish to respectfully solicit your assistance . . . in circulating the enclosed article written by a black friend of mine who is also an inmate at the penal institution in State Farm, Virginia.

After reading the article, I was moved and inspired to the point of wanting it to be read by those persons who directly and indirectly administer or control state and national penal institutions, as well as our brothers—black and non-black—who are in similar situations as my friend.

I hope the article will move you as it did me to realize the positive after effect and influence incarceration can have on a brother who tried at first to make life better (financially) for himself, his wife and his children [in] the easiest, most convenient and most profitable way he knew how, even at the risk of violating the laws of society which interpret right from wrong, but who then, after being jolted by the bonds of incarceration was awakened to realize and possibly utilize his inner potential to improve the same lives in a way that is more acceptable to society.

To those who administer or control penal institutions, I feel this article will serve to give more realistic insight into the rebirth of a man who is more acceptable to society

and, what is more, more acceptable to himself and those who love him. . . .  
Respectfully,

ALICE M. AVERY

## EXTENSIONS OF REMARKS

When his feet are torn and bleeding  
Yet his spirit mounts unheeding,  
All his higher powers speeding,  
Blazing newer paths and fine;  
When the force that is divine  
Leaps to challenge every failure and his ardor  
still is sweet  
And love and hope are burning in the presence of defeat...  
Lo, the crisis! Lo, the shout  
That must call the leader out.  
When the people need salvation  
Doth he come to lead the nation...  
Then doth Nature show her plan  
When the world has found—a Man!

## AMERICA'S NEWEST MAGAZINE

## HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. BROYHILL of Virginia. Mr. Speaker, the problem of alcoholism in our country has grown to impossible proportions. A majority of those afflicted with this disease need help now from their fellow citizens, professional and nonprofessional, as well as from their Government.

A group of concerned men and women—doctors, nurses, parole officers, probation officers, law enforcement officials, college professors, journalists, judges, writers, counselors, and government officials—have freely given up their time, energy, and talent to help solve this problem of alcoholism in northern Virginia. It is their hope to extend their experience and influence throughout the Commonwealth of Virginia, and perhaps throughout the United States.

The medium they have selected to make this information available to the public is a new national magazine on alcohol, alcoholism, and alcohol safety. The title of this new publication is Alcohol Information Digest and I commend the following information regarding this new magazine to each Member of the Congress who might have inquiries from their constituents on this subject.

I include the following news release on the new magazine in the RECORD:

The Alcohol Information Digest, America's newest magazine, made its debut last week in the Washington, D.C. area. The Digest will be published six times each year, beginning with the April issue by the Cavalier Publishing House in McLean, Virginia.

The articles in each issue will be concerned with the problems of alcohol, alcohol abuse and alcohol safety in our society and suggestions for achieving good personal health, long life and everyday safety.

A National Center for Alcohol Information has been established as a special service to the magazine's subscribers who wish to conduct educational programs on alcohol in their own communities.

Anthony J. DelPopolo, Sr., Associate Professor of Law Enforcement at the Northern Virginia Community College in Annandale, Virginia, is editor of the Digest. He is assisted by many professional and non-professional writers.

Professor DelPopolo and his staff are available to provide assistance, such as, sources for obtaining free materials on alcohol and

related problems, providing speakers for seminars, workshops, and special technical assistance, alerting communities to the vital issues relating to alcohol, and publish books and pamphlets on alcohol suitable for use in schools, civilian and military government agencies, and industry.

The Digest is divided into four sections—Alcohol, Alcoholism, Alcohol Safety and Special Features. The first chapter from a future publication—Alcohol: Your Health, Your Life and Your Safety—comprises the entire first section.

The second section—Alcoholism—includes an article by a former Alcohol Safety Action Project student arrested for driving while under the influence of alcohol, personal comments by a cocktail waitress on her drinking clients, remarks from the Bible on alcohol and alcoholism, how an energy crisis is created among our youth by the impact of alcohol addiction, alcohol education in the public schools, how a Salvation Army chaplain helps solve alcohol problems among its clients, and the story of Re-Entry, Inc., a community service and its efforts to prevent suicides of alcoholics.

The third section—Alcohol Safety—outlines the efforts of the American Automobile Association, the U.S. Department of Transportation, the Fairfax County (Virginia) Alcohol Safety Action Project, the Northern Virginia Community College, the Fairfax Police Department and their combined efforts in keeping the drunken driver off America's highways. Some reference is also made to alcohol-related accidents at home, in recreation and in industry.

Special Features is made up of an alcohol quiz, a special vocabulary relating to alcohol, alcoholism and alcohol safety, excerpts from news items of alcohol-related accidents, humor in the form of stories and cartoons, 60 synonyms for "drunk," selected research studies and articles on alcohol, selected references, a special article on alcoholism by Mercedes McCambridge and nominees for the Special Alcohol Information Digest Award.

The June Issue of the Digest will include the second chapter of Mr. DelPopolo's book on Alcohol: Your Health, Your Life, Your Safety, the first chapter of the third revised edition of Just One for the Road, several articles on Alcohol and the Woman, Problem Drinkers in the Military, in Business and in Industry, a suggested curriculum on Alcohol Education for the Elementary School Grades, nominees for the special Alcohol Information Digest Special Achievement Award, Alcohol-Related Crime, and a special feature—The Alcohol Clinic.

It is the hope of the staff and management of the Alcohol Information Digest that their fellow-Americans will help make the pages of their journal a clearing house for all problems of alcohol, alcoholism and alcohol safety. We all wish our Nation to be a better country to live and drive in.

## PERSONAL EXPLANATION

## HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. MOORHEAD of Pennsylvania. Mr. Speaker, on rollcall No. 99, taken during consideration of the minimum wage bill, I was unable to be present due to the fact that I was testifying before a subcommittee of the other body. Had I been present and voting, I would have voted "nay."

March 25, 1974

## TITLE I. ELEMENTARY AND SECONDARY EDUCATION ACT

## HON. PETER A. PEYSER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. PEYSER. Mr. Speaker, I have been very gratified by the strong support which I have received from all over the country for my amendment to title I of ESEA. I would like to bring to the attention of the Members two of these letters which I think might be of interest.

AMERICAN FEDERATION OF LABOR AND CONGRESS OF INDUSTRIAL ORGANIZATIONS,

Washington, D.C., March 25, 1974.

Hon. PETER A. PEYSER,  
Longworth Office Building,  
Washington, D.C.

DEAR CONGRESSMAN: The AFL-CIO supports your amendment to the Title I formula of H.R. 69, the bill to extend the Elementary and Secondary Education Act and other education programs.

While we are aware of the difficulty the Committee faced in drafting an equitable method of distributing Title I funds, we feel that the formula in the bill is simply too disruptive to many ongoing Title I programs.

As the AFL-CIO understands your amendment, it would raise the low income factor from \$2,000 to \$4,000 and allow school districts to count all A.F.D.C. children from families receiving more than \$4,000 in A.F.D.C. payments. Your amendment would also guarantee that no local education agency would receive less next year than they received in FY 1974. Since this program has never been adequately funded, the shortage of funds is the real problem in the new Title I formula. We feel that your amendment goes farthest toward providing an equitable distribution of Title I monies.

We would also like to take this opportunity to express our opposition to the proposed O'Hara amendment. This approach would totally destroy the original Title I concept of providing aid to economically disadvantaged children and replace it with a formula based upon average daily attendance. Title I was meant to compensate disadvantaged children, not to act as a reward for total enrollment. The AFL-CIO hopes this amendment will be defeated.

Sincerely,

ANDREW J. BIEMILLER,  
Director, Department of Legislation.

AMERICAN FEDERATION OF TEACHERS,  
Washington, D.C., March 22, 1974.

DEAR CONGRESSMAN: I would like to share with you the views of the American Federation of Teachers, AFL-CIO on H.R. 69, the bill to extend the Elementary and Secondary Education Act and other education programs.

First, on the Title I formula: we believe that the Committee formula is unfair in two major respects. First it penalizes those areas of the country with the greatest needs, our large cities. The Committee table shows many large cities increasing slightly while cities such as Cleveland, Omaha, Kansas City, Kansas; New York City, Philadelphia, Minneapolis, St. Paul, Boston, Des Moines, and Charlotte, North Carolina lose money. In our opinion this Committee formula will ultimately result in a decline for almost all the cities in this country over the life of the bill. The reason for this is that the committee formula requires higher and higher A.F.D.C. payments each year before the children from families receiving payments can

be counted. In the first year only two-thirds of those children from families receiving more than \$4,250 in A.F.D.C. payments will be counted. This figure will be increased by the consumer price index each year. It is likely that by the time this bill expires three years from now, the only children counted under this part of the formula will be two-thirds of those from families receiving more than \$5,000 in A.F.D.C. payments. This will in effect eliminate virtually all A.F.D.C. children and the formula would become a pure Orshansky count from the 1970 census. (The Orshansky count is not changed each year as the A.F.D.C. count is.) Almost every city in the U.S. would receive less under a straight Orshansky count than they received in F.Y. 1974.

Secondly, the formula penalizes those states that have tried to do the most for their school children by limiting state per pupil expenditures to 120% of the national average. We feel that this will inhibit equalization among the states.

It is our understanding that Congressman Peter Pfeifer will offer an amendment to the Title I formula to set a low income factor of \$4,000 and to allow states to count all their A.F.D.C. children from families receiving more than \$4,000 in A.F.D.C. payments. This amendment would also change the 120% ceiling on state expenditure to 130%. We feel this is a more equitable compromise since current law places no ceiling on state efforts. The amendment also will contain a 100% hold harmless provision to insure that no local education agency will receive less under the new formula than they did in F.Y. 1974. We urge your support for this amendment.

For other provisions of the bill we urge that you support an amendment to extend the life of the Impact Aid program for the full life of this bill. HR 69 extends most programs for three years but Impact Aid is given only a one year extension. While Impact Aid is not a perfect program, we have not seen any proposal that would do a better job than the current program is doing.

There are also several amendments proposed to further restrict the courts from ordering busing to overcome racial segregation. We feel that none of the proposed amendments are worthy of support in that they attempt to restrict protections guaranteed by the Fourteenth Amendment. We hope you will vote them down.

Finally, several anti-labor amendments have been proposed by Congressmen Treen of Louisiana and Crane of Illinois. Suffice it to say that since teachers and other public employees currently receive no Federal protection in their efforts to organize and bargain collectively it would be pure hypocrisy to further restrict the rights of America's public employees by outlawing some of their rights won on the state level, while offering no protection on the Federal level. We find Mr. Treen's amendments simply incredible, the amendments would return public employee labor relations to the days prior to the Clayton Act when an employer could require an employee to waive his rights to organize as a condition of employment. We trust you will vote down these attempts to put American public employee relations back into the 19th Century.

Sincerely,

DAVID SELDEN,  
President.

#### SOME ADDITIONS

#### HON. DONALD D. CLANCY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. CLANCY. Mr. Speaker, on last Tuesday, I spoke in high praise of the

#### EXTENSIONS OF REMARKS

third annual congressional scholarship program which is sponsored by the First and Second Congressional Districts of Ohio and the Greater Cincinnati Chamber of Commerce.

Four names were omitted from the list of persons who have been participating in that program. I wish to add the names of Dave Cawdrey of North College Hill High School; Jean and Dave Cooper, and Mike Wiater.

#### EXTENDING PRENOTIFICATION ON AGENCY RULES

#### HON. C. W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. YOUNG of Florida. Mr. Speaker, I have today introduced legislation to provide for better public input into the Federal regulatory system.

When the Congress passes a bill, it is common practice to delegate broad regulatory powers to the agency responsible for administering that bill. I oppose this procedure because it is an abdication of our legislative responsibility and leads to some of the worst abuses of power by the Federal Government.

Under the Administrative Procedures Act, an agency which wishes to issue regulations for enforcement or clarification of legislation may publish the proposed rules in the Federal Register, and then implement these rules after allowing only 30 days for comment by the general public and those most affected by the rules. This is a very brief interval for information about the rules to make its way to the public, and for informed comment and opinion to be returned to the department and considered vis-a-vis the proposals.

Thus, for example, HEW can publish rules regarding nursing home admissions for medicare patients, and almost before the patients and doctors and nursing homes have a chance to assess the impact of those rules, HEW is putting them into effect. This is not government by the people—it is government by executive fiat.

My bill will help alleviate this situation by amending the Administrative Procedures Act to lengthen the time between publication of a proposed rule and its effective date from 30 days to 60 days. This is a more ample time period for information to reach the public and for informed opinions to be returned by those affected, so that they can be assessed by the agency.

In addition, Mr. Speaker, I have also included an amendment which will lengthen the prenotification period for a public hearing by an agency or department from 15 days to 30 days. Once again, this provides a more ample time period for dissemination of the information and preparation of materials by those affected.

We are living in an era of administrative as well as legislative regulation of our lives. The American people have input into the legislative process through their

elected representatives. I deem it equally important, Mr. Speaker, that they be granted equal access to the administrative regulation process, and my bill makes a big step in this direction.

#### IN COMMEMORATION OF THE 56TH ANNIVERSARY OF PROCLAMATION OF THE BYELORUSSIAN DEMOCRATIC REPUBLIC

#### HON. ROBERT A. ROE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. ROE. Mr. Speaker, today, as Americans of Byelorussian heritage observe the 56th Anniversary of the proclamation of the Byelorussian Democratic Republic, I am pleased to join with you and our colleagues here in the Congress in commemorating this historic occasion.

As a nation comprised of a society of people who came to the United States seeking comfort and solace from the oppressed and dictatorial government of other lands, we can indeed be sympathetic to the plight of those individuals whose way of life continues to be stifled in so-called captive nations of the world.

On March 25, 1918, the Byelorussian people achieved national independence and regained the freedoms which had been lost to the Czarist Russia at the end of the 18th century. This national sovereignty, however, was short-lived and in a recent communiqué that I received from Dr. Roger Horoshko, president of the Byelorussia-American Association, Inc., he advised me of the continuing struggle of the Byelorussian people to again achieve their national identity as a sovereign state free from the forces of communistic domination and control.

In tribute to the courage, fidelity, and dedication to the principles of representative democracy manifested by the long struggle and pioneering efforts of the Byelorussian people, I am pleased to call to your attention the pledge of the resolution adopted by the Byelorussian American Association, Inc. in their undaunted efforts to seek international understanding and goodwill for their Byelorussian heritage and our wholehearted support for freedom of expression as well as the economic and cultural well being of the people of Byelorussia. The formal pledge of the Byelorussian American Association and the Byelorussian Canadian Alliance is as follows:

We, the Byelorussians of the United States and Canada unanimously reaffirm our will to support the fighting Byelorussian people in the Soviet Union in their struggle for cultural freedom and political independence. We are determined to seek further support for fighting Byelorussia among political leaders and statesmen of the United States of America and Canada. We and our children shall never cease our effort until Byelorussia will again become a free and democratic nation in accordance with the postulates and principles enunciated in the constitutional charters of the Byelorussian Democratic Republic whose freedom and independence were pro-

## EXTENSIONS OF REMARKS

March 25, 1974

claimed in Minsk (Minsk) on March 25, 1918.

Mr. Speaker, thank you for the opportunity to join in this commemorative program to the Byelorussian people. I trust it will help to reassure those people whose human rights are held captive, not only behind the iron curtain of the Soviet Union, but throughout the world that there are many, many fellow human beings here in America who share and support the humanitarian ideals for a communion among all peoples of the world to achieve quality of life that will permit the widest possible expression of cultural and national heritage so important to mankind's purpose and objectives in attaining a rich and lasting peace throughout the world. America is indeed fortunate to have had the benefit of the cultural inheritance and historical achievements of the Byelorussian people.

THE 56TH ANNIVERSARY OF BYELO-  
RUSSIAN INDEPENDENCE

HON. JOHN W. WYDLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. WYDLER. Mr. Speaker, I wish to speak to commemorate the 56th anniversary of the Proclamation of the Byelorussian Democratic Republic on March 25, 1974. I speak in behalf of all Americans of Byelorussian descent who will be observing the anniversary of the country of their origin on that day.

On March 25, 1918, the Executive Committee of the First Byelorussian National Congress proclaimed the establishment of a new republic. A national constitution was put into force guaranteeing freedom of speech and assembly, liberty of conscience, inviolability of person and home, and equality of all citizens under law. The Byelorussian leaders were taking advantage of the collapse of the Tsarist regime to establish an independent republic after "three and one half centuries of slavery"—to quote the language of the Byelorussian Declaration of Independence.

But their period of independence was tragically short. With dissolution of the German armed forces after the armistice of November 1918 on the one hand, and the advance of the Red army into Byelorussia on the other, the Byelorussian Government collapsed. On December 10, 1918, the Red army seized Minsk, the capital of Byelorussia, and established a government of military revolutionary committees. Byelorussia's efforts to establish an anti-Bolshevik force failed. By the Treaty of Riga in 1921, ending the war between Poland and Bolshevik Russia, Byelorussia was divided with Poland receiving one-third of the country and the remainder—with the exception of the part falling to the then independent Latvia—coming under Soviet control.

Thus this courageous people which since the 13th century has been struggling to maintain its national identity again has lost its independence.

Under the repression of the Soviet re-

gime members of the present generation of Byelorussians are continuing the struggle to preserve their heritage and their individuality. I urge that we pause today to honor their courage, bemoan their sufferings, and pray that in the end their fortitude will be crowned with success.

## AMENDMENT TO H.R. 69

HON. JOHN B. ANDERSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. ANDERSON of Illinois. Mr. Speaker, at the appropriate time, the gentleman from North Carolina (Mr. PREYER), the gentleman from Arizona (Mr. UDALL, and I intend to offer the following amendment to H.R. 69:

SUBSTITUTE OFFERED BY MR. ANDERSON, MR. PREYER AND MR. UDALL FOR THE AMENDMENT TO H.R. 69 OFFERED BY MR. —

Page 141, immediately after line 25, add the following new title:

TITLE XIV—NATIONAL EQUAL EDUCATIONAL OPPORTUNITIES

PART A—FINDINGS AND PURPOSE STATEMENT  
OF FINDINGS

SEC. 1401. The Congress finds that—

(a) the maintenance of dual school systems or practices which result in the assignment of students to school on the basis of race, color, or national origin denies to those students the equal protection of the laws guaranteed by the fourteenth amendment;

(b) the time is at hand when substantially all school systems administered or directed by local educational agencies will, in compliance with the Constitution have become unitary;

(c) as the demography of the Nation continues to change, local educational agencies are not required by the Constitution to make year-by-year adjustments of the racial composition of student bodies, once the affirmative duty to desegregate has been fulfilled and racial discrimination through official action in public schools has been eliminated;

(d) the courts have failed to develop clear, rational, uniform, and reasonable guidelines for fashioning remedies to correct denials of equal protection of the laws and in some instances, this has resulted in requirements for transportation of students by local educational agencies considerably in excess of that previously carried on by such schools and which may pose a threat to the health and safety of students and may excessively interfere with the educational process;

(e) throughout the Nation inequality in educational opportunity persists for children from minority groups and low-income families, children from minority groups and low-income families are often concentrated in schools in which they form a majority of the student population, and as a result of these facts, educational achievement of such children is often below the results achieved by children from other racial and socioeconomic backgrounds.

## PURPOSE

SEC. 1402. It is the purpose of this title to—

(a) improve the results achieved by elementary and secondary education throughout the Nation and to encourage and support efforts to reduce achievement disparities between racial and socioeconomic groups in the schools;

(b) facilitate, where possible, consistent with the objectives stated in subsection (a), a reduction in the concentration of children from minority groups and low-income families in certain schools, including prevention of resegregation after desegregation has been achieved, primarily by means other than extensive cross-transportation;

(c) reduce and eliminate any educational ill effects resulting from the concentration of children from minority groups and low-income families in schools where such concentration persists; and

(d) specify guidelines, pursuant to powers granted the Congress by the Constitution, for appropriate remedies for the correction of practices by local educational agencies which are found to deny equal protection of the laws or to deny the equal educational opportunities guaranteed by this title.

## PART B—DENIAL OF EQUAL EDUCATIONAL OPPORTUNITIES

SEC. 1411. No State or educational agency established by a State shall deny equal educational opportunity to an individual on account of race, color, or national origin by—

(a) deliberate segregation of students on the basis of race, color, or national origin among or within schools;

(b) failure in situations in which such deliberate segregation has occurred or is occurring, to take affirmative steps, consistent with Part D of this title, to remove the vestiges of discrimination due to official action;

(c) construction, abandonment, alteration, or other siting of school facilities within a district with the intent of, or having the natural, probable, foreseeable and actual effect of, increasing segregation of students on the basis of race, color, or national origin within the school district unless such effect is unavoidably necessitated by sound nonracial educational considerations;

(d) creation of attendance zones or the establishment of attendance policies, including but not limited to optional attendance zones, open enrollment, or free transfer programs and feeder patterns, with the intent of, or having the natural, probable, foreseeable, and actual effect of, increasing segregation of students on the basis of race, color, or national origin with the school district, unless such effect is unavoidably necessitated by sound nonracial educational considerations;

(e) transfer of a student to a school outside the attendance zone in which he resides with the intent of, or having the natural, probable, foreseeable, and actual effect of, increasing segregation of students on the basis of race, color, or national origin within the school district, unless such effect is unavoidably necessitated by sound nonracial educational considerations;

(f) failure to take appropriate action to attempt to overcome language barriers, or cultural, social, economic, or other deprivations that impede equal participation by students in instructional programs of educational agencies;

(g) discrimination on the basis of race, color, or national origin in the employment, employment conditions, or assignment to schools of faculty and staff;

(h) failure to provide—

(1) opportunity at the beginning of any school year for any student to transfer from a school to which he has been assigned or would in the regular course be assigned, and in which his race is a majority to a school in which his race is a minority, if the school to which transfer is requested offers education in the grade equivalent to that from which the student transfers; and

(2) transportation which may be required to effectuate this subsection:

*Provided*, That any local educational agency may postpone a students' privilege to exercise the right guaranteed by this subsection for a reasonable period of time while the

most rapid feasible effective measures are taken to alleviate conditions of overcrowding in the school to which transfer is requested;

(1) maintenance of practices and provision of resources in schools in which minority groups are concentrated that are less favorable for educational advancement than at schools attended primarily by students of any other race, color, or national origin. Examples of disparities between such schools which may constitute a denial of equal educational opportunities include—

(1) comparative overcrowding of classes, facilities, and activities;

(2) assignment of fewer or less qualified teachers and other professional staff;

(3) provision of less adequate curriculums and extracurricular activities or less adequate opportunities to take advantage of the available activities and services;

(4) provision of less adequate student services such as guidance and counseling, job placement, vocational training, medical services, remedial work;

(5) assigning heavier teaching and other professional assignment to school staff;

(6) maintenance of higher pupil-teacher ratios;

(7) provision of facilities (classrooms, libraries, laboratories, cafeterias, athletic and extracurricular facilities), instructional equipment and supplies, and textbooks in a comparatively insufficient quantity; and

(8) provision of building, facilities, instructional equipment and supplies, and textbooks which, comparatively, are poorly maintained, outdated, temporary, or otherwise inadequate.

SEC. 1412. The Secretary shall issue regulations further setting forth measures to be taken by local educational agencies to come in compliance with this part.

#### LAWSUITS

SEC. 1413. (a) Any person or persons alleging, or the Attorney General if he has reasonable cause to believe, that any policy or measure of a local educational agency violates section 1411 of this title may bring a civil action in the appropriate United States district court for equitable relief, including an application for a permanent or temporary injunction, or other order. If the court finds that such policy or measure exists, it shall order the rescinding of such policy or measure, and shall order affirmative action to be taken to cure present effects caused by such policy or measure.

(b) In any action commenced under this section, the court may allow the moving party, other than the United States, a reasonable attorney's fee as part of the costs, if such party or parties prevail in the action. Where the prevailing party is the defendant, the court may allow such prevailing party a reasonable attorney's fee as part of the cost upon a finding that the proceedings were unnecessary to bring about compliance.

(c) Any policy or measure which violates section 1412 shall also be deemed to constitute a violation of section 601 of the Civil Rights Act of 1964, whether or not a civil action with respect to such violation has been brought under this section.

#### PART C—STATE EQUAL EDUCATIONAL OPPORTUNITIES PLANS

SEC. 1421. (a) Each State shall prepare and submit to the Secretary for his approval, in accordance with regulations issued by him a plan to carry out the purpose of this title as stated in section 1402.

(b) The plans of Virginia and Maryland shall take account of the areas of the District of Columbia nearest to each and shall be worked out in consultation with the local educational agency of the District of Columbia.

#### ADVISORY COUNCILS AND COMMITTEES

SEC. 1422. The plan submitted by each State shall provide for—

#### EXTENSIONS OF REMARKS

(a) the establishment of a State advisory council which shall be appointed by the Governor and which shall—

(1) include as members businessmen, educators, parents, and representatives of the general public, and shall be so constituted that parents of children attending public schools constitute at least a majority of such membership, and that parents of children from minority groups are represented in an approximately proportionate number to the number of minority group children in the school age population of the State;

(2) advise the State educational agency on the development of and policy matters arising in the administration of the State plan submitted pursuant to this part; and

(3) prepare and submit through the State educational agency to the Secretary an annual evaluation report accompanied by such additional comments of the State agency as it deems appropriate, which evaluates the progress made in that year by the State in achieving the purpose of this title; and

(b) the establishment of local advisory committees which shall—

(1) include as members parents of children attending public schools, and shall be so constituted that parents of children from minority groups are represented in an approximately proportionate number to the number of minority group children in the school age population of the local educational agency; and

(2) advise the local educational agency on its participation in the State plan.

#### PROVISIONS OF THE PLAN

SEC. 1423. The plan submitted by each State shall—

(a) be submitted to the Secretary by June 30, 1975;

(b) be developed in consultation with local educational agencies and the State advisory council; and

(c) define goals consistent with the purpose of this title as set forth in section 1402, and provide for attaining such goals by a date approved by the Secretary, but in no event later than August 30, 1985.

SEC. 1424.1. Such State plans shall include specific means for implementing some or all of the following components:

(a) (1) A majority transfer plan on either an intradistrict or an interdistrict basis. Such majority transfer plans shall include—

(A) provision for transportation of any student voluntarily requesting to transfer from a school to which he has been assigned or would in the regular course be assigned, and in which his race is in majority to a school in which his race is in a minority, if the school to which transfer is requested offers education in the grade equivalent to that from which the student transfers;

(B) provision for professional and paraprofessional staff for guidance, counseling and other special or compensatory services to children transferred in programs authorized by this subsection;

(C) provision for reimbursement of any school district receiving students from another school district participating in a transfer program authorized by this subsection in an amount equal to the sum of—

(i) not less than 70 percent and not more than 110 per centum of the average basic expenditure per pupil for all students in such receiving district financed from local revenue sources multiplied by the number of students received by such district pursuant to programs authorized by this subsection; and,

(ii) not less than 70 per centum and not more than 110 per centum of the average expenditure per pupil incurred by such district for programs established pursuant to subsection (a)(1)(b) multiplied by the number of students received by such district as determined in subsection (a)(1)(C)(i) above:

*Provided*, That no school district shall be eligible for reimbursement under subsection

(a)(1)(C)(i) unless it carries on a program for the benefit of transferring students pursuant to subsection (a)(1)(B).

2) The Secretary shall publish, and from time to time revise, guidelines and standards for the implementation of this section not more than one hundred and twenty days from the date of enactment, including—

(A) reasonable standards and guidelines regarding contiguity and distance between schools, attendance zones, and school districts under which any majority transfer program established pursuant to this subsection may be effectuated; and

(B) such other regulations and guidelines as may be necessary to carry out the purposes and any provisions of this subsection.

(b) An open communities educational resources compensation program which shall—

(1) provide for payments to any school district in which students from minority families comprised not more than 10 per centum of total school enrollment during the school year 1975-1976, or in which students from low-income families comprised not more than 10 per centum of total enrollment in such district during such year, in an amount equal to the sum of—

(A) not less than 70 per centum and not more than 110 per centum of the average basic expenditure per pupil for all students in such district financed from local revenue sources multiplied by the difference of the number of students from families specified in subsection (b)(1) enrolled in such district during any school year, and the number of students from such families enrolled in such district during the school year 1975-1976, if the latter is smaller; and

(B) not less than 70 per centum and not more than 110 per centum of the average per pupil expenditure of any program that may be established by such school districts pursuant to the provisions of subsection (a)(1)(B), multiplied by the difference of the number of students from families specified in subsection (b)(1) enrolled in such district during any school year and the number of students from such families enrolled in such district during the school year 1975-1976, if the latter is smaller: *Provided*, That, for the purposes of computations pursuant to subsection (b)(1), students from low-income families who are also members of minority groups shall not be counted more than once.

(2) beginning after the school year 1979-1980, the base year for computations under subsections (b)(1)(A) and (b)(1)(B) shall be increased by one year for each year that the current school year exceeds such year.

(3) the Secretary shall publish, and from time to time revise, such guidelines as may be necessary to effectively carry out this subsection not more than one hundred and eighty days after enactment.

(c) (1) A school district reorganization plan which may include—

(A) redrawing zone boundaries, pairing, and clustering schools, establishing educational parks and magnet schools, and such other features as may be determined by the Secretary to be consistent with the objectives set forth in section (3)(a) and (3)(b) of this title; and

(B) cooperative arrangements between school districts, where factors of distance, locations, and contiguity make this feasible, for common use of existing school facilities and for the construction of new joint facilities, including educational parks.

(2) State plans including a component pursuant to this subsection shall provide for payments to school districts in an amount equal to the sum of—

(A) not less than 70 per centum and not more than 110 per centum of the difference of the average operating expenditure per pupil, including transportation costs, for all students in such district financed from local revenue sources during the school year

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1975-1976, or the school year next preceding the implementation of a plan pursuant to this subsection, whichever is later, and the average operating expenditure, including transportation costs, financed for local revenue sources for students directly participating in a program pursuant to this subsection during any school year multiplied by the number of such students; and

(B) not more than 35 per centum of any capital costs, including expenditures for new school facility construction, or for rehabilitation, renovation, or restructuring of existing facilities, that may be directly incurred in the implementation of a program pursuant to this subsection.

(3) For the purpose of making computations for payments under this subsection—

(A) computations under subsection (c) (2) (A) of the average per pupil operating expenditure for the base period, whether the school year 1975-1976 or the year next preceding the implementation of a plan pursuant to this subsection, whichever is later, shall be made separately for each school district participating in a cooperative arrangement pursuant to subsection (c) (1) (A), and the multiplicand shall be the number of students participating in such cooperative arrangement who would have in the ordinary course attended schools operated solely by such district;

(B) beginning after the school year 1979-1980, the base year for computations under this subsection, if such base year is the school year 1975-1976, shall be increased by one year for each year that the current year exceeds such year, or in the event that the base year is after the school year 1975-1976, beginning four school years after such year the base year shall be increased by one year for each year that the current school year exceeds such year;

(4) The Secretary shall publish, and from time to time revise, such guidelines and regulations as may be necessary to carry out the purposes of this subsection not more than one hundred eighty days after enactment;

(d) (1) An approved, concentrated compensatory education program. State plans containing components, pursuant to this subsection shall provide that:

(A) expenditures under this subsection shall be made only—

(i) in school districts which are eligible for a basic grant during any year under title I of the Elementary and Secondary Education Act of 1965; and

(ii) in schools, in school districts meeting the above requirement, in which a substantial proportion of the students enrolled are from low-income families, as that proportion may be defined by the Secretary, but in no case shall the proportion of students be less than 25 per centum of total enrollment in such schools;

(B) average expenditures per pupil for students enrolled in schools participating in programs pursuant to this subsection shall increase with the proportion of students from low-income families enrolled in such schools according to a schedule and such other guidelines as the Secretary may establish;

(C) average expenditures per pupil for compensatory programs established pursuant to this subsection shall be at least equal to a minimum effective threshold level established by the Secretary, but in no case, except for such exceptions as the Secretary may expressly allow, shall such minimum effective threshold level be less than 30 per centum of the average basic per pupil expenditure for all students in the school district in which such school is located;

*Provided*, That expenditures under titles I and III of the Elementary and Secondary Education Act or any other comparable Federal or State compensatory or enrichment program, which meet the requirements of

subsection (d) (1) (D) (ii) below may be considered as expenditures under this subsection;

(D) expenditures for programs pursuant to this subsection shall—

(i) be made only for basic instructional programs, supportive services and vocational guidance; and

(ii) be made only for programs and learning approaches that the Secretary has certified as having demonstrated ability or potential for improving the achievement performance of educationally deprived students;

(2) Not later than one hundred days after the enactment of this title the Secretary shall publish, and thereafter from time to time revise, giving appropriate notice to all affected parties, such regulations and guidelines as are specified in subsections (d) (1) (A) (ii), (d) (1) (B), (d) (1) (C), (d) (1) (D) (i), and (d) (1) (D) (ii) of this section and such other regulations as he may deem necessary in his discretion, to effectively carry out the purposes of this subsection.

Sec. 1425. State plans submitted pursuant to this title shall—

(a) assure that in each year of operation of the plan substantial progress will be made toward meeting the purpose of the title;

(b) specify how additional State financial assistance will be made available to local educational agencies undergoing desegregation pursuant to a court order, a plan approved in accordance with title VI of the Civil Rights Act of 1964, or an order issued by a State agency or official of competent jurisdiction;

(c) specify how programs now funded under the Elementary and Secondary Education Act of 1965, or any other federally funded program for educational enrichment or desegregation assistance, are fitted into and coordinated with operation of the plan;

(d) specify the procedures to be used by the State educational agency in coordinating the efforts of the local educational agencies desegregating (as specified in subsection (e) or voluntarily integrating);

(e) specify what procedures will be used by the State educational agency for involving on an equitable basis children enrolled in private nonprofit schools in the programs funded under this title to the extent that their participation will assist in achieving the purpose of the title; and

(f) assure that the State educational agency will require each local educational agency to report to it annually on its implementation of the State plan, and that the State agency will report annually to the Secretary on the State's overall implementation of its plan.

## GRANTS

Sec. 1426 (a) (1) There are authorized to be appropriated for carrying out this part not in excess of \$200,000,000 for fiscal year 1976, \$500,000,000 for fiscal year 1977, and \$750,000,000 for each fiscal year thereafter.

(2) The Secretary shall allot—

(A) from the sum appropriated under paragraph (1) above for fiscal year 1976 an amount equal to—

(i) 85 per centum of such sum among the States so that the amount allotted to each State bears the same ratio to such sum as the aggregate number of minority group children aged five to seventeen, inclusive, in such State bears to the aggregate number of such children in all the States, to be used for the purpose of developing a State plan pursuant to this part;

(ii) 15 per centum of such sum to other public and private agencies that may provide assistance to the States in developing plans and in preparing to implement plans pursuant to this part;

(B) from the sums appropriated under paragraph (1) above for fiscal year 1974 and each fiscal year thereafter an amount equal to—

(i) 65 per centum of such sum, to be

known as a basic grant, among qualifying States so that the amount allotted to each qualifying State bears the same ratio to such sum as the aggregate number of minority group children aged five to seventeen, inclusive, in such qualifying State bears to the aggregate number of such children in all qualifying States;

(ii) thirty per centum of such sum, to be known as a supplemental grant, among qualifying States so that the amount allotted to each qualifying State bears the same ratio to such sum as the aggregate number of minority group children, aged five to seventeen, inclusive, in such qualifying State bears to the aggregate number of such children in all qualifying States; and

(iii) five per centum of such sum to other public and private agencies that may provide assistance to States in planning, implementing, revising and evaluating plans pursuant to this part.

(3) A State shall qualify to receive—

(A) a basic grant under subsection (a) (2) (B) (i) during fiscal year 1974 and any year thereafter, if it has submitted a plan that contains at least two components provided by section 1424 which comply with any applicable regulations issued by the Secretary pursuant to such section, and which has been approved by the Secretary pursuant to section 1427 below; and

(B) a supplemental grant under subsection (a) (2) (B) (ii) during fiscal year 1974 and any fiscal year thereafter, if it has submitted a plan which places primary and substantial emphasis on programs pursuant to section 1424(c) which comply with any applicable regulations issued by the Secretary pursuant thereto, and which has been approved by the Secretary pursuant to section 1427 below;

(b) All sums appropriated under the Elementary and Secondary Education Act of 1965, and all other Federal grant or desegregation assistance shall be allotted to implement the approved plan.

(c) No funds granted under this part may be used to supplant State or local educational funds being expended, or that would have been expanded, absent the grant, in or for public schools or to assist any private school directly.

(d) The Secretary shall publish, and from time to time revise, such regulations as may be necessary to effectively carry-out this section, including definitions and criterion for eligibility for supplemental grants under the "primary and substantial" requirement of subsection (a) (3) (B), within one hundred and eighty days of the enactment of this title.

Sec. 1427. (a) The Secretary shall approve any State plan which meets the requirements of sections 1421 through 1425 and any applicable guidelines and regulations issued by the Secretary pursuant thereto, and shall not finally disapprove any such plan without first affording the agency administering the plan reasonable notice and an opportunity for a hearing.

(b) Whenever the Secretary, after reasonable notice and opportunity for a hearing—

(1) disapproves a plan pursuant to subsection (a), or

(2) finds:

(i) that no plan has been submitted by a State,

(ii) that a State plan approved under subsection (a) has been so changed that it no longer complies with the requirements of section 1421 through 1425,

(iii) that in the administration of such a plan there is a failure to comply substantially with any such provisions, or

(iv) that a grantee is in violation of section 1426 (c)

the Secretary shall notify the grantee that further payments will not be made to the grantee under this part, under title I of the Elementary and Secondary Education Act of 1965, or under title III of the Elementary

and Secondary Education Act of 1965 or any other educational enrichment or desegregation assistance program (or, in his discretion, that further payments will be limited to grantees or programs not affected by the failure) until he is satisfied that there will no longer be any failure to comply. Until he is so satisfied, the Secretary shall make no further payments under such titles (or shall limit payments to grantees or programs not affected by the failure).

#### JUDICIAL REVIEW

SEC. 1428 (a) If any State is dissatisfied with the Secretary's final action with respect to the approval of its State plan under section 1427(a) or with his final action under section 1427(b), such State may, within sixty days after notice of such action, file with the United States court of appeals for the circuit in which such State is located a petition for review of that action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Secretary. The Secretary thereupon shall file in the court the record of the proceedings on which he based his action, as provided in section 2112 of title 28, United States Code.

(b) The findings of fact by the Secretary, if supported by substantial evidence, shall be conclusive; but the court, for good cause shown, may remand the case to the Secretary to take further evidence, and the Secretary may thereupon make new or modified findings of fact and may modify his previous action, and shall certify to the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence.

(c) The court shall have jurisdiction to affirm the action of the Secretary or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

#### PART D—REMEDIES

##### FORMULATING REMEDIES: APPLICABILITY

SEC. 1431 In formulating a remedy for a denial of equal educational opportunity or a denial of the equal protection of the laws, a court, department, or agency of the United States shall seek or impose only such remedies as are essential to correct particular denials of equal educational opportunity or equal protection of the laws;

SEC. 1432. In formulating a remedy for a denial of equal educational opportunity or a denial of the equal protection of the laws, a court, department, or agency of the United States shall consider and make specific findings on the efficacy of the following remedies in correcting such denial and shall require implementation of the first of the remedies set out below, or on the first combination thereof, which would remedy such denial:

(a) assigning students to the school closest to their place of residence which provides the appropriate grade level and type of education for such students;

(b) good faith participation in and reasonable progress in the implementation of an approved State plan pursuant to title II of this Act by the local educational agency involved;

(c) transportation of students to schools other than the one closest to their own home.

SEC. 1433. No court, department, or agency of the United States shall, pursuant to section 1432 order the implementation of a remedy that would:

(1) pose a risk to the health and safety of the students involved, significantly impinge on the educational process, or involve the transportation of students to schools significantly inferior to those which such students would in the ordinary course have attended; or

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(2) substantially increase during any school year the average daily time of travel or the proportional average daily number of students to be transported by the educational agency over the comparable average for the preceding school year, unless it is demonstrated by clear and convincing evidence that no other method set out in section 1432 will provide an adequate remedy for the denial of equal educational opportunity or equal protection of the laws that has been found by such court, department or agency. The implementation of a plan calling for increased transportation, as described in this subsection, shall be deemed a temporary measure and such plan shall be ordered in conjunction with the development of a long-term plan as provided by part C of this title.

##### VOLUNTARY ADOPTION OF REMEDIES

SEC. 1434. Nothing in this part prohibits an educational agency from proposing, adopting, requiring, or implementing any plan of desegregation, otherwise lawful, that is at variance with the standards set out in this part nor shall any court, department, or agency of the United States be prohibited from approving implementation of a plan which goes beyond what can be required under this title, if such plan is voluntarily proposed by the appropriate educational agency.

#### PART E—GENERAL PROVISIONS

##### DEFINITIONS

SEC. 1441. For purposes of this title—  
(a) The term "minority group" means Negroes, American Indians, Spanish-surnamed Americans, and Orientals.

(b) The term "low income" family means any family that has an annual income during any year which is below the "weighted average thresholds at the low-income level" as determined by the Bureau of the Census of the United States Department of Commerce. For the purposes of this title the Secretary shall publish, not later than six months preceding the beginning of any school year, a schedule of low-income family definitions by family size, type, and by place based on the latest available data from the Bureau of the Census.

(c) The term "local educational agency" means a public board of education or other public authority legally constituted within a State for either administrative control, or direction, of public elementary or secondary schools in a city, county, township, school district, or other political subdivision of a State, or such combination of school districts or counties as are recognized in a State as an administrative agency for its public elementary or secondary schools, or a combination of local educational agencies.

(d) The term "school" means a school which provides elementary or secondary education, as determined under State law, except that it does not include any education provided beyond grade 12.

(e) The term "Secretary" means the Secretary of Health, Education, and Welfare.

(f) The term "State educational agency" means the State board of education or other agency or officer primarily responsible for the State supervision of public elementary and secondary schools, or, if there is no such officer or agency, an officer or agency designated by the Governor or by State law for this purpose.

(g) The term "State" means one of the fifty States or the District of Columbia.

(h) The term "segregation" means the operation of a school system in which students are separated among the schools of an educational agency or within a school, as a result of actions and practices, both past and present, by such agency, on the basis of race, color, or national origin.

(i) The term "desegregation" means any actions by an educational agency undertaken to correct and remove the vestiges of seg-

regation as defined in subsection (c) above.

(j) An educational agency shall be deemed to transport a student if any part of the cost of such student's transportation is paid by such agency, either directly from revenues raised from local sources or indirectly from revenues or grants from other agencies of government.

(k) The term "basic instruction programs" means instructional services in the field of mathematics or language skills which meet standards the Secretary may prescribe.

(l) The term "basic supportive services" means non-institutional services such as counseling, curriculum guidance, and health or nutritional services as prescribed by the Secretary.

(m) Expenditures for basic instructional programs or basic supportive services do not include expenditures for administration, operation, and maintenance of plant, or for capital outlay, or such other expenditures as the Secretary may prescribe.

(n) The term "average basic expenditure per pupil" means the average expenditure per pupil for all educational costs incurred by the district other than costs for any compensatory program under titles I and III of the Elementary Education and Secondary Education Act of 1965, or any other comparable Federal or State compensatory or enrichment programs, as these may be specified by the Secretary.

SEC. 1442. Such portion as the Secretary may determine, but not more than 1 per centum, of any appropriation under this title for any fiscal year shall be available to him under section 1426(a) (2) (B) (ii) for evaluation (directly or by grant or contract) of the programs, activities, and projects authorized by this title.

## FIFTY-SIXTH ANNIVERSARY OF BYELORUSSIAN INDEPENDENCE

### HON. NORMAN F. LENT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

MR. LENT. Mr. Speaker, I rise to pay tribute to the spirit of the Byelorussian people on this, the 56th anniversary of the loss of their independence to the Soviet Union. This is a solemn occasion, for Byelorussia still resists the efforts on the part of Russia to eradicate its historical accomplishments and sense of national and ethnic identity.

During the 16th century, Byelorussia was characterized by an advanced democratic basis of life and by religious and political tolerance while most of Europe suffered persecutions and inquisitions from religious differences. The Byelorussian language served as the international language for diplomatic relations of Eastern Europe similar to the role which Latin played in the West. A codified judicial system and the early use of printing which produced the first publication of the Bible in a native language of Eastern Europe attest to the high degree of advancement which marked Byelorussia as a leader in social and technological development. This is the record of historical achievement which the Soviet Union is so eager to expunge.

On March 25, 1918, over a century after its forced annexation by czarist Russia, the Byelorussian Democratic Republic was proclaimed and the Republic adopted a provisional constitu-

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tion which provided for a direct and secret ballot open to all; freedom of speech, press and assembly; national and cultural autonomy for all minorities; the right to strike; and other guarantees of human rights which are so closely identifiable with our own Constitution. The Russian Communists invaded Byelorussia and the nation soon found itself in Russian captivity once again, renamed the Byelorussian Soviet Socialist Republic.

The fight for Byelorussian independence has continued despite efforts to extinguish the aspirations of the Byelorussian people to control their own destiny. I am confident that someday Byelorussia will once again join the community of free nations and the ideals of March 25 will be actuality.

## THIS FRAGILE MENAGERIE HANGS BY A THREAD

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. DINGELL. Mr. Speaker, having been an important part of the fight to save the beleaguered Florida key deer, the National Wildlife Federation is especially sensitive to the growing numbers of endangered wildlife species throughout the world. Feeling the situation has become critical—though America is today far more affluent than dreamed of in the 1930's when this organization was founded, and we have achieved this affluence only at grave cost to all our resources—the Federation has published the first issue of National Wildlife ever devoted to a single subject. Today I would like to read into the RECORD an article from the introductory section of the April/May magazine.

It is a pity there is no way to read in as well the overwhelming quality of National Wildlife art and photographic reproductions. The article follows:

## THIS FRAGILE MENAGERIE HANGS BY A THREAD

(By Jean Craighead George)

Eight years ago, I stood on the Route One bridge in South Miami and squinted into the blaze of sunlight sparkling on the waters below. I had come to see the famous manatees of the Miami River, those whalelike creatures so thrilling to behold and so few in number. But when I leaned over the rail to find them in their customary hideout under the bridge, they were not there. Scanning the river in vain for the familiar upboilings that mark their whereabouts, I approached an elderly fisherman on the bridge. "Where are the manatees?" I asked and, when he did not answer, I went on to describe them: about twelve feet long and hung like dirigibles in the water, with legless hindquarters and bristly prehensile lips that plucked the greens out of the river. "You mean the sea cows?" the fisherman replied. "They're dead. Propellers on the big power boats slashed them up."

That was in 1966—the year when the U.S. Interior Department's Fish and Wildlife Service officially classified the Florida manatee as an "endangered species." Unfortunately, that ominous term is so bantered and abused, so political and emotional, that it confuses scientists and laymen alike. There is no ambiguity whatsoever, though, about the pre-

dicament that gave rise to the label in the first place. At the present time, no less than 109 species of American wildlife are in imminent danger of extinction, including 17 mammals, 53 birds, 8 reptiles and amphibians, and 31 fish. The roster of animals in jeopardy has increased steadily over the years, and dozens of other creatures may be destined to join it in the very near future, not to mention literally hundreds of plant species.

What does it matter if a few more animals and plants are sacrificed on the altar of "progress"? Quite a part from ethical and philosophical considerations, there are some eminently practical answers to that question. At the heart of the matter is a violent confrontation between man and nature from which no winners can emerge.

When pollution soured the ponds in parts of Europe recently, for example, the frog population fell off sharply and the number of insects skyrocketed, jeopardizing many crops. In parts of South America not long ago, some jungle villages were racked with disease when trappers wiped out the spotted cats that had kept the rats under control. In a world in which all life forms are mutually dependent, the endangered species constitute a sensitive barometer of the health of our entire ecosystem.

That barometer has reached an all-time low today but it has taken some alarming plunges in the past, too. Less than a century ago, for example, the buffalo, or bison, had been all but exterminated in the West when the American public belatedly learned what was happening. The sage of how the shaggy beasts were rescued is part of the genesis of public recognition in the United States of civilization's destructive effect on wildlife in general.

As late as 1846 there may have been as many as 25 million buffalo roaming the western ranges. They provided food and rugs for Indians and pioneers alike, and delicacies such as tongue meat for the eastern markets. It was U.S. army policy to destroy the animals, both because they competed with cattle for grasses and space, and because it was a means of bringing the red man to his knees. Bison were slaughtered by the millions throughout the 1860s and 70s and by 1889, there were only about 550 wild buffalo left, mostly confined to the new national park at Yellowstone. There, conservationists made a concerted stand on the animal's behalf, even arranging for the Army to protect the remnant herd. And by the turn of the century, the bison was on the road to recovery.

Enlarged by animals introduced from Canada and from captive herds in Arizona and several eastern states, and made famous by William Hornaday's American Bison Society, the buffalo became a symbol of a vanishing America. Today the progeny of that once-fragile Yellowstone herd number several thousand strong within the park itself, while many thousands more are settled around the world in zoos, parks, and on private ranches. Thus, despite their decline from millions to mere thousands, the buffalo is no longer considered rare or endangered.

Unfortunately, success with a large mammal like the bison did not have similar echoes in the bird world. The last Labrador duck was shot on December 12, 1875, and the last passenger pigeon and Carolina parakeet died in zoos in 1914. For awhile, it looked as if several species of the elegant wading egrets and herons might go the same way, victims of the rapacious plume hunters serving the vanity of ladies of high fashion in New York, London, and Paris.

But in 1900, the Lacey Act made the interstate shipment of birds killed in violation of state laws a federal offense. And the American Ornithologists' Union, together with the newly formed National Association of Audubon Societies, helped end the slaughter of wading birds, and coincidentally, terns

and songbirds. This new conservation awareness led to further laws. In 1918, the United States and Great Britain, acting for Canada, signed a Migratory Bird Treaty offering protection for birds that regularly crossed the borders of these two nations. This new international understanding of nature's contempt for political boundaries was enlarged in 1937, when the U.S. and Mexico signed a similar treaty protecting migratory birds in the southern half of North America.

After World War II, however, just as the world was looking safer for wildlife, a scientist at a research station in New York's Adirondack Mountains watched DDT-fed nestling birds tremble, go into spasms and die. A new threat to wild things was upon the land—the chlorinated hydrocarbons. Scientists from California to the Eastern Seaboard tested the effects of pesticides on the environment. Their research culminated in the best-selling shocker by Rachel Carson, *Silent Spring*. The book sparked a controversy that brought a roar from the chemical industry and a call-to-arms against spraying from environmentalists. The book was scorned by farmers. Forest managers scoffed at it. Industrialists labeled it "emotional." And then, bald eagles began to vanish, peregrine falcons disappeared from rivers and cliffs and songbirds dropped dead in towns and cities. The "silent spring," it turned out, was real cause for alarm.

By 1965, like the great electrical blackout that darkened the East Coast that year, the wild things were going out all over the country—and pesticides were but one cause. Everywhere, it seemed, natural wildlife habitat was being destroyed by bulldozers, drainage ditches and developers. In Florida, some of the nation's last crocodiles had been shot on their island in Surprise Lake, and the last specimen of a rare orchid had been poached from Everglades National Park. In California, a wildlife expert warned that North America's largest land bird, the California condor, was almost extinct. In Texas, a developer bought up one of the last caves in which the blind salamander or Texas dwelled and was prepared to exploit the cave for tourism.

By 1966, at least 9 mammals, 31 birds and 6 fishes were extinct in the United States—compared to only five a century or so earlier—and the numbers of endangered animals were increasing every year. The Fish and Wildlife Service then defined an endangered species as one that must have help from man. Help meant the restoration of habitat for such creatures as the masked bobwhite, a perky quail of the Southwest that had become extinct in the United States because cattle drives and ranching had destroyed its habitat of wild grasses. To the north, the Aleutian Canada goose was in trouble because furriers had introduced the blue fox to the Aleutian Islands where these birds dwelled. Other creatures were in trouble, too. With a bounty on its head, the timber wolf was poisoned, trapped and pursued by plane and car. Consequently, its numbers plummeted from hundreds of thousands to a pitiful few in the lower 48 states. The Mississippi sandhill crane was threatened by another problem—its numbers fell so low that inbreeding resulted in sterility.

In the mid-1960s, the United States was being emptied of wildlife so rapidly that naturalists began to talk in desperate terms. Said William C. Conway, director of the Bronx Zoo: "We can no longer dally. The time has come to bring endangered species in out of the wilds, raise them in captivity and try to return them to the wilds." Conway was one of the farsighted few, but at the time his words enraged those who wanted wild things to be only in wild places. And yet, the need for some kind of drastic action could not have been more clear.

In 1966, Senator Karl Mundt of South Dakota introduced a bill on the floor of the Senate to create an Endangered Species Bureau in the Department of Interior that

would "bring threatened species in out of the wild and attempt to raise them in captivity." Mundt prodded and cajoled his colleagues into passing what they laughingly called the "dickey bird bill of 1966." No one is laughing today, however, for the bill is considered one of the most important pieces of legislation in the long history of man's relationship to his environment.

The Endangered Species Act opened the "ecological decade" and marked the year that Americans began to assume responsibility for the planet Earth. In 1971, DDT was banned in the United States, and yet another giant stride was taken. But then Swedish scientist Soren Jensen detected a strange chemical in many dead animals that, like DDT, affected the nervous system and made some bird's eggshells fatally thin. Jensen took the substance to his chemist colleague, Gunnar Widmark, who identified it as a chlorine-containing compound PCB—polychlorinated biphenyl. The following year, scientists in America, England, Scotland and the Netherlands found PCB's in animals in their countries. Suddenly, the insidious chemical was discovered in species all over the world.

It was just the latest shocker in the chain of ecological exposes that pre-dated "Silent Spring." But rather than deadening the public's senses to the appalling enormity of the problems, the cumulative weight of the revelations seemed to heat up the boilers of righteous indignation. And as the word "endangered" gradually crept into man's vocabulary, it aroused deep concern—and sparked millions of people to action.

In a small town in Pennsylvania, a factory owner bought a swamp where the rare bog turtle dwelled. When the citizens of the town learned this, they assembled, raised money and bought the marsh. In Alaska, waitresses in a restaurant next to one of the rivers where the Pacific salmon come to spawn begged fishermen not to interfere in the process by catching the fish. Last year, a judge in White Plains, New York, was so moved by the plight of an endangered species on a controversial piece of land, that he ruled in favor of the animal. "May wild endangered things," he wrote in his brief, "roam forever on this property far from the teeth of the bulldozer."

In some cases the effort to save and protect wild things has been so successful that it has presented official Washington with a few problems. For instance, is the Key deer—an animal that made a grand comeback from 30 in 1949 to 600 in 1973—still an endangered species? And when does the alligator cease to be endangered? Louisiana has opened an alligator hunting season though it is still on the U.S. endangered species list. This reptile has made such a remarkable recovery since its protection began that now it threatens people in a few populated areas.

Not all species respond to help, however. The California bighorn sheep is one of these. Its populations build up nicely for several years, and then they are all but wiped out again by scabies, a virulent skin disease. With each build-up and crash, the numbers drop lower and lower. In 1966, the Interior Department estimated that there were about 400 bighorns in California; in 1973, the agency cited but 200.

Science has a major role to play. Some species that have been brought in out of the wilds and raised under scientifically controlled conditions are doing well. Others are not. It was while visiting two pioneering science labs last fall that I gained a deeper personal understanding of just what an endangered species is. It is, above all else, an emotion-stirring creature. On a chilly day in Ithaca, New York, I walked down the winding trail to Cornell University's Ornithological Laboratory, where Heinz Meng is breeding peregrine falcons in captivity for the first time—a feat heralded around the world. My steps quickened when I heard, as if out of

## EXTENSIONS OF REMARKS

the past, the "cack, cack, cack," of the bird that once rode the fists of kings and reigned over wild rivers and cliffs from the Arctic to the subtropics. Rounding the bend, I stood before a few of the twenty young peregrines that had been raised at the lab in 1973.

When I was told that three peregrines had been returned to the wilds, the sky somehow seemed bluer, the hills more beautiful. One bird had headed north to the Arctic wilderness when released. A second was sent to Idaho to join a female who had been without a mate for two years. And the third while in training for its freedom, took off after an osprey and climbed out of sight.

Gratifying though it was, the thrill I experienced in Ithaca evaporated when I visited Patuxent, the federal research station in Maryland, specializing in endangered species. Standing before the southern bald eagle there, I was overwhelmed with a sense of helplessness. The bird's mate had died a year before and his solitude seemed irrevocable, for at that time no one had bred that great American in captivity. Ultimately, I realized then, an endangered species evokes sadness. As I watched the black-footed ferrets, masked bobwhites, whooping cranes and white-fronted geese in Patuxent, I beheld a singularly fragile menagerie. They hang, all endangered species, like glass threads in a pinball machine.

## A GATHERING OF VULTURES

### HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. BRAY. Mr. Speaker, obscene and despicable as the Hearst kidnaping is by the twisted, warped personalities of the so-called Symbionese Liberation Army, I submit that something only a little less obscene and despicable was indulged in by some who swarmed down, like so many vultures, to get the free food provided by Miss Hearst's father.

The following editorial from the March 17, 1974, Indianapolis Star, tells the story:

#### A CADILLAC "NEEDY" SET

To see just who would be getting food under the People In Need (PIN) giveaway prompted by the Patricia Hearst kidnapers, two reporters from the New York liberal weekly, the Village Voice, went to San Francisco for a first-hand look. They got an eyeful.

On the first day, 33,000 bags of groceries were handed out at 10 locations around the city. Police and the media were asked to keep a respectful distance by A. Ludlow Kramer of PIN who explained, "Standing in line for food is not a dignified act for many citizens."

But the reporters, Lucian K. Truscott IV and Mary Jo Warth, got close enough to three locations to see that the people flocking around to get food were mostly young, none elderly and included some "apparently freeze dried hippies from another time" but no one who to them appeared genuinely poor.

Long lines of cars, many of them expensive, late models, inched along streets to the give-away sites and disgorged from two to six or seven people who would race to the storefronts and hurry back with big bags of food. One of the vehicles was a late model Chevrolet van with oversize tires. It contained four apparently middle-class occupants.

One man made repeated trips to pick up boxes of food which he loaded into the trunk of a white Cadillac convertible. Then he drove off.

Among the cars gathered for the free food the reporter spotted 12 Cadillacs, two Lin-

coln Continentals, two Mercedes sedans, a 1974 Datsun and the "needy" rode in big cars and were well-dressed, the men usually sporting wide-brimmed velvet hats and the women bouffant hair-dos.

So much for one cross section of the impoverished, hungry beneficiaries of terrorist humanitarianism in California.

## ALTON, GODFREY, AND WOOD RIVER REMEMBER THE VETS

### HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. FINDLEY. Mr. Speaker, although the Nation seems determined to forget the Vietnam war as quickly as possible, several Illinois communities have not forgotten. Springfield, Rockhouse, and Nebo have already dedicated memorial trees to the men who fought, died, were imprisoned, or were disabled in Indochina. This weekend, Alton, Godfrey, and Wood River, Ill., will also dedicate living trees to commemorate the great sacrifice of all those who fought in the Vietnam war.

A resolution, House Concurrent Resolution 271, has been reported by the Subcommittee on National Security Policy calling for the President to initiate and cooperate in a national program of commemorative trees honoring those who are still listed as missing and those who died in Vietnam. It has the support of the National League of Families of American Prisoners and Missing in Southeast Asia, the American Legion, and the Veterans of Foreign Wars, but so far no action has yet been taken by the full Foreign Affairs Committee.

Hopefully, the committee will soon act, in response to veterans like Doug Thompson, who wrote the following article for the Alton, Ill., Telegraph, on March 2, 1974:

#### THE FORGOTTEN VET

(By Doug Thompson)

Richard Crawford, a 19-year-old gungho Marine from Godfrey, became the first area fatality of the Vietnam era on Saturday, Oct. 30, 1965.

Seven years and 148 deaths later, 25-year-old Richard Scroggins, a native of Bunker Hill, was the last casualty—dying on Feb. 23, 1973, following a skirmish after the "cease fire" was signed.

That made the total 149 dead from the war that really never was a war. It was a war that nobody claimed, nobody won and everybody now seems to want to forget.

Vietnam seems so far away now. It has been more than a year since the "cease fire." The protests, debates and daily casualty reports that were part of our daily lives ended long ago.

But the war remains very close to the families who lost relatives; to the veterans who came back maimed for life and to the ones who came back with deep emotional scars.

They are victims of the biggest military bungle in history—a classic case of the unqualified leading the untrained into the unknown for the ungrateful.

#### FOR WHAT?

Each Vietnam-era veteran gave up two years or more of his life. And for what? To die without every really knowing why, to

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survive the war and come home to a country that doesn't appreciate him, and to come home to unemployment, disinterest and scorn.

In a grandiose and often vulgar display of gratitude and affection, we welcomed home the prisoners-of-war in a last fling to salvage some respectability from an insane war.

But we continue to ignore the vets who died, the ones who came back less than whole and the ones who just came back.

They came home bitter, resenting a system that rips out part of the lives and then forgets about them.

Many came back hooked on drugs—the only release they could find from the tedium and mockery of their service. The military offered "help," and then rewarded those who sought help with less-than-honorable discharges.

## NO RIGHTS?

When the Vietnam vets sought their rights and benefits from the government they served, they became lost in a bureaucratic maze called the Veterans' Administration.

Instead of help, they got hassled—and the hassles continue even today.

Finally, to twist the knife in their backs, the Vietnam era vets were shunned by the various veteran's organizations in this country. Suddenly, the Viet vet wasn't good enough, his war hadn't been a "real war" and he remains on the outside.

It is little wonder that a group like the Veterans Service Center in Alton has grown so much. In an era when most would like to forget the Viet vet, a handful of programs around the country try to handle the problems.

In Alton, the VSC tries to get less-than honorable-discharges upgraded because most of those discharges were issued by "administrative action," which in military language means one man made the decision that follows a man's life.

The Vietnam era produced 7.5 million veterans and 424,805 less than honorable discharges. Many of those were drug-oriented cases.

VSC has gotten three discharges upgraded and is working on 55 more. Unfortunately, many vets saddled with the stigma of a less-than-honorable discharge never realize they can work to have that discharge upgraded.

For the same reasons many will never receive the benefits due veterans for the same reasons.

## A MEMORIAL

On March 29, the VSC, Marine Corps League, Price, Inc., and the American Legion Post will make a memorial dedication to the area soldiers who died in Vietnam.

They are trying to compile a list of those who died—but the job is complicated by apathy and the people who just forgot too quickly.

Those who haven't forgot are invited to drop by 321 East Broadway in Alton and add the names they know the list.

Even people who died in vain deserves to be remembered.

## PROPOSED AMENDMENT TO H.R. 69

## HON. LLOYD MEEDS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. MEEDS. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following proposed amendment to H.R. 69:

AMENDMENT TO H.R. 69, AS REPORTED,  
OFFERED BY MR. MEEDS

Page 28, line 15, strike out "1" and insert in lieu thereof "1.5".

Page 29, beginning with line 1, strike out everything after the period down through the period in line 8, and insert in lieu thereof of the following:

"The Commissioner shall allot (A) not more than 25 per centum of the amount appropriated pursuant to this paragraph among Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands according to their respective needs for grants under this part, and (B) the remaining per centum of such amount so appropriated to the Secretary of the Interior in the amount necessary (1) to make payments pursuant to subsection (d)(1), and (ii) to make payments pursuant to subsection (d)(2). In making the allotments under the preceding sentence for any fiscal year, the Commissioner shall take into account any increase in the proportion of the number of children to be served by the allotment under clause (A) relative to the total number of children to be served by the allotments under clauses (A) and (B)."

THE CASE FOR RESTORING U.S.  
COMPLIANCE WITH U.N. SANCTIONS  
AGAINST SOUTHERN RHODESIA: WORLD FEDERALISTS, USA

## HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. FRASER. Mr. Speaker, the World Federalists, U.S.A. have published a fact sheet on the Senate passed bill, S. 1868, that amends the U.N. Participation Act of 1945, and would halt the importation of Rhodesian chrome and ferrochrome.

This World Federalist document is a concise and straightforward presentation of the issues involved. Those of us supporting S. 1868 and the identical House bills including H.R. 8005 feel very strongly that we must return the United States to full compliance with U.N. sanctions. Enactment of S. 1868 would accomplish this.

The World Federalists' publication follows:

THE CASE FOR RESTORING U.S. COMPLIANCE  
WITH U.N. SANCTIONS AGAINST RHODESIA,  
H.R. 8005 AND S. 1868

On December 18, 1973, by a vote of 54-37, the Senate passed S. 1868, to restore full United States compliance with United Nations sanctions against Rhodesia. This legislation has the effect of repealing the so-called Byrd Amendment by exempting UN sanctions from the operation of Section 10 of the Strategic and Critical Materials Stock Piling Act. The Byrd Amendment states that the President may not prohibit or regulate the importation of materials defined as "strategic and critical" from non-Communist countries as long as importation of such materials from Communist countries is not barred by law.

World Federalists, USA urges the House of Representatives to pass S. 1868, for the following reasons:

1. The energy crisis is evidence of how foolhardy it would be to ignore the views of the African countries on whom we are increasingly reliant for our supply of natural re-

sources. Already a large share of our imports are from the African continent where US private investment totals \$3 billion (as compared to \$56 million in Rhodesia). Continued cooperation will require an increased US sensitivity to the Africans' concern that minority rule be abolished in southern Africa. Secretary of State Henry Kissinger recently stated that "... the Byrd provision has impaired our ability to obtain the understanding and support of many countries including such important African nations as Nigeria, a significant source of petroleum and a country where we have investments of nearly \$1 billion."

2. US national security would not be impaired by observance of sanctions against Rhodesia. When the Byrd amendment was passed in 1971 it was argued that sanctions against Rhodesia were detrimental to our national security because they resulted in the US becoming too reliant upon the Soviet Union for chrome ore. Since 1971, imports from the USSR have not decreased; they have jumped from 24-51 percent of total chrome imports. US chrome supply is not in danger. According to the National Materials Advisory Board and the Department of Defense, the chrome stockpile is more than sufficient to meet our military needs for general and emergency purposes for decades. In fact, President Nixon has proposed that over 4 million tons of chrome ore be sold as surplus.

3. It is extremely unlikely that the USSR would cut off chrome ore shipments to the US since the Soviets are dependent upon the US for key strategic materials, such as aluminum oxide. Thus, it is no accident that during the 1962 Cuban Missile Crisis and the Vietnam War the USSR not only continued chrome ore shipments, but actually increased them.

4. Rhodesia is not the only source of chrome ore. Contrary to unproven rumors, the USSR is the best source of high-quality chrome ore in the world. Turkey, Brazil, Pakistan, the Philippines, Iran, South Africa, and others are also sources of ore, and often at cheaper prices than Rhodesia.

5. US jobs in the ferrochrome industry are endangered because US corporations are able to obtain ferrochrome from Rhodesian industries at cheaper prices. Since the passage of the Byrd amendment, imports of Rhodesian ferrochrome (a chrome-iron alloy used in making stainless steel), have doubled claiming 46% of the high carbon alloy import market. Rhodesian ferrochrome is cheaper than the US product because their industry is allowed to employ cheap and frequently forced labor under working conditions that deny Africans the right to strike or bargain collectively. In addition, the Rhodesian government subsidizes freight and power rates while allowing industry to avoid even minimal environmental protection standards for mining and processing in its quest for hard foreign currency. The threat to US jobs has been temporarily diminished by a recent boom in the steel industry, but when the boom is over, US industries will be unable to compete with the cheaper Rhodesian ferrochrome resulting in a loss of American jobs.

6. Restoration of sanctions will not cause large increases in the price of stainless steel. If sanctions are restored, replacement of Rhodesian ferrochrome by purchases of ferrochrome from other foreign producers costing an additional \$100 per ton will cost the stainless steel industry only slightly over \$3 million annually, not the \$96 million it has predicted. The stainless steel producers have not passed on to the consumers any cost savings that may have come from breaking sanctions. In fact, stainless steel producers have recently hiked prices by 2 to 4 percent

on top of previous price increases of as much as 6 percent in 1973.

7. *Sanctions are an effective means for bringing peaceful pressure on a government.* In Rhodesia, where a small minority dominates 95% of the population, sanctions can serve as an effective and legitimate means of bringing the black majority into the political, economic and social fabric of the country. Despite US failure to fully comply with sanctions, Rhodesia has suffered severe economic strain. Not only have sanctions denied Rhodesia access to the capital necessary for economic expansion but they have also frustrated efforts to obtain materials essential to the maintenance of the country's agricultural, industrial and military capacity.

8. *US compliance with sanctions would provide the decisive impetus for peaceful social change in Rhodesia.* Internal and international observers agree that repeal of the Byrd amendment would probably force the Rhodesian government to undertake serious negotiations with the African majority. With internal forces against the Smith regime stronger than ever, sanctions represent perhaps the last chance for obtaining a peaceful settlement; thus averting a tragic war that could engulf that entire region of Africa.

#### BYELORUSSIAN INDEPENDENCE

#### HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. DINGELL. Mr. Speaker, on March 25, this year we again have the opportunity in this free Nation of ours to extend our support to the struggle by the Byelorussian people to gain their freedom from Russian dominance. It was on March 25, 1918, that the Byelorussian people proclaimed their national independence. Byelorussia is one of the many captive nations seeking independence from the dictates from Moscow.

As I previously have spoken in support of these nations seeking their freedom and independence, I am privileged to have this opportunity to do so in behalf of the Byelorussian people today.

As the Byelorussian-American Association, Inc., in the State of New York, includes in one of their recent publications on the Byelorussian Soviet Socialist Republic—as Byelorussia is referred to today by the U.S.S.R.:

The present relations of Moscow to Byelorussia are strictly colonial in nature and have two distinct aims. One is to exploit the Byelorussian natural resources for the benefit of Russian imperial expansion; and the other is to eradicate Byelorussian nationalism in the hope of fostering a homogeneous Soviet empire. In pursuit of these policies, Moscow has implemented the following measures: only Russians are permitted to occupy the key positions in the BSSR; the industrial development in the BSSR is primarily channeled for the express purpose of developing the Russian empire in Siberia and Central Asia; the Byelorussian language has been almost completely eliminated from administrative use, from institutions of higher learning, and from secondary schools. Still, the ceaseless attacks by the Communist press and radio on "Byelorussian Bourgeois Nationalism" prove that these policies are failing, and that Soviet Russia will never succeed in

#### EXTENSIONS OF REMARKS

stifling the desire of the Byelorussian people for their national freedom, just as Czarist Russia failed in the same endeavor.

Mr. Speaker, in this effort today to draw expanded attention to the plight of the captive nations, and in behalf of Byelorussia, I believe it appropriate to reiterate my support for the independence of captive nations.

#### AFL-CIO EXPOSES OIL COMPANIES' LACK OF PATRIOTISM

#### HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. BROWN of California. Mr. Speaker, the most recent edition of the AFL-CIO News, dated March 23, contains some very interesting information in this week's Washington Window column. Because I believe that the average American will find this information of great interest, I am inserting the entire column in today's RECORD:

#### WASHINGTON WINDOW

Taxes as an instrument of economic policy are assuming more and more importance. This has become especially so insofar as tax policy involves the giant oil corporations which have profited enormously through special tax loopholes. Only now are the American people beginning to catch a glimpse of the oil profits growing out of those loopholes that have long marked the industry.

These tax benefits also were granted with the presumed justification that the money would be used to stimulate research and development so that the day would never come, as it has now come, when the American people would find themselves short of oil and gasoline, their lifeline to a sound and growing economy. It hasn't worked out that way.

Congress is now looking into both aspects of these tax advantages to the oil corporations. How much courage it will show in tackling the basic problem remains to be seen, but at least the current congressional investigations are giving the American people a chance to see the practical, not theoretical, results of oil tax policy over the past half-century.

Here are the tax gimmicks that are now under scrutiny.

The oil depletion allowance: Organized labor has told Congress that there is no justification whatever to permit continuance of this allowance and accompanying drilling write-offs on foreign-produced oil.

The House Ways & Means Committee tentatively voted to lower or phase out the domestic oil depletion allowance although it weakened that by exempting oil subject to government price controls. It has been estimated that this tax break alone has profited the oil corporations by as much as \$2 billion a year—money which has gone into new investments abroad at the sacrifice of the research and development at home now so desperately needed.

One of the most outrageous tax breaks that the oil corporations now get is their right to credit royalties they pay foreign governments dollar-for-dollar against their U.S. income taxes. Originally these royalties were considered only deductible costs, which is where they should have remained. As a result of making them tax credits, the oil corporations now pay far more in taxes to foreign countries than they do to the United States.

"The foreign tax credit has encouraged oil corporations, as well as other multinational firms, to invest abroad heavily at the expense of domestic operations and American jobs," the AFL-CIO told Congress. "This abuse which calls upon U.S. taxpayers to subsidize the overseas operations of U.S. corporations must be ended."

Again oil corporations, like other multinationals, have the right to defer their tax obligations to the United States until such profits are brought home, which, as labor has pointed out, may be never.

On top of all these tax benefits, the oil corporations have long enjoyed the closest kind of cooperation with governmental power in Washington, especially with the Army and Navy which have rarely fought their pricing policies. Yet, when the pinch came, it was the oil industry that played into the hands of the Arab states and denied oil to our own fleet in the Mediterranean.

Nor have the oil companies shown much gratitude for the tax favors they have received. Even today, the vast tonnage of oil tankers that are owned by the largest of the oil corporations fly foreign flags.

One of the "justifications" for this flouting of their elemental duty to the United States is that these ships are under the "effective control" of the United States. Yet, the Liberian government, whose flag flies over many of these tankers, forbade such ships to engage in military shipping to Israel, despite American policy to support that country.

It is not often that so complicated a subject as taxes and the rationale that has been used to legislate them are so vividly exposed to public scrutiny in relatively simple terms. Labor's complaints that tax justice has been grossly abused have come clearly into view.

#### THE ANNIVERSARY OF BYELORUSSIAN INDEPENDENCE

#### HON. CHARLES W. SANDMAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. SANDMAN. Mr. Speaker, March 25 marks the anniversary of the proclamation of independence by the people of Byelorussia.

After the Byelorussian people declared their independence, they were able, for a few brief months, to live according to their ideals and beliefs.

The Soviet Government which now rules the Byelorussian people certainly does not represent their wishes or hopes, but merely serves as an instrument of oppression. Thus, the Byelorussian people suffer in the same manner as the other captive peoples of communism under a cruel dictatorship.

As thousands of American citizens who are of Byelorussian ancestry know, their families and friends still in Byelorussia have no freedom to express their deep and individual liberty. Today all Americans join with our fellow citizens of Byelorussian ancestry in renewing our own devotion to the principles of freedom and in our deeply felt hope that the day is not far off when the people of Byelorussia, as well as people everywhere, can join us in our enjoyment of the blessings of freedom.

BYELORUSSIAN INDEPENDENCE  
DAY

## HON. WILLIAM E. MINSHALL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. MINSHALL of Ohio. Mr. Speaker, on this memorable day which marks the 56th anniversary of the proclamation of the Byelorussian Democratic Republic, I take pride in extending my congratulations to the Byelorussians who live in Cleveland and elsewhere in the United States and especially to those Byelorussians who still are suffering under the yoke of captivity in Byelorussia. The darkness of the cold war may be turning into the dawn of détente as evidenced by President Nixon's and Secretary of State Kissinger's negotiations with Soviet Party Leader Brezhnev and Premier Chou-en Lai. However, a détente between nations does not necessarily mean peace between nations. The fact is that there can never be a lasting peace in this world as long as people are being held prisoners; the U.S.S.R. is a "prison house of nations." We should not be blind to this fact in our dealings with the Soviets.

In 1920 Byelorussia along with seven other countries fell captive to Russian imperialism. Relegated to the status of a colony, Byelorussia has since struggled to resist the Soviet's methodical exploitation of their rich resources and eradication of their strong nationalism. Under the totalitarian communistic system, the people have been forcibly deprived of all their human rights and freedoms and over 6 million people of their lives during these 56 years of oppression.

The Byelorussians have been accustomed to freedom and a well-developed culture ever since the 15th century. In the 16th century, the country then known as the Grand Duchy of Litva experienced their golden age highlighted by the widespread use of their language and an advanced legal system as set down in their judicial code, the "Litouski Statut," which was used throughout Europe.

Such a people cannot submit to being oppressed very easily. On the contrary the Byelorussians have fought at every opportunity for liberation. In 1920 there were armed uprisings in the Slutsk district and in 1922 in Vylizh, Homel. In 1944 at the end of the Second World War the Second All-Byelorussian Congress convened in Mensk, annulled all treaties made by the occupational governments, approved the proclamation of independence of the Byelorussian Democratic Republic, and elected the Byelorussian Central Council. However, the Soviet troops again invaded the country.

Is it right for a country blatantly to abuse and violate the United Nations Charter and the Universal Declaration of Human Rights without facing reprisals as the U.S.S.R. has done? According to Dr. Lev E. Dobriansky, an expert on Soviet affairs:

The cardinal objective of Moscow and its

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syndicate members has been and will continue to be the acquisition of Free World agreement to the permanent captivity of their dominated peoples, but the captive nations themselves will from time to time impress themselves on Free World attention, if not on its prudent and insurable aid.

It is my hope that the observance of this day as the 56th anniversary of the Byelorussian Independence Day will serve to renew the knowledge of the captive nation's plight in our minds. In the spirit of the Captive Nations Week resolution which was first introduced in the 86th Congress and was quite effective in making our knowledge known to the Soviet Union leaders, I have introduced the following concurrent resolution:

H. CON. RES. 29

Whereas the United States of America was founded upon and long cherished the principles of self-determination and freedom; and

Whereas these principles, expressed in the sovereign quality of nations, are the very reason for the existence of the United Nations, as set forth in the charter of that world organization; and

Whereas the United States and all other members of the United Nations have solemnly pledged themselves to make these principles universal and to extend their benefits to all peoples; and

Whereas, on December 10, 1948, the General Assembly of the United Nations passed the Universal Declaration of Human Rights which was accepted both by the United States and the Union of Soviet Socialist Republics, defining said rights as relating to citizens of all member states; and

Whereas, since 1918 Soviet communism has, through the most brutal aggression and force, deprived millions of formerly free peoples of their right to self-determination; and

Whereas the Congress of the United States has unanimously expressed in Public Law 86-90, approved July 17, 1959, its revulsion at the continued enslavement of the peoples of Eastern and East Central Europe who were described by the said public law as captive nations; and

Whereas the Hungarian, Polish, Czech, Slovak, Carpatho-Ruthenian, Latvian, Lithuanian, Estonian, East German, Rumanian, Bulgarian, Albanian, Ukrainian, and White Ruthenian peoples may only look to the United States and the United Nations for the restoration of their national self-determination and political independence; and

Whereas the member nations of the United Nations have failed to bring before the General Assembly for successful discussion the problem of self-determination and political independence of the peoples of Eastern Europe; and

Whereas, despite the numerous resolutions passed by the United Nations General Assembly, Russian occupation troops are still maintained in Hungary and the issue of their removal has not come up for discussion in the Assembly since 1962; and

Whereas it is vital to the national security of the United States and to the perpetuation of free civilization that the nations of the world act in concert through the forum of the United Nations in demanding national self-determination and political independence for the peoples enslaved by Communist governments; and

Whereas the Constitution of the United States of America, in article II, section 2, vests in the President of the United States the power, by and with the advice of the Senate, to make treaties and to appoint Ambassadors: Now, therefore, be it

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*Resolved by the House of Representatives (the Senate concurring),* That the President of the United States is hereby authorized and requested to instruct the United States Ambassador to the United Nations to request at the 1974 session, that (1) the United Nations insist upon the fulfillment of its charter provisions based on self-determination of all peoples in the form of the sovereign equality of states and condemnation of colonial rule; and (2) the Soviet Union be asked to abide by its United Nations membership obligations concerning colonialism and interference with the sovereignty of other nations through the withdrawal of all Soviet Russia troops and agents from other nations now under Communist rule and through returning to their respective homeland all political prisoners now in prison and labor camps; be it further

*Resolved,* That the President of the United States is further authorized and requested to use all diplomatic, treaty-making, and appointive powers vested in him by the Constitution of the United States to augment and support actions taken by the United States Ambassador to the United Nations in the interest of self-determination and political independence of these nations.

## WE'RE BETTING ON THE UNITED STATES

## HON. TIM LEE CARTER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. CARTER. Mr. Speaker, despite the many problems that our Nation is facing today, we do possess the strength and ability to meet those problems and build an even better Nation in the years to come. I believe that the following article points out some of the fine aspects of America that certainly deserve our attention:

## WE'RE BETTING ON THE UNITED STATES

Last Fall, in hundreds of cities and towns across America the United Appeal exceeded the quota, as did the Heart Fund, Cancer Crusade and Children's Services. In spite of higher cost of living, Americans dug deeper into slimmer pocketbooks to help people less fortunate than themselves.

In spite of cold ingratitude and often actual hostility, almost worldwide, when disaster strikes anywhere, the United States is first in line with help.

In many hundreds of U.S. cities and towns Big Brothers, Scouts, Boys' Clubs, Junior Achievement programs, Police Athletic Leagues and many more are manned and managed by adults who volunteer their hard-won leisure to help youngsters on the way up.

Tens of thousands of American mothers and fathers give up the happiness of home life to moonlight so that two jobs can take better care of their children and provide some security for them, in these days of cruel inflation.

It is reliably reported that more than 400,000 college students volunteer as teachers, hospital orderlies, school guards—any useful endeavor they can find.

These are only a few of the hundreds of reasons we're betting on the United States and a glorious future for this wonderful country of ours.

## HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. GAYDOS. Mr. Speaker, Al Julius, a television reporter, recently conducted a sidewalk survey in downtown Pittsburgh to determine how the public felt about the gasoline shortage. To his amazement, not one of the persons he questioned believed a real shortage existed.

Mr. Julius told his station KDKA viewers:

They all said it was contrived.

His film clips showed most of those interviewed grabbing at his word "rip-off" to describe their opinions of the "crisis." They blamed mainly the big oil companies. Some saw an alliance between the petroleum giants and the Nixon administration. "Collusion is the term," one man declared.

The consensus was that the oil firms have purposely kept gasoline from the motorists to force up prices. Vast stores of the fuel, hidden away from public scrutiny, are in the country, awaiting release only when the absolute top figure can be gotten at the service stations. This was the general belief.

Thus, so it appears, we face not only what President Nixon now labels "the fuel problem," but also an immense popular cynicism which, unless relieved, bodes ill for the future of the Nation. This lack of people's trust in statements of their highest governmental officials and of immense corporations serving them in a field of marked importance is a matter certainly of grave concern.

It means, first of all to the oil companies, that the intense and costly public relations campaign—pages upon pages of advertising, the appearance of top corporation executives on TV and radio panel programs, and so forth—has failed—completely in the case of the Al Julius' findings in Pittsburgh.

It means, too, that fuel czar Simon and others handling the problem on the Federal level are not getting their story across. Certainly, they have tried vigorously to convince the people that a crisis exists. But their efforts have failed among those interviewed in Pittsburgh and, we can suspect from this with others on other sidewalks across the country.

And why?

The answer was evident in the Julius' interviews. The disbelief has arisen chiefly from the fact that the oil interests have profited tremendously from the shortage situation. No amount of explanation or rationalization of this in the industry ads and statements has wiped the suspicions from the public mind that the corporations saw a "get-it-while-we-can," opportunity in the crisis and made the most of it without regard for anything except their own treasures.

The profits reports, usually found on

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the financial pages, made page 1 in the newspapers. Third-quarter profits at record levels—staggering, indeed, in the percentage increases, Gulf up 153 percent. Occidental, perhaps hitting the top figure for the industry, up 172 percent. Exxon scoring the biggest annual profit ever earned by any industrial company—\$2.4 billion after taxes. The third-quarter burst was not overlooked, of course. It came while the shortage hit hard and as lineups first formed at the service stations.

There is little wonder, in view of this, that our once stable society has become cynical, critical, and increasingly angered over what the people see as conspiracies at the highest level—of Government and industry to play them for suckers.

We may agree that the oil companies need huge profits to meet the costs of finding new sources of supply—the chief explanation for their profits bonanza. And we can accept, also, their report that comparisons between the 1973 figures and those of the year previous are misleading because, for some reason, 1972 was a bad year for the business.

We, too, can buy their story that, over a spread of years, the oil giants have not profited to any greater degree than other industries. But, even so, the hard, cruel truth remains—one which has had serious effect on the minds of the American people. The largest profits came in the third quarter of 1973. And they came while the public was subjected to a sudden fuel shortage and the attendant hardships.

The will on the part of the companies to make the most of a public dilemma cannot be alibied or justified. The Nation was wronged and it is the responsibility of Government, as agent for the people, to see these "windfall" profits taxed away and that an example is set which will prevent such emergency profiteering in the future.

I, as a Congressman, am indebted to Mr. Julius and his radio station for bringing attention to the way the people feel about this. The Pittsburgh interviews contain a very important message for Washington.

## 11500 BANANAS ON PIKE'S PEAK

## HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. HOSMER. Mr. Speaker, by a vote of 6 to 3 the U.S. Supreme Court turned back efforts by environmental zealots to force the U.S. Bureau of Reclamation to operate Lake Powell dam on the Colorado River to operate at half its storage capacity.

Had these single-minded nature enthusiasts prevailed, water for the arid West would become even more scarce and electrical shortages made even more severe.

Now they have zeroed in on surface coal mining using H.R. 11500 as the vehicle to arrogantly pursue environmental objectives to the exclusion of other equal and accepted values in our society. If they are allowed to prevail our energy-dependent society will lack not only what it needs for comforts, but what it needs for survival.

Congress must blow the whistle on this kind of extremism. We can have coal and respect for the environment at the same time with a balanced bill to regulate surface coal mining.

To do otherwise would be as zany as trying to grow bananas on Pike's Peak.

## FIFTY-SIXTH ANNIVERSARY OF THE PROCLAMATION OF INDEPENDENCE OF THE BYELORUSSIAN DEMOCRATIC REPUBLIC

## HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. DERWINSKI. Mr. Speaker, today, March 25, 1974, marks the anniversary of great significance for American citizens of Byelorussian origin. On this day, Byelorussians in the United States and in other countries of the free world will celebrate the 56th anniversary of the proclamation of independence of the Byelorussian Democratic Republic. In Byelorussia, this national observance of independence is replaced by the celebration of the Bolshevik Revolution, which signifies the conquest and subordination of Byelorussia to Soviet Russia.

The Byelorussian National Congress was dispersed by the Soviet Russian Army on December 17, 1917. Despite this suppression, the Council of the Byelorussian Democratic Republic proclaimed the independence of the Byelorussian State on March 25, 1918. In opposition to this, this Soviet Russian Government of Moscow created its own fictitious state, the Byelorussian Soviet Socialist Republic, including it into the U.S.S.R. The communist rulers imposed severe oppression and mercilessly exploited the Byelorussian people.

Despite continuous terror in Byelorussia, the Byelorussians fought at every opportunity for liberation from Soviet Russian domination. There were armed uprisings in the Slutsk district in 1920 and in Vitebsk, Homel, and other areas in 1922. At the end of World War II, on June 27, 1944, the Second All-Byelorussian Congress convened in Minsk. This Congress annulled all treaties involving Byelorussia that had been made by occupational governments, approved the proclamation of independence of Byelorussian Democratic Republic, and elected the Byelorussian Central Council as the only national Byelorussian representation. Byelorussia was conquered again, however, by Soviet Russia.

In 1973, the Soviet Russian Government introduced a new economic and ad-

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ministrative redistricting dividing the entire territory of the U.S.S.R. into seven districts. This partition completely ignores the existing ethnic groups and their individual republics within the U.S.S.R. This new administrative partition is based on the aim to increase the solidarity of the Russian empire and consolidate non-Russian nationalities into a single Soviet Russian nation.

Mr. Speaker, at a time when "détente" has a mystic meaning to some people, we must keep in mind that the Soviet Union is a slave state and that the activities of oppression still continue against the non-Russian peoples of the U.S.S.R. I take this occasion to direct the attention of the Members to the anniversary of Byelorussian independence and to emphasize the historic points that too often are overlooked.

## THE CASE FOR GUN CONTROL

## HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. HARRINGTON. Mr. Speaker, on March 15, a short article of mine on gun control was included in the Lawrence Eagle Tribune. I would like to reiterate what seems to me to be the important points of the pro gun control effort, by inserting in today's CONGRESSIONAL RECORD a copy of the article:

YOU'RE MORE LIKELY TO SHOOT YOUR WIFE  
(By MICHAEL J. HARRINGTON)

Last September, William Fauneto, irritated because his car had run out of gas stepped onto the sidewalk and began to shout and wave a pistol. Two women came out of a nearby apartment to check on the commotion, and Mr. Fauneto shot both of them. A mob made up of the women's friends then engulfed the man and beat him to death, shooting him with his own gun in the process.

A day later, in another city, Patrick Acton met with his estranged wife to discuss their divorce settlement. After pleading for a last embrace, Mr. Acton shot his wife in her side with a handgun, then killed himself.

Last November, in a third American city, a 15-year-old high school student concluded an argument with a classmate by shooting him fatally with a pistol.

And in December, in a fourth American city, a man used a handgun to kill Mr. and Mrs. Clyde Steele, his next door neighbors, while the three of them stood on their front lawns arguing about raking leaves.

The accounts number 16, 17, 38 and 60 in a series of newspaper articles I've been inserting in the Congressional Record for the last eight months. My intent has been to document the slaughter which stems from having guns, especially handguns, around as much as we Americans do.

These four incidents are grouped together in my own mind because they all concern murder committed by handgun amid ordinary, everyday American circumstances. None involved a "criminal"—except that, of course, the handguns in question originally might have been purchased in the hope they would provide protection against criminals.

In terms of my personal attitudes, our American inclination to the casual use and

mis-use of guns has always troubled me. When I was elected to Congress, I involved myself in the debate over gun control by beginning the Record inserts and writing an article on "The Politics of Gun Control" for The Nation magazine.

Then, on Feb. 7, as one outcome of this process of study, I reached a major policy decision and introduced a bill into the House of Representatives to prohibit the possession of handguns by the general public.

In my opinion, one set of facts stands out from the flurry of statistics which tends to accompany any debate on the gun issue. According to the FBI, 31 per cent (5,471 deaths) of all this country's murders in 1972 were committed within families, or as a result of romantic entanglements. Another 41 percent (7,593 deaths) grew out of disputes and arguments, presumably, in many cases, between people who knew each other.

These numbers are worn from over-use; they no longer have the power to shock us. But obscured behind these disembodied figures is a national tragedy:

In the attempt to protect ourselves against criminal elements and preserve a measure of self-sufficiency, we have ended up killing each other instead of our expected aggressors.

This is why, in a statement accompanying introduction of my handgun legislation, I described my objective as the ratification of a disarmament pact among ourselves.

I simply do not believe that the 72 per cent of firearms fatalities in 1972 which were non-criminal would have occurred if handguns, responsible for the great majority of firearms deaths, were not so easily available. I am convinced that we can save an appreciable number of lives by removing handguns from public use.

In reviewing the mail—much of it in disagreement—which I have received since introducing the handgun measure, it's become clear to me that those who wish to maintain the easy accessibility of handguns are most interested in their alleged value as a means of self-protection.

Yet Dr. Milton Eisenhower's Commission on the Causes and Prevention of Violence, in evaluating this claim for the usefulness of handguns, concluded that for every thief stopped by a homeowner with a pistol, four other homeowners or their relatives were killed in handgun accidents.

We must find a way to curb crime in this country, and the desire of citizens to protect themselves is thoroughly understandable. But the hard facts tell us that handguns do not help in self-protection as often as they contribute to self-destruction, and to the ending of other lives.

It seems to me that consideration of this proposition should be the core of the gun control question. Unless it can be successfully rebutted by those who want to keep handguns available, it should give all of us ample reason for doubting the wisdom of the current situation.

## BYELORUSSIAN INDEPENDENCE

## HON. WILLIAM S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. BROOMFIELD. Mr. Speaker, today marks the 56th anniversary of the proclamation of independence by the Byelorussian Democratic Republic. It is a proud day which Byelorussian people

in this country and around the world will celebrate.

But because of continued oppression by the Soviet Union, the people of Byelorussia are unable to join their comrades throughout the world in this celebration.

Shortly after the Council of the Byelorussian Democratic Republic formed the Byelorussian Democratic Republic on March 25, 1918, the Soviet Union crushed the hopes for this young democracy by creating its own state, the Byelorussian Soviet Socialist Republic. While the Russians may have succeeded in forcing their totalitarian state on the people of Byelorussia, they have been unable to extinguish the flame of freedom lit by these courageous people 56 years ago.

It is a tribute to the spirit of the people of Byelorussia that they continue today to risk their lives in their fight for independence. They have been supported in this struggle by the undying efforts of Americans of Byelorussian descent.

I am pleased to join these Byelorussian-Americans in commemorating this historic occasion. It is essential for the free people of the world to recognize this day, so that the captive Byelorussians know they are not alone in their fight. I hope, as I am sure all free people do, that the day will soon come when Byelorussia and all her people will once again be independent.

## STATEMENT ON BYELORUSSIAN INDEPENDENCE

## HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. MURPHY of New York. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following:

## BYELORUSSIAN INDEPENDENCE

Mr. Speaker, once again I want to pay tribute to the many brave Byelorussians who continue to strive for the restoration of freedom for their homeland. In this era of "detente", I think it is important to keep in mind the basic difference between the United States and the U.S.S.R.: the right of the people to freely choose their government. The determination of the people of Byelorussia and others like them around the world, to fight for their freedom in the face of oppression, is inspirational in these troubled times.

Today marks the 56th anniversary of that one brief moment in 1918 when the Byelorussian National Council declared independence, ending nearly 3½ centuries of foreign domination. The Byelorussians were only able to enjoy their freedom a few short months before their sovereignty was crushed, as happened to many sister nations, by the fist of the Red Army.

And so today, the Byelorussian people live under a Communist regime imposed upon them by the Soviet Union.

Throughout their history, the Byelorussian people have transmitted from generation to generation their national identity, their cultural identity, and more important, the knowledge of what it is to be free and the desire for this freedom.

History has proven that no dictatorship

has ever succeeded in holding a people in bondage forever. The time will come once again when the Byelorussians will live in a nation. Until that time, I can assure Americans of Byelorussian descent that America will not forget their plight and that we will continue to support and pray for that moment in history when justice and freedom reign and the people of Byelorussia again have their independence.

**STUCKEY OFFERS AN ALTERNATIVE  
TO FEDERAL INSURANCE REGU-  
LATION**

**HON. W. S. (BILL) STUCKEY**

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. STUCKEY. Mr. Speaker, it may be just a matter of months, some say, before the Federal Government sets up another bureaucracy to regulate yet another aspect of public life. The victim this time would be States' rights in the field of automobile insurance regulation. I am referring to a bill now pending before the House Interstate and Foreign Commerce Committee, of which I am a member, which would impose a uniform Federal system of no-fault insurance on every State regardless of their own particular needs and would set up a Federal bureaucracy complete with Federal insurance agents to do what the States have been doing well for most of this century.

Although I am an acknowledged opponent of this Federal legislation, I am in favor of the no-fault approach to auto insurance reform. I think we can all agree that the time has come for us, the people, to have a better automobile insurance system, one that is good for us. You know as well as I do how slow some insurance companies can be in paying off claims. And there are many examples of innocent accident victims receiving nothing from their auto insurance even after paying premiums for years. I am concerned that the high cost of insurance reflects dollars spent on things other than compensating victims. I am concerned, too, that it is often difficult to get and keep insurance—at affordable premiums.

So, today, I am introducing a bill which will preserve for the States their traditional role as insurance regulators. My bill would create a system that will compensate every victim of every auto accident for all reasonable medical, hospital, and rehabilitation costs. Second, it would pay the victim what he would have earned but for the injury up to a maximum of \$1,000 per month, with a total limit of \$25,000. If an insured has income greater than \$1,000 per month, he may purchase additional wage loss protection at a low cost. Third, it would provide that each State establish reasonable limits for all replacement services loss, survivor's loss, and survivor's replacement services loss. Fourth, since my plan provides recovery of economic loss for all persons, it simultaneously restricts each

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person's right to sue, except when losses exceed insurance benefits and when injuries are serious or fatal. In these cases, victims may sue for economic loss, as well as for "pain and suffering," subject to a \$2,500 deduction.

Finally, insurance under my plan is compulsory. This means if you fail to provide insurance for yourself, you are denying compensation only to yourself because, under no-fault, accident victims recover only from their own insurer.

In order for a State plan to meet minimum standards, it must incorporate provisions making the basic compulsory insurance available to all persons who own motor vehicles. Severe limitations on arbitrary cancellation by insurance companies and protection against nonrenewal must be provided by the States.

The States have 2 years to enact a minimum plan such as I have described. If a State does not enact such a plan, an alternative no-fault program takes effect in the State until it adopts those minimum requirements. The alternative plan places no limitations on the total benefits receivable. Work loss benefits would be paid at a maximum rate of approximately \$1,000 per month until the injured person was able to return to work; benefits for replacement services, survivor's loss, and survivor's replacement services loss would be paid for as long as the loss occurs, subject to a \$200 per week maximum. Compensation for economic loss would be provided by the basic insurance. Protection against noneconomic loss could be purchased by each motorist, in addition to the basic package. By buying insurance, the need for compensation through litigation would be greatly reduced; therefore, lawsuits in most situations would be curtailed.

While establishing minimum no-fault standards, the bill does not place the States in a no-fault straitjacket. The bill specifically directs States to continue to regulate insurance, including setting of rates, determination of coverage for property damage, setting of deductible levels, investigation of claims, litigation procedures, limits on work loss benefits, coverage of motorcycles and provision for cancellation and nonrenewal of insurance. In short, each State would continue to make decisions about extremely important aspects of its new auto accident compensation plan. Determining whether a State no-fault plan is in accordance with the minimum standards is the only operational responsibility of the Federal Government.

**SOUTH HIGH REBEL BASKETBALL  
CHAMPIONS**

**HON. GOODLOE E. BYRON**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. BYRON. Mr. Speaker, recently the South Hagerstown High School Rebels won the class A basketball champion-

ship for the State of Maryland, and I want to take this opportunity to congratulate the players and the coaches on this outstanding achievement.

The Rebels had a 25-0 season. Head coach Nick Scallion directed his team against some very difficult opposition with no losses during the season. The city of Hagerstown in recognition of the team's achievements has undertaken a testimonial banquet to honor the players and coaches. The team's efforts are especially commendable since the State's basketball championships go quite often to the larger schools from the metropolitan area.

I would like to commend the following for their outstanding athletic ability and participation on the top basketball team in the State: Head coach, Nick Scallion; assistant coach, Herb Hardin; assistant coach, Tom Hicks; and the players, Stan Jones, Ronnie Miller, Tom Alexander, Norman Kelly, Jim Fraley, Jim Banks, Mike Brashears, Steve Youngblood, James Campbell, Ronnie Baltimore, Tim Evans, Dave Mowen, Chuck Hill, Michael Needy, Frank Moten. Also deserving recognition are the team managers: Rex Maddin, Mark Catherman, and Phil Arnett. These men have brought honors to Hagerstown and South Hagerstown High School.

**BILL TO AID TRUCKERS**

**HON. PAUL FINDLEY**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. FINDLEY. Mr. Speaker, truckers who are again threatening to strike do have some legitimate complaints and deserve to have their story heard. At a recent meeting in Carlinville, Ill., more than 200 truckers told me of the myriad of Federal and State regulations which confront them as they drive their trucks to various areas of the Nation. For example, each State has its own regulations governing height, weight, length, maximum axle load, as well as licensing requirements for each truck. These regulations differ from State to State. For example, in Illinois, a tractor-trailer may be anywhere from 55 to 65 feet in length, depending upon its classification. In Missouri, however, no tractor-trailer may exceed 50 feet in length.

A four-axle tractor-trailer in Illinois may weigh as much as 64,000 pounds, while the same vehicle in Missouri may weigh only 59,000 pounds.

A truckdriver who hauls grain from the fields in Illinois to a grain elevator in Missouri has two sets of standards to meet. If he is a long-distance driver, he may have dozens of different standards to meet. As he plans a long trip, he must either carry the least amount permitted by the State with the strictest standards or he must plan on violating the laws of some States and paying the required

fines. Unfortunately, many choose the latter course.

The licensing situation is an even more complicated maze. About a dozen States in the East are members of the multi-State reciprocity agreement. In these States, a trucker pays the registration fee in the State of his domicile and may then drive his truck in any one of the other States which are party to the agreement.

Illinois, however, is a member of the prorate agreement along with 16 other States and British Columbia. An Illinois trucker must divide his registration payment among the States he drives in according to the number of miles he travels in each.

Missouri is a member of still another agreement, the international reciprocity agreement. In addition, many States have bilateral "mirror reciprocity agreements."

If none of these agreements are applicable, then a trucker must apply for a trip permit which will allow him to drive his truck in a given State for a certain period of time and a certain number of trips.

Can you imagine how frustrating it must be for the small trucker, who cannot afford a battery of lawyers to figure out the best route across the country?

The United States is truly one Nation. Many truck drivers make weekly round trips from coast-to-coast. There is no reason to subject them to 50 different standards when one will do just as well.

Today, I am introducing a bill to require the Secretary of Transportation to set uniform standards for weight, height, length, and axle load for all trucks traveling in interstate commerce. The bill also requires that the Secretary specify uniform reciprocity standards for licensing.

Many of the truckers I have talked with have told me that the different standards for each State cause more problems than the current fuel shortage. My bill will do something about that.

Text of bill follows:

A bill to provide for the establishing of uniform State limitations on the size of motor vehicles using public highways, and for other purposes

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Motor Vehicle Uniform Size Limitation Act of 1974".*

Sec. 2. The Secretary of Transportation (hereinafter in this Act referred to as the "Secretary") shall prescribe, by rule, limitations for maximum axle load, gross weight, height, length, other maximum weights and dimensions, and uniform reciprocity standards for licensing of any motor vehicle operating in interstate commerce. In prescribing such limitations, the Secretary shall give due regard to variances in the width, age, nature of construction, or condition of public highways.

Sec. 3. (a) Beginning on the ninety-first day after the date on which the limitations prescribed under section 2 of this Act are published in the *Federal Register*, the Secretary shall not accept a certification, under section 117 of title 23, United States Code, from any State which has any limitation, with regard to weights and dimensions of motor vehicles operating on any public high-

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way within the boundaries of such State, difference from or in addition to the limitations prescribed under section 2 of this Act, and he shall not approve any project, under section 106 of title 23, United States Code, in any such State.

(b) Any contractual obligation of the United States arising on or after such day, under section 106 or section 117 of title 23, United States Code, shall be conditioned on the State with which such obligation arose having, after such obligation arises, no limitation, with regard to weights and dimensions of motor vehicles operating on any public highway within the boundaries of such State, different from or in addition to the limitations prescribed under section 2 of this Act.

SEC. 4. For purposes of sections 1 through 4—

(1) the term "highway" has the meaning given such term by section 101 of title 23, United States Code, except that such term includes "Federal-aid highways" as defined by such section;

(2) the term "motor vehicle" means any vehicle, machine, tractor, trailer, semitrailer, or any combination thereof, propelled or drawn by mechanical power and operating primarily upon the highways, except that such term does not include any vehicle operating exclusively on a rail or rails; and

(3) the term "State" means any State of the United States and the District of Columbia.

SEC. 5. Section 127 of title 23, United States Code, is amended in the first sentence by striking out "No funds" and inserting in lieu thereof "(a) Subject to subsection (b), no funds", and by adding at the end thereof the following new subsection:

"(b) Subsection (a) shall not apply in the case of any State which adopts the limitations regarding the dimensions and weights of motor vehicles prescribed under the Motor Vehicle Uniform Size Limitation Act of 1974."

GILBERT W. PINGEL

## HON. EDWIN B. FORSYTHE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. FORSYTHE. Mr. Speaker, I would like to take this opportunity to pay tribute to Mr. Gilbert W. Pingel, an outstanding educator and citizen of Pennsauken, N.J. The principal and teacher at Martin Luther Christian Day School in Pennsauken was recently honored for 35 years of service to his profession.

Mr. Pingel, a native of Hinsdale, Ill., attended high school and college at Concordia Teachers College, River Forest, Ill. After graduating in 1938, he obtained additional education at Evansville, Ind., and Cleveland, Ohio.

Mr. Pingel's distinguished career as an educator began in Evansville at St. Paul's. He also has taught at St. John's in St. Louis and St. John's in Cleveland. He has been principal as well as teacher at Immanuel, Washington, Mo.; Concordia, Conover, N.C., and at Martin Luther in Pennsauken, where he serves now.

He was occasional organist on radio KFUO, St. Louis. He was director and accompanist for the Washington, Mo., Civic Chorus while living in that city. A man with deep religious conviction, he has been a member of the District

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Evangelism Board and the Parish Education Board in Conover.

Mr. Pingel, his wife Eleanore, and their four children should indeed be proud of his record of service.

## THE STORY OF ANOTHER TRAGEDY: BAN THE HANDGUN—XXXV

### HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. BINGHAM. Mr. Speaker, each case of handgun carnage that I have reported in the *CONGRESSIONAL RECORD* has tragic personal consequences, which are all too often overlooked. Reprinted herewith from the March 18 edition of the *New York Post* is the story of another tragedy that need not have occurred. Most of the people who endure great personal suffering as a result of the handgun epidemic are law-abiding citizens whose lives have been ripped apart because those who have the power to enact strict gun control legislation have not acted:

### MOM MURDERED—AND A FAMILY IS TORN APART

(By Barbara Trecker)

One day Richard Kane had a family, a wife and three children. And, although things hadn't been going that great for them lately, with Kane out of work for four months, they were a family, living together and sharing things.

The next day Kane's 33-year-old wife, Pauline, was killed in an outburst of violence at the restaurant where she worked part time as a part time waitress, and suddenly the family fell apart.

That was last week. Kane sent his three children to live with a friend on Long Island, and they're enrolling in school there because he's not sure when he'll be able to pull things back together.

He even farmed his dog to a neighbor. Now he has time to sit at the long formica table in his kitchen, smoke cigarettes and stare at the walls.

### 4 SHOT

Kane had gone early March 11 to pick up his wife at work in Angela's Restaurant in College Point, Queens.

Suddenly, a man who had been drinking at the bar pulled out a gun, shot Kane and the owner of the restaurant William Lavallo, and shot and stabbed Mrs. Kane and Lavallo's wife, Angela.

All but Kane died on the spot or later in the hospital.

Kane also was hospitalized, with a gunshot wound in the back of his head and a gash across the right temple where the assailant hit him and knocked him out with a chair.

Police later apprehended a suspect, Richard Schrock of College Point, who has been charged in the murders and the \$200 robbery of the restaurant.

Kane left the hospital Wednesday and arranged for his wife's funeral. Since then, he's spent most of his time alone in the apartment above a stationery store at 15-25 122d St. in College Point.

"About all I can say is 'Why?' You always think about it. The thoughts are always there. And you can't stop wondering if you could have done something to prevent it."

Kane won't talk about that night. He's had to tell it "100 times" he said. But he will talk about what his family used to be like.

He and his wife were married 14 years and for the past 11 years they lived in the College Point apartment. They used to go camping and hunting together. The family would drive up to Canada or Lake George and pitch a tent.

He has two boys, Kevin, 13, and Shawn, 11, and a two-year-old daughter, Kerrie. Although they're not around now, their bikes still clutter the downstairs hallway, their tortoise still creeps up on visitors, and their iguanas still stare silently out of the television set that their father converted into a mini desert habitat.

The children, the older ones at least, were told about their mother. Kane said, "They took it pretty well, but it hasn't really sunk in yet."

He doesn't know when the children will come back to live with him. "I can't raise a 23-month-old infant by myself," he said. "The boys and I could make it, I think, but I don't know about the baby."

Kane also doesn't know if he'll stay in the apartment, or even in New York—"I have no great love for this city."

He recalled an incident over 10 years ago when he was assaulted by two young men near his home. Before he could chase them, they pulled a knife. He rolled up his sleeve to reveal a six-inch scar on his forearm.

"I don't like New York, that's for sure, but I have too many friends to leave. Very good friends. That's kept me going more than anything else."

He's grateful for these friends, for his three brothers, who have helped out, and, most of all, he's grateful that the police apprehended the suspect. "It was a great relief to me when he was caught."

And now, he said, he's not going to think about the past anymore. "I'm thinking about the future now. I will hold my family together."

#### LASSAL KAMINSKY: HIS BIRTHDAY IS SPENT IN A SOVIET PRISON

**HON. EDWARD I. KOCH**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. KOCH. Mr. Speaker, in 1971 I went to the Soviet Union and spoke with the family of Lassal Kaminsky, his wife, Sima, and his daughter in their home in Leningrad. He was then in jail. I rise to speak on his behalf today because he is still in jail and today is his 44th birthday. He will be celebrating this birthday as he has celebrated his last three—alone, behind the bars of the Potma labor camp in the Soviet Union.

Lassal Kaminsky, like many other Soviet Jews, is being held in a Soviet labor camp not because he has committed a crime but because he is a Soviet Jew wishing to emigrate to Israel. He and his wife and children had applied unsuccessfully for exist visas 32 times. But Lassal Kaminsky did not give up hope that he and his family would be allowed to leave. He did not conceal his feelings but instead he wrote several letters to newspapers and government officials. He even went so far as to verbalize his wish to go to Israel by cosigning a letter of com-

#### EXTENSIONS OF REMARKS

plaint to United Nations' Secretary U Thant June 14, 1970. He, along with the other signatories, was arrested the following day and has been a Soviet prisoner ever since. He was sentenced to 5 years for violating articles 70 and 72 of the Soviet Criminal Code which bar anti-Soviet agitation, printing propaganda, and participating in an anti-Soviet organization. The truth is he was sentenced to prison because he printed Hebrew text language materials for teaching Jewish children and for his insistent demand that he and his family be permitted to leave and go to Israel.

It is sad, indeed, that this man—and there are many more like him—is spending 5 years of his life in prison because he sought religious freedom in Israel. His wife and children have since been granted visas to Israel and are making their home there. It was a difficult decision for the family—they to seek religious exile in Israel and he to remain behind with almost no religious freedom in a Soviet camp. They are in Israel but their doubt remains. When Lassal is released from prison, will they let him join his family? Or will he be forced to spend the rest of his life alone, far from his family?

A skilled engineer, Lassal Kaminsky is working in the Soviet labor camp as a common laborer 14 hours a day, 6 days a week. He is underfed, overworked, and denied a right guaranteed him under Soviet law—the receipt of mail. American members of the Student Struggle for Soviet Jewry have attempted to correspond with Lassal Kaminsky since September 1973 to bolster his morale. But the U.S.S.R. has thus far refused to deliver their letters, which were sent return receipt registered mail. To their knowledge, Lassal Kaminsky is not even aware that friends in the West have heard about and support his efforts.

On one hand, the Soviet Union pledges its commitment to détente and better understanding among our peoples, and yet, on the other hand, it denies its own citizens the very basic right of communicating with one another and with their friends in the West. So long as the Soviet Union continues in its persecution of its own citizens, détente can only be a word.

#### THE GREAT PROTEIN ROBBERY NO. 21: THE STUDDS-MAGNUSON 200-MILE BILL

**HON. GERRY E. STUDDS**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. STUDDS. Mr. Speaker, the well-known law of supply and demand holds particularly true within the U.S. fishing industry. The more fish our domestic fishermen catch—the lower the retail price. It is axiomatic then, that if we improve our domestic fishing fleet and our fishermen's chances of making a good catch, we all will benefit from increased supplies of fish and lower costs to the consumer.

By passing the Studds-Magnuson 200-mile fish conservation zone legislation is one of a number of ways we can help our domestic fishermen now—while we still have fish left to protect. For the further information of my colleagues I insert in the Record at this point a well-written story from the March 13, 1974 Christian Science Monitor, entitled "Getting U.S. Fishing Industry out of Hot Water."

The article follows:

GETTING U.S. FISHING INDUSTRY OUT OF HOT WATER

U.S. HOPES TO RAISE CATCHES THROUGH

TRAINING TECHNOLOGY

(By Ward Morehouse III)

GLOUCESTER, MASS.—Your favorite fish dinner—at home or in a restaurant—could be cheaper soon if steps now being taken to regenerate the long-ailing U.S. commercial fishing industry succeed.

The steps include federal subsidies, training programs, and improved aquaculture (scientific fishing).

Commercial "catches" have begun to rise again, although they still are well below 20 years ago—and although fierce competition from Russian, Japanese, and other foreign fleets continues.

"U.S. fishermen are now catching edible species of fish which they didn't fish for in the past," says a spokesman for the National Marine Fisheries Commission. He says that is one reason the 1973 catch increased for many cities along the New England, Gulf of Mexico, and Pacific coasts.

#### VALUE, VOLUME RISE

For example, in Gloucester, Mass., for the second consecutive year the value of fresh fish landings has increased by 25 percent (to \$12.1 million in 1973). And volume was up 15 percent to 129 million pounds of fish.

(Thirty percent of all fish catches by Americans are made off New England.)

Why the increase?

(1) Prices for fresh fish are up. Demand is higher, as people are looking for alternatives to more expensive meat.

(2) Gloucester's net 1973 catch of whiting soared to 23 million pounds, up 2½ times from the previous year. "The whiting in the Gulf of Maine had a good spawning year in 1971. These fish were then caught in 1973," says Salvatore Favazza, executive secretary of the Gloucester Fisheries Commission.

(3) A million more pounds of shrimp were harvested because the shrimp industry in Gloucester, which began only in 1968, recently has expanded with more boats and better fishing methods.

Among current moves to strengthen the U.S. fishing industry:

Training: Under the Manpower Development and Training Act of 1968, 80 Indians from 26 tribes across the U.S. are learning "aquaculture" of salmon and oysters at Bellingham, Wash.

The new \$450,000 program, administered by the Lummi Indian tribe of Washington State, is funded jointly by the U.S. Labor and Agriculture Departments and the Bureau of Indian Affairs. Students learn scientific ways of "raising and harvesting" fish. Graduates of a small pilot program are not employed as instructors in the course.

Within the next few weeks 25 unemployed people will begin training as "fishcutters" in New Bedford, Mass. in a program financed by a \$30,000 grant from the U.S. Labor Department and administered by the Massachusetts Division of Employment Security. Labor Department officials hope other training initiatives can follow in other states.

## EXTENSIONS OF REMARKS

Fifty students are enrolled in the University of Rhode Island's associate degree program in fisheries technology. The program began in 1967 with about 20 students. Albert Owens, director of fisheries technology, says the two-year course is full. He adds, "We have no trouble placing the students on commercial fishing boats."

## SUBSIDIES

A bill introduced by Sen. Edward M. Kennedy (D) of Massachusetts would increase by 70 percent U.S. Commerce Department receipts from import duties on foreign-caught fish. These receipts are used to develop "increased markets" for domestic fishing products and to conduct biological and technological fisheries research.

Critics of the bill say the receipts should be given directly to fishermen as outright subsidies.

Seventy percent of the fish consumed in the U.S. is imported, but much of that is caught within 200 miles of America's Atlantic and Pacific Coasts by foreign fishing fleets.

## NEW FISHING LIMITS

The U.S. House is considering legislation that would establish an "interim" 200-mile

U.S. fisheries zone off American coasts. If passed, this measure would keep the foreign fishing boats well out to sea and away from U.S. fishing grounds.

"We have 73 cosponsors and a good deal of commotion for the bill in the House," says U.S. Rep. Gerry E. Studds (D) of Massachusetts, the bill's sponsor. House hearings are slated to begin early this spring.

## SOME FACTS ON THE O'HARA AMENDMENT TO TITLE I OF ESEA

## HON. ALBERT H. QUIE

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. QUIE. Mr. Speaker, as the Members know, the gentleman from Michigan (Mr. O'HARA) has introduced into the RECORD an amendment he plans to offer

to title I of H.R. 69. The O'HARA amendment would replace the current formula and the committee recommended formula, both of which are based on the recognition that there are concentrations of children with educational disadvantages, with a formula which would allocate two-thirds of the funds across the country on an even basis commensurate with the number of school-age children.

I have done some analysis of the O'Hara amendment and am shocked to find that it will more than double the amount of money received by the 20 wealthiest counties in the Nation. I am certain that the increases for the richest counties would be even greater if it were not for the 90 percent hold harmless contained in the O'Hara formula. I insert for the edification of all Members my research on the effects of the O'Hara amendment and urge all to vote against it:

## COMPARISON OF 20 WEALTHIEST COUNTIES, BASED ON 1970 MEDIAN FAMILY INCOME (50,000 POPULATION OR GREATER)

County, State	1973	1974	H.R. 69	O'Hara	County, State	1973	1974	H.R. 69	O'Hara
Montgomery, Md.	\$693,520	\$994,468	\$1,427,458	\$3,787,434	Howard, Md.	\$117,674	\$100,993	\$217,864	\$486,826
Fairfax, Va.	490,013	917,713	1,207,437	2,773,927	Somerset, N.J.	522,190	618,031	631,318	1,512,588
Nassau, N.Y.	5,845,935	6,400,044	5,440,035	11,084,723	Morris, N.J.	683,248	750,987	956,603	2,775,508
DuPage, Ill.	564,206	574,270	949,494	3,545,786	Johnson, Kans.	257,203	351,979	416,065	1,246,597
Marin, Calif.	429,943	558,789	751,030	1,225,294	San Mateo, Calif.	1,413,671	1,748,793	1,888,937	3,244,932
Oakland, Mich.	3,065,866	3,288,427	4,098,736	7,149,787	Macomb, Mich.	1,530,321	1,954,070	2,449,283	5,057,950
Westchester, N.Y.	5,525,254	6,201,274	5,271,080	6,546,100	Fairfield, Conn.	2,806,254	3,234,231	4,062,270	6,118,563
Rockland, N.Y.	1,048,574	1,201,198	1,101,783	1,988,275	Lake, Ill.	787,430	1,032,693	1,401,219	2,729,411
Arlington, Va.	236,389	327,045	326,610	617,844	Waukesha, Wis.	375,875	442,517	671,233	1,820,712
Bergen, N.J.	1,631,658	1,975,256	2,173,360	5,966,462	Total	28,384,766	33,329,491	36,096,920	70,717,547
Anchorage, Alaska	413,542	656,713	655,105	1,038,828					

## INFLATION—AMERICA'S NO. 1 CONCERN

## HON. JOHN B. CONLAN

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. CONLAN. Mr. Speaker, I have spent every congressional recess and spare moment away from Washington since my election back in Arizona, listening to the concerns of my constituents.

Of all the problems facing the Nation, Arizona citizens list inflation as far the most pressing issue threatening the country's economic stability, as well as their own comfort and economic security.

Their concern about the way taxes and inflation have ravaged the family's purchasing power is underscored by a recent report of the Tax Foundation, which says that a family receiving a 50 percent pay boost over the past 8 years still has less than it started with, thanks to inflation and taxes:

A person earning \$10,000 in 1966, whose pay raises totalled \$5,000 by 1974, would now be earning \$15,000. But taxes and inflation put today's \$15,000 salary through a wringer that leaves the breadwinner with about \$159 less in purchasing power than he had eight years ago.

Millions of workers in shops and factories, as well as people providing services and those on fixed incomes, face an even bleaker picture. The foundation points out:

Here's how the evil combination of taxes and inflation works. Take a family of four with one earner and \$10,000 income in 1966. Start where the taxes start, with the amounts withheld from a year's paychecks. The Federal income tax came to \$1,013. Despite some reductions in the tax, its bite on the larger salary is \$1,685. The Social Security tax has been increased from \$277 to \$772.

State income tax collections, which amounted to less than 8 per cent of Federal income tax collections in 1966, now take more than 15 per cent. On average the \$78 state tax on \$10,000 income in 1966 has risen to \$257 on \$15,000 in 1974.

While taxes have reduced that \$5,000 pay increase to \$3,654, look at what inflation has done to the remaining take-home pay. In the past eight years the dollar has lost nearly 45 per cent of its purchasing power. In terms of 1966 dollars, today's take-home pay of \$12,286 equals only \$8,473, or \$159 less than the take-home pay of \$8,632 in 1966. The loss in purchasing power is even greater in higher income brackets.

Mr. Speaker, I have heard many Members of Congress complain bitterly about inflation, only to turn right around and vote for more and more Federal spending. It is beyond all reasonable comprehension that they can still look people squarely in the eye and deplore inflation, when their own votes piling deficit upon Federal deficit have been the surest fuel imaginable for inflationary fires they claim to fear.

Obviously Congress must legislate strong budget control measures, putting enforceable annual ceilings on Federal spending to stem inflation in spite of these doubletalkers. If controlling inflation is anything more than election-

year rhetoric, Federal budget control is the only real medicine that will snap us out of the pork barrel syndrome that has been the guiding force in Congress for the past four decades.

Former Defense Under Secretary David Packard, now back in private industry as chairman of Hewlett-Packard Co., spoke most intelligently to this point in the current issue of Government Executive. I would like to include his remarks at this point in the RECORD.

## WHY CONGRESS NEEDS BUDGET REFORMS

(By David Packard)

An important issue before the Congress is being obscured by the great turmoil in Washington. This issue could be more important for the future of America than Watergate, trade reform, tax reform, even than the energy crisis, or any other current issue that has reached the headlines in recent months.

The issue I am speaking of is the issue of budget reform. Responsible action by Congress this year can determine whether, at last, there will be effective procedure established to bring an end to the uncontrolled increase in the proportion of your money which is being taken away from you and spent by the Government.

In a nation where the gross national product has surged beyond the trillion dollar mark and our Federal budget will soon reach the \$300 billion level, all too few realize that we can no longer afford to continue to overspend our revenues.

Consider these facts:

The Federal budget has been in a deficit position in 36 of 43 years since 1931.

Federal outlays in 1975 will be almost 100 times the 1925 level—going from \$3 billion to almost \$300 billion in 50 years.

The Federal debt has increased about \$200 billion in 20 years.

The major portion of the budget—75%—reportedly is no longer under effective control either by Congress or executive authorities principally because of open ended budget authority and the time lag between appropriations and expenditures.

Believe it or not, in Congress not one Fiscal Year 1974 appropriation bill was enacted before the Fiscal Year 1974, began. This chronic inability of Congress to complete appropriations actions prior to the start of the fiscal year has resulted in the well-known "continuing resolutions" to provide for the financial needs of the various Federal agencies. Such resolutions are an annual occurrence and, unfortunately create uncertainty for Congress and the agencies which are not sure about what will be approved for what programs.

The issue before Congress is to control Federal expenditures and your future Federal taxes. The climate which will be established at the Federal level will be, without any question, reflected at the state and local level, and that is why this issue is so important to every citizen in this country today.

The control of inflation must have the highest priority of all our national priorities.

For all of us, liberal or conservative, who genuinely want to help the poor, improve health care and education, provide better housing, and do the many things which are needed to upgrade the standard of living for all of our people, inflation is the number one problem.

What good is done by giving these people more assistance when, in the way it is done, it reduces the value of all of the help and welfare which is given?

#### PURCHASING POWER

It is a cruel result that in recent months the real purchasing power of people at lower income levels has gone down, despite increases in Social Security and other benefits. This has been most serious in the essential areas of food, housing and health care.

If inflation continues at recent rates we will have more people in the ranks of poverty, and in terms of real purchasing power all of our efforts to reduce poverty will, in fact, do precisely the opposite unless the inflation producing procedures are brought under control.

We should have learned by now that wage and price controls will not reduce inflation except perhaps for a very limited time in a few specific areas of our economy. Wage and price controls will produce distortions and shortages that will, with the greatest of certainty, lead to higher prices in the long run.

The causes of inflation are complex, but it is the almost universal view of the experts that monetary policy and fiscal policy are two weapons which do have a significant impact.

In urging Budget Reform I am advocating that we move expeditiously to strengthen one of the most effective measures we have to attack the problem of inflation at its roots.

Congress now has no effective way to control expenditures in relation to Federal resources so as to have any constructive impact on inflation. In fact, the traditional Congressional procedures have operated to fan the fires of inflation when these fires should be dampened. This is what must be corrected.

In saying this I do not want to imply that Congress is the only culprit. The Executive Branch has not always been responsible either. It is time, however, for Congress to take the lead and set the example.

Earlier this year Congress took a very important step to deal with this problem of bringing the budget under control.

A Joint Study Committee on Budget Control was created to study "the procedures which should be adopted by Congress for the purpose of improving Congressional control

## EXTENSIONS OF REMARKS

of budgeting outlay and receipt totals (this is the essence of fiscal responsibility) including procedures for establishing and maintaining an overall view of each year's budgetary outlays which is fully coordinated with an overall view of the anticipated revenues for that year."

#### SOMETHING FOR NOTHING?

This committee was composed of some of the most influential members from each house, 32 total, and their report of April 18, 1973 to Congress had the unanimous support of all 32 legislators.

Bills have been introduced in each house (H.R. 7130 and S. 1541) to carry out the recommendations of the Joint Study Committee.

These bills are consistent with the recommendations of the Tax Foundation, Inc., which in a recent publication cited some proposed guidelines:

To be effective, whatever procedure or mechanism is provided must enable, even require, Congress to relate spending to revenue and debt requirements and to arrive at an open decision on whether to reduce spending, increase taxes, or incur additional debt.

Whatever spending ceiling mechanism is adopted should be both firm and enforceable, and not subject to haphazard or easy adjustment.

Whatever ceiling mechanism is adopted should also apply to all spending and spending authorizations.

Procedures for enforcement of a spending ceiling, and for deciding upon adjustments following completion of action on the budget, should provide Congress with all available options, but should focus primarily upon the control of spending.

It is therefore essential that the new procedures not weaken or interfere with the Executive budget concept. Preparation of formulation of the budget, and its execution following Congressional adoption, should remain the responsibility of the Executive.

The procedures should assure the application of priorities to all categories.

These bills, if enacted, will be the first real step down the path of fiscal responsibility for Congress.

With the exception of a few liberal members of Congress who still believe it is possible to get something for nothing, these bills have very wide support. I have found very few members of the House or Senate who do not believe these bills are right and should be enacted.

There is a very serious problem, however, that may block the enactment of this very important legislation.

The enactment of H.R. 7130 and S. 1541 would seriously infringe on a historical prerogative of Congress, that of log-rolling. This is the practice of our Representatives and Senators supporting each other on issues and bills which are in the personal interest of the elected representatives and not necessarily in the national interest, not necessarily in your interest as a citizen.

I think it is time our national Government moved out of the 19th Century into the 20th Century. I believe it is time to expect every Senator and member of the House to put the national interest first and his private interest second. That is what will be required to pass the legislation which is now before Congress on budget reform. This will happen only if you citizens who have elected these men and women to represent you tell them what you want done.

In my judgment, the need for budget reform has never been more urgent. We need centralized control of our budget outlays and budget authority. We need a system that will set firm and enforceable spending ceilings that will not be subject to haphazard or easy adjustment.

We must resist all pressures for more and

more spending. A concerned and aroused citizenry is essential if the President and Congress are ever to exercise any control over Federal spending.

#### SOME "DON'TS" TO LIVE (?) BY

### HON. EARL F. LANDGREBE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. LANDGREBE. Mr. Speaker, the March 1974 issue of the Farm Journal contains a brief editorial entitled "Some 'Don'ts' To Live (?) By," and I ask that the editorial appear in the RECORD at this point. Some among us seem to have forgotten that life on Earth is beset with difficulties, dangers, and risks, and in their efforts to create a secular heaven on Earth, they are in the process of creating a place of torment.

The article follows:

#### SOME "DON'TS" TO LIVE (?) BY

Don't drink water; the stuff is dangerous. There may be nitrates in it, or traces of radioactivity—no matter how purified. Water can also drown you. Or cause you to slip in the bathtub and break your neck.

In fact, if you want to live an utterly "safe" life, there is very little you can do except lay down and die. And that was the point made by Herrell DeGraff, retired president of the American Meat Institute, at the Institute of Animal Agriculture.

In his keynoting address he took issue with alarmists who criticize new scientific applications to food production and processing: "There eyes are focused only on the risks—and these overwhelm their thoughts to the exclusion of the benefits."

Here are some more of DeGraff's "don'ts":

*Don't eat sugar.* Scientists have detected a correlation between blanched foods and stomach cancer. The same hazards can be alleged against refined flour and polished rice.

*Don't eat eggs or apples or carrots or rice, or oats or barley, or plums or cherries, or garlic or wheat bran, or wheat germ or safflower oil, or soybean oil, or corn oil, or honey.* They contain estrogens. *Don't eat green vegetables.* For the same reason

*Don't breathe.* You will inhale carbon dioxide, carbon monoxide and oxides of nitrogen and sulphur.

*Obviously, don't drive or ride in an automobile.* In the U.S.A. 50,000 persons a year are killed by autos.

*Don't eat salt.* It may elevate your blood pressure.

*Don't eat rutabaga, turnip, cabbage, spinach and carrots.* They may be goitrogenic.

*Don't engage in sex.* It has been alleged to cause both heart attacks and cervical cancer.

Here are a few of our don'ts:

*Don't farm.* It is one of three most dangerous occupations.

*If you ignore that advice, at least don't use any machinery.* It causes thousands of accidents.

*Don't go outside when it's icy.* That causes accidents, too. Let the livestock go hungry; stay in the house. Unless you have a gas stove. The flames can kill you.

*Don't switch to a microwave oven.* Those rays may cause cancer. Don't turn on the TV for the same reason.

Finally, don't read this; you might have a nervous breakdown.

## EXTENSIONS OF REMARKS

March 25, 1974

## CONTROVERSY AND RASH OF AMENDMENTS TO H.R. 69

HON. DAVID C. TREEN

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. TREEN. Mr. Speaker, the monumental problems resulting from Federal involvement in elementary and secondary education are demonstrated by the rash of amendments to H.R. 69, and by the continuous controversy over funding which has embroiled almost every Member of the House for years.

I feel strongly that the time has come to do what many members are convinced must be done: Begin extricating the Federal Government from the malaise by returning responsibility for elementary and secondary education to the States and local school authorities.

I propose to diminish—and later to eliminate—Federal funding of ESEA title I programs and at the same time pro-

vide the States a source of revenue to make up for the reduction in Federal spending. My proposal involves two steps:

First. An amendment to be offered to H.R. 69 this week which will impose a \$500,000,000 ceiling on ESEA title I programs for fiscal year 1976. The funding anticipated for fiscal year 1975 will not be affected. The amendment will also terminate ESEA title I programs on June 30, 1976. However, an automatic extension for 1 additional year would still be possible under section 404 of the General Education Provisions Act, 20 U.S.C. 1221.

Second. Passage of legislation which will terminate the Federal excise tax on tobacco, thus providing a tax revenue source for the States to increase its funding of educational programs. The tobacco tax would terminate on June 30, 1975.

Thus, for the year beginning July 1, 1975, the States would have a revenue source which amounted in fiscal year 1973 to \$2,276,951,000, and which will amount to an estimated \$2.3 billion for

fiscal year 1974, plus the sum of \$500 million under H.R. 69 as amended.

Every State—except my own State of Louisiana and the States of Mississippi and Kentucky—would have a greater funding level under this proposal. The following chart—attachment No. 1—shows how each State would fare under my proposal. It is anticipated that the \$500 million Federal funding would either terminate with fiscal year 1976 or be continued at a reduced level depending on the extent of tobacco tax revenues.

I call this plan revenue source returning. It has obvious advantages over revenue sharing. A summary of the advantages of this proposal is found in attachment No. 2.

The first step of this proposal, a bill to repeal the Federal excise tax on cigars, cigarettes, cigarette papers, and tubes will be introduced tomorrow.

The second step of this proposal is the amendment to H.R. 69 which follows as attachment No. 3.

The attachments follow:

[In millions of dollars]

	Treen proposal				Treen proposal				
	(1)	(2)	(3)	(4)	(1)	(2)	(3)	(4)	
	Committee's estimate for fiscal year 1975 <sup>1</sup>	Each State's share of tobacco tax <sup>2</sup>	Each State's share of \$500,000,000 funding under the committee's formula	Total funding under this proposal (col. 2 plus col. 3)	Committee's estimate for fiscal year 1975 <sup>1</sup>	Each State's share of tobacco tax <sup>2</sup>	Each State's share of \$500,000,000 funding under the committee's formula	Total funding under this proposal (col. 2 plus col. 3)	
Alabama	\$46,069	\$38,480	\$12,349	\$50,829	Nevada	\$2,607	\$5,465	\$0,696	\$6,196
Alaska	4,584	3,415	1,232	4,632	New Hampshire	3,526	8,197	.937	9,137
Arizona	17,604	19,354	4,714	24,114	New Jersey	57,995	80,376	15,537	95,937
Arkansas	27,097	21,631	7,259	28,859	New Mexico	14,736	11,385	3,937	15,337
California	158,460	223,597	42,459	266,059	New York	202,586	204,470	54,272	258,772
Colorado	17,462	24,819	4,687	29,487	North Carolina	55,528	56,924	14,867	71,767
Connecticut	19,545	33,927	5,223	39,123	North Dakota	5,699	6,831	1,526	8,326
Delaware	5,606	6,148	1,500	7,600	Ohio	59,181	119,312	15,858	135,518
Florida	67,324	76,050	18,028	94,128	Oklahoma	21,833	28,690	5,839	34,539
Georgia	50,218	51,459	13,447	64,906	Oregon	17,221	23,453	4,607	28,107
Hawaii	5,843	8,652	1,553	10,253	Pennsylvania	88,164	132,063	23,627	157,727
Idaho	4,951	7,969	1,339	10,715	Rhode Island	7,453	10,702	2,009	12,709
Illinois	92,887	124,549	24,886	149,435	South Carolina	35,985	29,145	9,643	38,788
Indiana	27,623	58,290	7,393	65,693	South Dakota	6,463	7,514	1,741	9,241
Iowa	17,177	31,650	4,607	36,307	Tennessee	42,090	43,945	11,277	55,277
Kansas	14,142	25,274	3,777	29,077	Texas	122,761	125,460	32,895	158,395
Kentucky	35,608	22,770	9,536	32,336	Utah	6,325	11,840	1,687	13,487
Louisiana	57,972	40,757	15,537	56,337	Vermont	3,892	5,009	1,044	6,044
Maine	7,375	11,571	1,982	13,582	Virginia	41,576	52,142	11,143	63,243
Maryland	32,352	43,945	8,679	52,679	Washington	23,742	36,431	6,348	42,748
Massachusetts	34,239	63,755	9,161	72,961	West Virginia	18,609	19,582	4,982	24,582
Michigan	81,126	99,503	21,725	121,225	Wisconsin	30,903	49,410	8,277	57,677
Minnesota	28,670	42,579	7,688	50,288	Wyoming	2,783	3,643	.750	4,350
Mississippi	44,250	24,819	11,867	36,667	District of Columbia	11,468	8,425	3,080	11,480
Missouri	32,926	52,370	8,840	61,240	Puerto Rico	32,897	(*)	(*)	(*)
Montana	5,863	7,742	1,580	9,380	Total	1,866,748	2,276,951	500,000	2,776,951
Nebraska	9,726	16,622	2,598	19,198					

<sup>1</sup> These are the Education and Labor Committee estimates for fiscal year 1975 under H.R. 69 as published on p. 14 of the committee's report.

<sup>2</sup> These figures would actually be higher for fiscal year 1976, the 1st year of the plan, since tobacco revenues are increasing. Figures used are for fiscal year 1973.

<sup>3</sup> Not available.

## ATTACHMENT NO. 2

## ADVANTAGES OF ESEA TITLE I

## Phaseout With Tobacco Tax Termination

NOTE.—The federal tobacco tax termination will permit each state to increase its state tax on cigars, cigarettes, etc., by the amount of the federal tax. This will result in the revenue coming directly to each state without any increase in the tax to the consumer.

(1) Provides greater funds to District of Columbia and 47 states (all except Louisiana and Mississippi and Kentucky).

(2) Gives the states and local school authorities flexibility in educational programs.

(3) Automatically solves the "forward funding" problem.

(4) Saves the states and local school districts an estimated \$300,000,000 in administrative costs.

(5) Eliminates more than \$10,000,000 in federal administrative costs.

(6) Relieves Congress of one of its more perplexing burdens and the source of much acrimony.

(7) Local school authorities will be relieved of having to come on bended knees to Congress.

(8) Individual congressmen will be relieved of demands on their time resulting from meetings, correspondence, telephone calls, etc., about ESEA title I programs (all of us could use more time for concentrating on other legislative and administrative duties).

(9) Avoids increased federal spending for elementary and secondary education which will certainly grow to monstrous proportions if the federal government continues its role in the financing of education.

(10) Expresses our faith in the Jeffersonian principle that that government closest to home is the best government.

## ATTACHMENT NO. 3

## AMENDMENT TO H.R. 69, AS REPORTED OFFERED BY MR. TREEN

Page 28, line 9, strike out "1977" and insert in lieu thereof "1976".

Page 48, line 16, insert "(1)" immediately after "as may be necessary".

Page 48, line 18, immediately after "such amount" insert the following: ", and (2) to take into account the total amount of sums appropriated for the fiscal year involved pursuant to the authorization for appropriations made by section 134(a)(1)".

Page 50, line 25, insert "(1)" immediately after "(d)".

Page 51, immediately after line 2, insert the following new paragraph:

(2) Section 144(a)(1) (as redesignated by section 109 of this Act) of title I of the Act is amended by adding at the end thereof the following new sentence: "There is authorized to be appropriated to carry out the provisions of this title not to exceed \$500,000,000 for the fiscal year ending June 30, 1976."

#### NUTRITION PROGRAM FOR THE ELDERLY (H.R. 11105)

**HON. GEORGE E. BROWN, JR.**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. BROWN of California. Mr. Speaker, last week we in the House passed H.R. 11105, the nutrition program for the elderly, and sent it on to the Senate, where it currently is in the Labor and Public Welfare Committee. This bill, which provides authorizations of appropriations for fiscal years 1975 through 1977, continues the nutrition program for older Americans that was established in 1972 when Public Law 92-258 added a new title VII to the Older Americans Act of 1965. The program is designed to provide Americans aged 60 and older—especially the needy—with one hot, nutritious meal a day, 5 days a week, principally in accessible community centers.

This program not only promotes better health among the elderly by improving their diet, but also reduces the isolation of old age by making possible opportunities for citizens to meet on a regular basis in community centers that also provide recreational, health, and other social services. Approximately 200,000 elderly Americans currently receive hot meals each day under this program, with 70 percent of the meals going to persons below the poverty threshold.

But raw statistics really cannot get across the real meaning of this program, Mr. Speaker, and so I would like to insert in the RECORD at this point an article which appeared in the San Bernardino Sun-Telegram of last Christmas. Jack Blue, in his column, "Jack Blue on People," wrote about one of the local success stories in which the nutrition program for the elderly has played such a major part. The story reads as follows:

A CHRISTMAS CAROL FOR FONTANA TO SING  
(By Jack Blue)

Sometimes things do work out. On this cheerful Christmas morning I'd like to tell you a little success story.

You might call it a Christmas carol for Fontana.

One example of how it works is this older fellow whom John Piazza noticed one day walking the streets of Fontana. He had a gimp leg and used a cane. John saw that when he crossed on the green light he used the cane to push himself faster and there was a desperate look in his eye like he might not make it across.

Piazza is executive director of the Steelworkers Old Timers Foundation. He is always on the alert for a prospective customer.

So he stepped right up, friendly-like. "Say, old timer, why don't you come in and have dinner with some friendly people?"

The senior citizen drew back warily. John remembered an old childhood poem: "Won't

#### EXTENSIONS OF REMARKS

you come into my parlor, said the spider to the fly?" That's the way the oldster looked.

"It's a community dining room," explained John.

"Not hungry," said the man. "Not hungry a-tall."

"It's free," said John. "We ask everybody who can to contribute up to \$1.35, but if you don't have it, we'll take less. And if you're plumb broke, it's plumb free."

He finally got him into the dining hall—and—senior citizen center at the corner of Alder Avenue and Foothill Boulevard. The man still protested he wasn't hungry, but he wouldn't mind "talking with some of the folks."

He did both. He talked and he ate and he paid what he could.

"He didn't come back the very next day," John told me. "But he did in a couple days. Most days he paid, but sometimes toward the end of the month when his pension money had run out, he'd have to eat free for a meal or two."

Piazza is a youngish, 40ish man who looks like Merv Griffin minus 10 years and 20 pounds. He took his cigar out of his mouth and waved its smoke at me.

"What he wanted, even more than a good hot meal, was work, friends, companionship. Family. Family, that's what he needed.

"And you know something else? Somewhere along about the second or third week I realized he wasn't using his cane anymore. He was doing odd jobs and handy work around here as spry as could be."

San Bernardino County is fortunate in having a pilot program in these community dining centers for seniors. It grew out of the United Steelworkers Local at the big Kaiser plant in Fontana. The union wanted to take care of its own. So it formed the Steelworkers Old Timers Foundation. Later Congress passed the Older American Act. So you can't say Congress never did anything right.

Under that act, \$100 million is set aside for a national nutrition program. And Dino Papavero (isn't that a wonderful name?) as chairman and John Piazza as executive director zeroed in on a share of that \$100 million. Both, of course, are union leaders—a type never noted for being backward about going after what they need.

To make a short story longer, the foundation was extended to include all senior citizens. Grants came through due to good lobbying and help from our elected people in Sacramento. There was, in round numbers, \$30,000 to set up a senior service center—phone alert, counseling, home visitors, help with Social Security and other bureaucratic problems. Then \$40,000 to set up a Retired Seniors Volunteer Program for Fontana, Colton, Rialto and Bloomington. People like to be useful and needed—and more than 50 senators soon were helping out at schools, hospitals, senior citizen centers—and visiting the ill among their own members.

Then came the grants for dining centers. First \$75,000 and then a supplemental \$10,000. The foundation found a former furniture store building that was ideal. It had space for a spotless kitchen, a spacious dining hall, a talk-and-rest-and-TV area and several offices.

Two other smaller dining rooms were set up for Colton. One is in Mt. Vernon Manor on D Street and the other at 772 Pine St. More than 300 seniors find food and friends daily at the three dining halls.

As Piazza noted with the older he lured in off the street—the goal is much more than just one good hot meal a day. It is to get them out of their lonely back bedrooms. It is to give them friends, warmth and a sense of family.

And it's good to know there's a Christmas dinner on deck today. Turkey's too dear, but the menu is still fine—ham, sweet and

mashed potatoes, creamed peas, Waldorf salad, mince meat pie, rolls, butter, milk, And a Christmas tree program following dinner.

Merry Christmas, John Piazza, to you and yours. I might drop by for the program myself. You'll find I'm better at writing Christmas carols than singing them.

Mr. Speaker, it is truly satisfying to read articles such as this one, and realize the impact that some of the programs we pass up here are having. Every once in a while, just like any other taxpayer, some of us up here in the Congress are inclined to wonder just where our money is going. There is no question but that there is a certain amount of waste in Government, just as there is in private industry; and a substantial amount of Government money—that means tax money, remember—is spent on programs that I believe to be undesirable in concept—programs that would be a total waste even if they achieved their goals efficiently—just as private industry spends enormous amounts of money performing functions which would be better left unperformed. Certain items in the Department of Defense budget, or in the White House budget, would be good examples of the former, while General Motors could provide us with many examples of the latter; but that is a whole subject in itself. For the moment, I simply wish to commend the many people who have been involved in this nutrition program, which demonstrates the type of successful Government program we hear so little of. People like John Piazza and Dino Papavero in Fontana, and others like them throughout the country. It is their effort which has made this program the success story which we have in front of us today.

#### THE EXCESSES OF THE PRESS

**HON. ROBERT H. MICHEL**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. MICHEL. Mr. Speaker, an editorial appearing in the March 12, 1974, edition of the Peoria Journal Star entitled "The Excesses of the Press" will be of interest, I am sure, not only to Members of the House but equally so to our friends from the Press Galleries.

I insert the editorial in the RECORD:  
THE EXCESS OF THE PRESS

Many newsmen and others took great joy in being on the "enemies list", but Columnist Joseph Kraft put them all in the shade. He was identified as one who actually had his telephone tapped for national security reasons (foreign policy). Mr. Kraft was not thrilled, however.

Few have hammered "impeachment" day by day more persistently than Joseph Kraft, understandably. He has been described as Walter Lippmann's heir—i.e. the liberal philosopher of the press... with the added incentive of being personally, in his view, doubtless, a victim of government spying.

In any case, Mr. Kraft has been banging away throughout the Vietnam moves and withdrawal and throughout Watergate, most recently, on impeachment.

When Joseph Kraft stops and warns of

## EXTENSIONS OF REMARKS

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excesses on the part of the press and of carelessness conduct (even using the word "narcissism") abusing the regular legal process which is now working, one has to believe that it has not been a mirage. One has to believe that many are going dangerously too far for these days in manipulating "news."

Mr. Kraft smells a future reaction and rightly fears it.

He may be a little late in taking the long view, but it is a fear that the active press in this thing, the liberals, and the Democratic party should all consider.

There is nothing worse than having a great opportunity and going off the deep end to turn it into a needless disaster.

The moment of greatest danger is when you seem to be leading at the half by 30 points, and you start to throw the ball away.

Columnist Milton Viort has also commented concerning current events that the crisis over Watergate is exposing "some of the worst characteristics" of Nixon's enemies.

Murray Kempton of CBS, no less, has recently expressed concern in CURRENT circumstances that "virtuous men" seem to be driven to "vicious devices."

That is something that might have been said about the Watergate, itself, and now seems to fit those exploiting it.

These, of course, are not Nixon fans or previous "defenders" in any sense of the word. They have belatedly begun to worry about other ABUSES of POWER instead of just about Nixonian examples of it.

That conduct has not been improved, however, when we have just had three days of top heavy headlines on the dire possibilities of a sealed report of the grand jury—followed by a statement from the prosecutor that in fact there was "nothing accusatory" in that sealed report!

The ultimate authoritative comment wasn't interesting. Only the prior speculation was BIG NEWS, treading in a misleading fashion on the confidential precincts of grand jury activities.

Indeed, if a runaway press that has adopted new standards of "responsibility" that abandon the responsible dicta of the past manages to mess up the legal process now underway, there'll be a serious sobering process, indeed.

As Mr. Kraft suggests, it would be better to mend our ways NOW, late as it is, than to have some judge blow the whistle on us a couple of months hence in tossing one of these criminal cases out the window as impossible to try constitutionally because of our conduct.

At least some who previously enjoyed this orgy are beginning to recognize the dangers of it and even to admit that we have been something less than responsible or reliable.

That's a vital step toward self reform.

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#### WOMEN'S GROUPS NEED TO BE HEARD ON ABORTION ISSUE

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#### HON. RONALD V. DELLUMS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. DELLUMS. Mr. Speaker, in light of the mounting efforts to pass an anti-abortion constitutional amendment, it is essential that all Members of Congress listen to the concerns of women's groups. Underrepresented in Congress and in all institutions of government, their opinions overlooked by the media, the women of this country must be heard above the voices of antiabortion lobbyists if our Government is to maintain its claim to responsiveness.

Three important women's groups, the National Abortion Rights Action League, the National Council of Jewish Women, and the University Young Women's Christian Association in Berkeley, Calif., urge strong opposition to the antiabortion amendments. The NARAL has attached an article by Carl Rowan that describes the discriminatory nature of preventing abortions. In order that the views of these women's groups may be expressed in Congress, I am reprinting their letters here. I hope that their opinions receive the consideration by Congressmen that is their due.

The letters follow:

NATIONAL ABORTION  
RIGHTS ACTION LEAGUE,  
New York, N.Y., March 25, 1974.

DEAR REPRESENTATIVE DELLUMS: We are enclosing a column by Carl Rowan on the Buckley Amendment, banning funds for abortion under Medicaid, to the Social Security Bill. Although Mr. Rowan wrote that column in December, it is still timely since the bill is still in Joint Conference Committee. His very strong message shows how the Buckley Amendment blatantly discriminates against the poor which, of course, it most certainly does.

We are enclosing an interesting column written by the Rev. Michael Breslin, a Roman Catholic priest at the parish of St. Teresa of Avila in Brooklyn, New York. Although he may be at odds with the hierarchy of his church, his views on abortion represent the majority of Roman Catholics. This has been demonstrated by numerous polls including those conducted by the Gallup organization and the National Catholic Reporter itself.

We think it's important that you, as a member of Congress, have access to various points of views on abortion which we will continue to send you.

Sincerely,

BEATRICE BLAIR,  
Executive Director.

[From the Fort Wayne (Ind.) Journal-Gazette, Dec. 19, 1973]

#### ANTI-ABORTION PUSH OFFERS VICIOUS CIRCLE TO POOR

(By Carl Rowan)

WASHINGTON.—Something extraordinary has happened in New York since it liberalized its abortion laws.

More black women are receiving abortions than white women in New York City even though that community has twice as many white women of child-bearing age as black women.

In a recent 12-month period some 70,000 abortions were performed in New York City, with 48 per cent of the women involved black and 39 per cent of them white. The percentages are the reverse of what they were a few years ago when rigid laws made abortions illegal, costly and medically risky except for the very affluent.

Why the sudden upsurge in the number of black women getting abortions? For the same reason that far more poor white women are getting abortions: for the first time in history they can legally abort an unwanted pregnancy under medically safe conditions at a price they can afford.

In fact, they can and do use Medicaid to pay for abortions.

#### POORER WOMEN FREED

What we are seeing is a medical-social revolution among poorer women, many of whom do not have a lot of education, have not been properly counseled in contraception and other techniques of family planning and have not had access to contraceptive devices.

But these women still nurture dreams of economic uplift, of social mobility, of equipping whatever children they do bring into the

world with the capacity to break the vicious circle of poverty-ignorance-more poverty which has imprisoned their families for generations.

To put it more bluntly, the least sophisticated woman in the ghetto knows that to have a baby a year for a dozen years dehumanizes her, cripples the children and burdens the rest of society. So by ignorance or accident, they still get pregnant, but for the first time they know that they don't have to have the baby.

The Supreme Court said a year ago that in the early months of pregnancy, whether to abort is a decision between a woman and her doctor.

#### EASING THE HEARTACHE

And do not overlook the fact that in poor, minority neighborhoods where the rate of births out of wedlock is high, many a single girl is availing herself of the right to an abortion. Relatives who once felt resigned to the embarrassment of an illegitimate birth in the family, and who sometimes went to the expense of sending Sally off to visit distant relatives for a few months so the baby could be put up for adoption without the hometown folks knowing a thing, are today taking their daughters in for abortions.

That so many black women are turning to abortion is especially remarkable when you remember that they have been bombarded with superstard talk about how abortion is genocide. These women know that, as long as someone else does not force an abortion on them, it is not genocide.

#### BACK TO THE BUTCHERS

But the right to an abortion (like most everything else worthwhile) is going to be taken away from the poor if the antiabortion fanatics have their way. Sen. James L. Buckley, the New York Conservative, is pushing to make it illegal to pay for an abortion through Medicaid. Incredibly, he would take us back to the days when the rich got abortions and the poor had babies. This is ironic, for it is normally part of the conservative catechism to say "rich, smart people" can have all the babies they want, but someone has got to stop the "dumb, poor people" from breeding.

Then, the anti-abortionists are lobbying Congress feverishly in behalf of resolutions to amend the Constitution and overrule the Supreme Court. They want to make abortion illegal, period, and every year perhaps a million women will again risk their lives with quacks and butchers and commit the crime of refusing to have a baby.

The anti-abortion fanatics offer another kind of vicious circle to the poor. Force those poor women to have babies, curse them when their children go on welfare, deny the children even a minimum level of decency, then wait for them to get pregnant at age 12 or 13 when you can tell them, "No abortions, you must have babies."

Then if anyone asks Buckley & Co. why they seem to hate poor people, they can give you that old saw that "God loves them—see how he makes so many of them."

[From the New York Times, Feb. 18, 1974]

#### VIEW FROM A PARISH

(By Michael T. Breslin)

London's Hyde Park turned out, for me, to be quite a disappointment. I expected to hear a lively dialogue between speaker and listener on a whole spectrum of issues. Instead, I found only fruitless confrontation, closed minds on both sides—mountebanks versus hecklers. Has something like this breakdown in communications begun to occur between New York's Roman Catholic hierarchy and laity, between those who hold the "official Catholic position" and those who are concerned for the well-being of our whole society?

Not that the church owes New York any apology for its role in this town. We've been

around for a long time, and we've been involved. Witness all the schools, hospitals, social agencies, orphanages and immigrant services.

We haven't run away from the inner city or the "changing neighborhood." And we'll stay—not playing the same role, of course, but we'll be where the action is, and we're not afraid to get our hands dirty.

Our community counts among its members many people on both sides of the major issues; the newly arrived immigrant as well as the immigration official; the happily married and the divorced; the innocent victim, the criminal and the leader of the crime syndicate; public school and private-school principals, teachers, parents and students; the frightened middle class as well as the poor living on welfare; the racist and his victim; the woman having an abortion as well as her doctor.

To represent so many different people honestly and to provide them with useful moral leadership is not easy. Can we any longer be satisfied with the kind of "soap-box morality" that simply shouts prohibitions—on birth control, no abortion, no sex outside of marriage—but with no mention of human problems?

Can we go on with our maneuvers to get political support for "official church positions" by such open threats to our fellow New Yorkers as "save our schools or we'll flood yours" and "legislate against abortion or be exposed as anti-Catholic"?

Have we even noticed that large numbers of our own people ignore the "official" teachings and refuse to lend political support to the "Catholic" side of current issues? Why do most Catholics practice birth control? Is it true that most of New York's abortion patients are Catholic? Haven't the human experiences of our people taught us to be flexible and to avoid making up burdens impossible to carry?

I believe that today we can settle for nothing less than true moral leadership adapted to the real needs and circumstances of the people who look to our community for strength and direction. Would it not be a betrayal of many sincere people to expose them to more Albany demonstrations, press releases and bishops' letters repeating the so-called "moral absolutes"?

Can't we trust more in the basic goodness of people, in their fundamental life-decision to do what is right, and in their good judgment to choose what, before God, seems right for them as they make the complex moral decisions required of each of us?

Our approach to moral leadership must become more catholic, more universal. There are situations in society that demand not new laws but the dispassionate attention of whole communities. Has our society been focusing its attention sufficiently on its most fundamental moral issues: economic exploitation, inequality of opportunity, political and military accountability, adequate evaluation of schools, wars and production of war machines instead of more beneficial products, personal irresponsibility in some life-styles, a just immigration policy, use of wholesale abortions instead of finding effective means of birth control, racism, escapism through drugs, our worldwide responsibility to the poor?

Isn't it true that every act of man (even killing) is sometimes good and sometimes bad? Isn't the moral value of our individual acts governed by some fundamental choice we have made to orient our whole life either to take care of ourselves above all or to put ourselves at the service of others?

Is it because we have failed to convince even our own people of our "official position" that we are seeking to legislate morality? Don't we see that making of laws is a power that can corrupt the whole society if used blindly? Don't we risk encouraging crime and graft by making unenforceable laws against

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gambling, prostitution, sex movies, pornography?

Don't we risk favoring one group in our society over another by insisting on legislating the "Catholic point of view" on abortion and private schools?

In general, are we trying to use legal force as a substitute for deep moral reflection on the common problems that our whole society is facing? Do we teach "moral absolutes" because we are afraid to put ourselves into the complete moral situation in which people here are finding themselves as they try to judge what is right?

NATIONAL COUNCIL OF JEWISH WOMEN,  
New York, N.Y., March 15, 1974.

DEAR REPRESENTATIVE DELLUMS: The National Council of Jewish Women, an organization established in 1893, with over 100,000 members throughout the United States, has concerned itself since its inception with human welfare and individual rights. It is dedicated to the protection of these rights and the promotion of the general welfare locally, nationally and internationally through an integrated program of community service, education and social action.

The landmark U.S. Supreme Court decision (*Roe v. Wade*, 1/22/73) recognized a woman's right to an abortion as guaranteed by the Due Process Clause of the Fourteenth Amendment which "protects against state action the right to privacy, including a woman's qualified right to terminate her pregnancy."

Attempts to nullify this decision and reinstate criminal abortion laws by constitutional amendment would subject women to an inexorable course of childbearing which represents a value superimposed upon them by the state notwithstanding their personal choice in the situation.

It is our hope that the integrity of the U.S. Constitution will not be undermined by unnecessary amendments, that the role of the U.S. Supreme Court as interpreter of Constitutional issues will not be nullified, and that the rights of the individual to determine one's own reproduction will neither be abridged nor restrained.

For these reasons we urge you to oppose all constitutional amendments and other proposals which in any way attempt to nullify or undermine the Supreme Court decision on abortion rights.

Sincerely yours,

MRS. ELEANOR MARVIN,  
National President.

Y-HOUSE.

Berkeley, Calif., March 22, 1974.

Representative RONALD DELLUMS,  
House Office Building,  
Washington, D.C.

DEAR MR. DELLUMS: On March 12, 1974, the Advisory Board of the University YWCA voted to reaffirm the 1973 National Convention Resolution regarding a "woman's right to determine whether or not she wishes an abortion . . . therefore the YWCA shall support efforts to provide safe, low-cost abortions to all women who desire them."

The Advisory Board is opposed to the various anti-abortion Constitutional Amendments listed below:

1. Hogan Amendment H.J. 261 and 473
2. Buckley Amendment S.J. 119
3. Whitehurst Amendment

In addition, and in keeping with the resolution, we register our opposition to the following anti-abortion "sleeper Amendments":

1. Buckley Amendment to the Social Security Amendment of 1973
2. Legal Services Amendment to the Legal Services Act

3. Resolutions introduced by Harold Froehlich

We would like to go on record as supporting institutional freedom of choice regarding

the performing of abortions comparable to the individual freedom of choice which is protected by the Supreme Court decision.

Sincerely,

DOROTHY T. CLEMENS,  
Chairwoman, Advisory Board.

## MANY WORKERS RISKING LIVES IN EVERYDAY JOBS

### HON. DAVID R. OBEY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. OBEY. Mr. Speaker, the current scare about the suspected carcinogenic effects of vinyl chloride on workers has caught the attention of the newspapers and the public and vividly illustrated the work, or lack of it, which has been done in the field of research on occupational health hazards.

Research on the potential effect on worker safety and health of industrial chemicals and other substances lags far behind the rate of introduction of new chemicals into the workplace. In fiscal 1975 the National Institute for Occupational Safety and Health, strangled by an insufficient budget request and insufficient administration support, is planning to make recommendations on health and safety standards for only 14 hazardous substances, when new chemicals are coming into industrial use at the rate of about 500 per year.

I feel strongly that we must raise the level of activity and funding of this agency in order to more adequately protect the lives of American workers.

Recently the Sunday Baltimore Sun carried an article "Many Workers Risking Lives in Everyday Jobs" by a staff correspondent, Mark Reutter, which explains the great unseen, little understood array of "chemicals, radiation, noise, excessive heat, dust" and other environmental problems of the workplace which are the responsibility of Government, industry, science, and labor.

The article appears below:

MANY WORKERS RISKING LIVES IN EVERYDAY JOBS—CHEMICALS, RADIATION, NOISE, EXCESSIVE HEAT, DUST ONLY A FEW OF ENVIRONMENTAL PROBLEMS, SAYS LABOR LEADER

(By Mark Reutter)

The "re-education" of Frank Wallick, a long-time labor leader, began with a jolt, delivered six years ago by the indomitable Ralph Nader.

"Nader wanted to know what I was going to do about some health standards for factories," Mr. Wallick recalls. "At first I didn't understand what he was talking about."

The labor leader says he had always dismissed job safety as "a bunch of rah-rah posters" unfurled by management to win safety awards. "But suddenly I saw the workplace itself as a serious environmental problem that directly affected the health of workers."

With this new perspective, Mr. Wallick, editor of the United Auto Workers' Washington Report, left his downtown office to interview hundreds of employees across the country. He witnessed working conditions that rarely make headlines—withering heat in the summer and numbing cold in the winter; sharp-edged crates and unshielded machinery in aisles; shattering noise along assembly lines and swirling dust in foundries.

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## OUTCOME IS A BOOK

Armed with firsthand observations, Mr. Wallick went to the library, hacking through the verbiage of "occupational health" literature to determine the effect of such conditions on employees. The outcome of his research was a unique—and disturbing—book on the hidden hazards of work, entitled "The American Worker: An Endangered Species."

The union leader is now sitting in his Washington office trying to explain the dimensions of the workplace problem. His words come rapidly. "I used to bleed over redwoods. When I came to Washington I saw the biggest thing as huge corporations and tax reform. But I'm now convinced that the real scandal is the American workplace . . . Every day we discover more and more wrong with it."

Heaving his horn-rimmed glasses over his forehead, Mr. Wallick adds, "It's not a sexy subject. Most environmental problems do not come right out and hit you. They creep up over the years."

His contentions are backed up by dozens of government reports which draw a grim statistical picture of injury and death on the job. This year, according to the U.S. Department of Labor, 15,000 persons will die and 2.2 million more will be permanently disabled from violent work accidents.

## "SILENT KILLERS"

Eight times more deadly than accidents are what Mr. Wallick calls the "silent killers"—the vast array of diseases which can afflict workers after years of exposure to certain substances or job conditions. A 1971 study by the Department of Health, Education and Welfare concludes that as many as 25 million workers annually catch everything from sore throats to cancer of the lungs, bladder and rectum on the job. The report further estimates that up to 100,000 of the nation's 80 million workers die every year from occupationally related diseases.

Work and early death are dramatically linked in some industries. In the valleys of Appalachia, "black lung," a respiratory disease caused by coal dust, has disabled 177,800 coal miners, according to a spokesman for the Social Security Administration. Another 220,000 miners have been partially disabled by coal dust.

In textile mills, about 17,000 cotton, hemp and flax workers suffer from "brown lung"—the inhalation of too much cotton dust. Like black lung, Mr. Wallick notes that this disease has been on the rise in recent decades due to modern technology which grinds cotton dust into invisible particles that penetrate deep into the lungs.

Asbestos is another substance whose propensity to kill has been known for years. Dr. Irving Selikoff, of the Mount Sinai Hospital in New York, perhaps the leading expert on asbestos, estimates 135,000 workers now or previously exposed to asbestos will prematurely die from cancer of the lungs, abdomen or chest. Dr. Selikoff calculates that asbestos, or the scarring of the lungs, will kill another 35,000 asbestos workers.

## REELS OFF LIST

Such figures reveal only a small part of the problem, Mr. Wallick emphasizes. "We're dealing with thousands of items in the workplace," he says, rattling off a long list of potential traps: frayed electrical wires, radiation, noise, blocked aisles, oil on the floor, detergents, oil or lead mist, excessive heat, dust, welding fume and untested chemicals.

In the latter category, polyvinyl chloride is the latest industrial chemical suspected of causing cancer and other ailments. The substance, widely used in making plastics, rubber, floor tiles and plastic sheeting to wrap food, has been linked to the recent deaths of three workers at a Goodrich rubber plant in Louisville. Other Goodrich employees exposed to polyvinyl chloride are suffering from liver ailments and bleeding of the anus, reports Malcolm Barr, a spokesman for the

U.S. Department of Labor. Last Friday the labor department held a hearing in Washington to try to determine the hazards of this chemical.

Although blue-collar employees are particularly susceptible to job-related disabilities, Mr. Wallick reports that office workers are not immune. Copying machines, for example, often produce ozone, a form of oxygen, which in poorly ventilated rooms can slowly damage the lungs of persons working nearby.

Other possible dangers lurking in office buildings range from recirculated air to the solvent used to clean typewriters. "We really don't know the effect of many of these subtle hazards," says Mr. Wallick. "Research on them has barely begun."

## HIGH ECONOMIC PRICE

What has become better known, though, is the high economic price exacted by workplace hazards. The National Center for Health Statistics estimates that every year the average worker spends 22 days sick or partially disabled due to job-related diseases and injuries. This lost productivity amounts to about 10 times the economic cost of labor strikes.

With such widespread dangers, why hasn't occupational health become a pressing public issue? Mr. Wallick offers his own naivete six years ago as an answer. "People don't think about these things because the relationship between your health and your job has been traditionally ignored. It is rare that a doctor asks you about your job or what chemicals you handle or conditions you work under . . . It's hard to determine what caused a person to die. It may be low-level exposure to many things."

There are also a number of popular misconceptions about work which Mr. Wallick admits many labor unions have been reluctant to dispel. "Work is considered to inevitably involve physical injury to the worker. There's that fatalistic attitude—people accept bad conditions as necessarily a part of work."

"Most accidents, the myth goes, are caused by dumb workers doing something stupid—unsafe actions instead of unsafe machinery or an unsafe environment. So with the worker always at fault, a company only needs some earplugs and a good slogan to win a safety award."

## MASSIVE CLEANUP

Between 1968 and 1970, Mr. Wallick, joined by a small contingent of union leaders, medical experts and Ralph Nader associates, rallied for a massive clean-up of the nation's 4.1 million workplaces. Congress responded with the Occupational Safety and Health Act of 1970; an act Mr. Wallick says is admirable in principle but so far crippled by weak enforcement.

Worker participation is an essential ingredient in the legislation. Under the act, employees suspecting health hazards can directly request a government inspection of their worksite. During these inspections, a worker representative may accompany the government official and, afterwards, any employee may meet with the official in private.

Workers have other important rights, Mr. Wallick notes, including the right to obtain copies of government inspection reports and the right to insist dangerous substances be clearly labeled. The law also requires companies to keep records of work-related injuries and diseases and to post an annual summary every February.

Weak-willed enforcement of the 1970 act, though, has undermined its effectiveness, Mr. Wallick charges. One of the union leader's pet peeves is the provision allowing states to enforce the federal law. "State programs are more susceptible to pressure from state legislatures and local industry [than a federal program]," Mr. Wallick says. "For many decades, the states 'enforced' job

safety, but state legislatures were usually willing to sacrifice worker safety to keep or attract industries to the state." He adds that the AFL-CIO has consistently favored federal job inspection.

In Maryland, a state occupational safety and health program is slowly making headway. Begun last July, 70 inspectors have so far checked 6 per cent of Maryland's 60,000 workplaces, reports Harvey Epstein, commissioner of the state division of labor and industry.

However, enforcement of health standards in local workplaces has been delayed, Mr. Epstein says, because the Mandel administration has not yet created positions for "industrial hygienists"—the most important posts in occupational health. In order to comply with the 1970 act, a consultants' report last year recommended the hiring of 30 such hygienists and 80 more inspectors in the next three years. Mr. Epstein has indicated, though, that he regards these recommendations as unrealistic.

Even if Maryland and other states develop adequate job inspection programs, Mr. Wallick notes that workers will still be subject to serious health hazards. This is due to the "threshold limits" set by the U.S. Department of Labor for noise, fumes, dust and chemicals in the workplace. Instead of being based on medical evidence, Mr. Wallick says these limits take into account "economic feasibility"—as chiefly determined by industry groups like the American National Standards Institute. Through this system, for example, the labor department has set a 90 decibel limit for noise in the workplace.

Pulling out a graph, Mr. Wallick explains what this limit means to workers. "At 80 decibels there is no loss of hearing, but beyond that point the loss of hearing escalates rapidly," he notes, his forefinger tracing the quickly-climbing line. "Noise over 80 decibels particularly affect workers over 50 years old. From scientific estimates, 10 out of every 100 workers over 50 years old will be condemned to a predictable loss of hearing at 90 decibels."

Like most occupational hazards, noise pollution has side effects. "Noise affects your emotions, circulatory system, heart beat and blood pressure," the union leader says. "Some scientists believe that excessive noise can contribute to heart attacks, stroke and nervous breakdowns . . . The fact of the matter is that modern technology is available. General Motors is now purchasing all equipment that is under 85 decibels."

Carbon monoxide is another example of the lenient health standards in factories, Mr. Wallick notes. In a normal population, the Department of Health, Education and Welfare has estimated that 10 parts per million of carbon monoxide are enough to produce adverse health reactions over an eight-hour period.

As a result, the federal government has proposed pollution regulations limiting carbon monoxide to 8 ppm. Inside a factory, however, the labor department's "economically feasible" pollution standards restrict carbon monoxide to 50 ppm. ("the equivalent of 50 jiggers of the stuff in an average room," Mr. Wallick says).

Toxic chemicals are another occupational danger with far-reaching repercussions. Every year the labor department estimates that 600 toxic chemicals are introduced into the nation's factories. Under the present system, the government does not require companies to safety test these new chemicals before workers are exposed to them.

Of the 15,000 toxic substances already used in the workplace, safety standards exist for about 450 of them, says a labor department spokesman. But some of these standards are deceptive. For instance, safety limits for asbestos, established with fanfare in 1972, will not be enforced until 1976. In the meantime, there is new evidence from

England that the planned asbestos standards may still be too high to prevent cancer in many workers, reports Dr. Jeanne M. Stellman, author of the just-released paperback, "Work Is Dangerous to Your Health."

Despite law enforcement of the 1970 act, Mr. Wallack says the law is slowly alerting the public to workplace hazards. In Maryland, the law has forced government officials and union leaders to take a closer look at the health dangers in the state's 60,000 workplaces.

What has been found is alarming—that thousands of jobholders are routinely exposed to chemicals, fumes and dust which can take years off their lives. Or as Dr. Edward P. Radford, a consultant to the state's occupational health program, puts it: "Society is now getting the benefits of workers at the expense of workers."

#### PLAYING THE GLOBAL MONEY GAME—CHICAGO STYLE

**HON. PHILIP M. CRANE**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. CRANE. Mr. Speaker, when, in 1967, University of Chicago Economist Milton Friedman telephoned several Chicago banks with a moneymaking scheme in mind, he found it impossible to transact.

He was, at that time, convinced that the British Government was about to devalue the pound and he wanted to sell short \$300,000 worth of British pounds sterling. He correctly figured that if the pound were cut in value he could buy back the same amount at a cheaper price and pocket a tidy profit.

He was not able to conduct the transaction because of a long-standing tradition among U.S. banks prohibiting private citizens from speculating in foreign currencies.

Three weeks later, Britain devalued the pound by 14.3 percent, from \$2.80 to \$2.40.

Friedman recalls:

It was disgraceful, I was prepared to put up \$30,000 which was more than adequate margin. The banks arbitrarily kept me from more than doubling my money.

Now, the situation is different. Today, it is possible to buy and sell contracts for the future delivery of currency on the International Monetary Market of the Chicago Mercantile Exchange, Inc.

Discussing the extraordinary banking breakthrough which has occurred at the Chicago Mercantile Exchange, Edgar Shook, writing in *Midwest* magazine, published by the Chicago Sun-Times, of February 24, 1974, notes that:

In its nearly two-year existence the IMM has toted up some impressive statistics. Through the end of 1973, trading volume totaled 581,302 futures contracts, representing a dollar volume of \$47.4 billion. So far, the Japanese yen has been the most actively traded currency; the Italian lira has been the least active and was recently de-listed as a result. The IMM has 650 members—Memberships which originally sold for \$10,000, sold for as high as \$24,000 at the beginning of this month.

Mr. Shook points out that:

Even some major New York Banks, many of which—originally considered the idea of a

#### EXTENSIONS OF REMARKS

currency futures exchange "to ridiculous to discuss" are showing some interest. Both First National City Bank and Chase Manhattan, the number two and three banks in the nation, are now doing business through the IMM.

The Chicago Mercantile Exchange has taken a major step in the direction of restoring economic freedom to the individual American citizen. I wish to congratulate the Exchange upon its notable success and wish to share with my colleagues the important article by Edgar Shook which details these accomplishments. The article from *Midwest* magazine of February 24, 1974, follows:

PLAYING THE GLOBAL MONEY GAME—CHICAGO STYLE

(By Edgar Shook)

One autumn day in 1967, Dr. Milton Friedman, the internationally famous University of Chicago economist, telephoned a major Loop bank with a moneymaking scheme in mind. Convinced the British government was about to devalue the island-nation's currency, Friedman wanted to sell short \$300,000 worth of British pounds sterling. He correctly figured that if the pound were cut in value he could buy back the same amount at a cheaper price and pocket a tidy profit.

To Friedman's surprise and dismay, the bank would not accept his order, even though he was prepared to pledge \$30,000 in cash as a security deposit for the transaction. The reason: a long-standing tradition among U.S. banks prohibiting private citizens from speculating in foreign currencies.

Undaunted, Friedman contacted two other major Chicago banks with the same proposition—and got the same polite but firm refusal.

Three weeks later Britain devalued the pound by a hefty 14.3 per cent, from \$2.80 to \$2.40.

"It was disgraceful," Friedman recalls with a snort. "I was prepared to put up \$30,000, which was more than adequate margin. The banks arbitrarily kept me from more than doubling my money."

Largely as a result of that incident, today anyone with a little risk capital and a lot of nerve can wheel and deal in seven major foreign currencies—from Japanese yen to Dutch guilders—by buying or selling contracts for future delivery of the currency on the International Monetary Market of the Chicago Mercantile Exchange, Inc. And speculating in currency futures on the IMM takes considerably less money (from \$1,500 to \$4,000, depending on the currency traded) than the \$30,000 Friedman was willing to ante up with the banks.

Actually, the idea of a futures market in foreign currencies wasn't Friedman's. It was the brainchild of the boys at the Merc (as the Chicago Mercantile Exchange is popularly known), but they give Friedman a large share of the credit for transforming their concept into reality.

"The IMM would not have been conceived were it not for the help and inspiration provided by Dr. Friedman," says IMM chairman Leo Melamed. "It was Dr. Friedman who gave us the courage to believe we were onto something big and worthwhile. It was his unquestionable prestige and authority that not only opened doors for us in Washington but enabled us to pronounce with credibility that a futures exchange in currency was a necessity and that its time had come. I seriously doubt if we would have proceeded without his full embracement of this project."

So, armed with the expertise, moral support and clout of one of the nation's foremost economic thinkers, the pork belly and egg traders at the Merc did proceed—and managed to cause quite a furor in the world's established money markets in Zurich, Lon-

don, Frankfurt, Paris, Tokyo and New York—the lairs of that closeknit, jealous little band of financial wizards known as foreign-exchange dealers.

As the IMM's Melamed rather grandly explains: "What we did was enter uncharted waters upon which many felt we did not belong." That is putting it mildly.

"I'm amazed that a bunch of crapshooters in pork bellies have the temerity to think that they can beat some of the world's most sophisticated traders at their own game," announced one outraged New York foreign-exchange dealer on the eve of the IMM's opening. "A peanut game," sniffed another.

Thick-skinned aggressiveness has never been in short supply at the Merc. The exchange did not rise meteorically to become the nation's second-largest futures market (after the Chicago Board of Trade) by using timid or overly sensitive to criticism. Indeed, as officials of the Merc are fond of pointing out, trading volume on the exchange has soared 1,690 per cent in the past decade, mainly as a result of the introduction of trading in meat related commodities—frozen pork bellies, live hogs and live cattle.

Thus, incongruous as it might seem, it was not at all surprising that "a bunch of crapshooters in pork bellies" were the ones to desegregate one of the financial world's most exclusive private clubs. Why? Because the thing that really turns on the boys at the Merc, who are among the most astute commodity traders in the business, is money—and money, after all, is the ultimate commodity. Money and the Merc: an eminently logical, almost preordained, match.

As it happened, the IMM's creators had some unexpected help in the form of a series of international monetary crises that rolled like shock waves through central banks of the major industrial nations in 1971. Those crises and the ensuing international monetary upheaval, which is still unsettled, drastically and forever altered the rules of the foreign-exchange game and made the Merc's idea of bringing currency trading to the speculator-masses more attractive and timely than ever.

To understand those events and the effect they had on the birth of the IMM, one must delve a bit into the history and intricacies of the esoteric world of international finance.

Back in July, 1944, in a little, out-of-the-way New Hampshire resort town called Bretton Woods, politico-economic experts from 47 countries met to start planning for the world's postwar economic recovery. The international monetary system they devised, known as the Bretton Woods system, has been in effect ever since although it is now undergoing considerable scrutiny and change.

Out of Bretton Woods came four key actions:

The International Monetary Fund (IMF) was created as a supranational agency to act as a sort of watchdog over the non-Communist world's finances.

A fixed price, in terms of U.S. dollars, was established for the currency of each IMF member-nation.

It was agreed that the U.S. dollar was literally as good as gold, and that any IMF member-nation could cash in dollars for gold at a rate of \$35 an ounce.

The U.S. dollar was positioned as the Free World's main reserve currency, which meant the dollar became the medium of exchange between nations and, since the United States had pledged to redeem dollars for gold, could be held in foreign treasuries in lieu of gold.

With amazingly little difficulty the Bretton Woods system functioned superbly for nearly a quarter-century. As a result, industrial output in the Free World soared, employment was high and goods flowed freely across international boundaries as tariff barriers dropped. By the end of the 1950s, currency convertibility (which meant a Britisher, for example, could go to a bank and freely exchange his

## EXTENSIONS OF REMARKS

pounds at the fixed rate for, say, French francs) was restored among the major non-Communist nations, and this led to an unprecedented expansion in the flow of money between nations—for investment, for tourism and for the purchase of goods and services.

Monetarily, at least, for the first time since the worldwide Depression of the 1930s, God was in His heaven and all was pretty much right with the world. But this happy and unusual state of affairs didn't last long. Storm clouds were forming on the international financial horizon, and their linings were of a greenish hue, not unlike that of the U.S. dollar.

The problem was this: Since Bretton Woods the U.S. had been financing first the post-war recovery and then the growth of most of the non-Communist world by running its international business affairs at a loss. In other words, the United States spent more money abroad, for everything from Japanese television sets to tourism to the maintenance of overseas troop garrisons, than foreign nations spent to purchase U.S. goods and services. The result was a steady drain on the hoard of dully gleaming gold ingots stashed away in the U.S. Bullion Depository at Fort Knox, Ky. Under the Bretton Woods system, remember, this gold was the financial underpinning of the Free World's international monetary system.

To stanch this golden hemorrhage, Washington had pressed, argued and cajoled foreign governments into stockpiling huge amounts of greenbacks in their bank accounts rather than cashing them in for the yellow metal. Most obliged and, by the early 1970s, some 30 billion U.S. dollars had piled up in central banks from London to Tokyo. Meanwhile, the U.S. gold stock, which stood at \$24.6 billion in 1949, had dwindled to \$10 billion and change. With roughly three times more in dollars in official foreign hands than it had gold to redeem with, the United States of America theoretically was financially busted.

This dreary fact was not lost on that shadowy group of individuals whom finance ministers, barely refraining from adding the adjectives "wicked" and "evil," refer to as "international currency speculators."

(Although the phrase conjures up visions of Daddy Warbucks-like characters, diamond stickpins and all, sitting on their converted-destroyer yachts in the middle of some obscure ocean, talking to Beirut money merchants via radiotelephone, the culprit is far more apt to be a harried, Tums-taking corporate treasurer who is simply trying to show a profit, or at least less of a loss, on his company's international transactions.)

Whoever the international currency speculators are, inadvertently or inadvertently, they mounted massive attacks against the already-battered dollar by shifting huge sums out of dollars into stronger currencies, notably the West German mark and the Japanese yen. To keep the values of their own currencies from soaring beyond the fixed-price "ceiling" set by the Bretton Woods system, West Germany and Japan were forced to sell unlimited amounts of marks and yen for dollars. The result was that these two nations alone unwillingly bought billions more of unwanted dollars to add to the billions they already had.

(As the United States was painfully learning, being banker to the world is a mixed blessing. There is a curious economic anomaly involved: The more of your currency you spend, lend or give away, the more you lubricate and stimulate the global economy; at the same time, the more of your currency there is floating around the world, the less confidence other nations have in it and the sooner an international financial crisis is likely to occur. This vicious monetary circle was a fatal, built-in flaw of the Bretton Woods system.)

Loath to take this monetary mauling any longer, West Germany and Japan, which between them by now held approximately 24 billion U.S. dollars in their reserve assets, cut their currencies' moorings to the dollar and allowed the mark and the yen to "float"—that is, to fluctuate in value in response to economic influences. No matter that floating a currency was in direct violation of IMF rules; it was now a matter of every country for itself—including, finally, the United States.

On Sunday, Aug. 15, 1971, Richard Nixon slammed shut the U.S. gold window by announcing we would no longer honor our long-time pledge to exchange gold for foreign-held dollars. The international financial world gasped with shock and closed down for a few days.

What prompted Nixon's drastic maneuver was drastic news: In the first six months of 1971, the U.S. had achieved an all-time record deficit in its balance of payments (its business dealings with the rest of the world) of \$11.6 billion, or more than the value of all the gold left in Fort Knox.

Four chaotic months later, finance ministers of the leading industrial nations met in Washington's Smithsonian Institution and hammered out an agreement. For starters, the U.S. agreed (gulp) to devalue the dollar by raising the official price of gold from \$35 to \$38 an ounce. This meant, in effect, an American could pay more for a Volkswagen, a German would pay less for a roll of Kodak film. More U.S. goods would be sold overseas and fewer foreign articles would be bought by Americans, thus improving the U.S. trade balance. For their part, the other major industrial nations agreed to rejigger the values of their currencies upward, making them worth more in relation to the overworked dollar. This dual adjustment was designed to relieve pressure on the dollar in its reserve-currency role of being all things to all non-Communist nations.

Almost unnoticed among these historic moves was the further, complementary agreement to expand price fluctuations allowed currencies under the Bretton Woods system. This made the system more responsive to present-day economic realities. (IMF rules provided that a member-nation's currency could fluctuate in price 1 per cent on either side of its assigned, or par, value. This meant a total fluctuation of 2 per cent between a currency's "ceiling" and its "floor." At the Smithsonian meeting it was agreed to widen this fluctuation to 2.25 per cent on either side of a currency's par value, or a total fluctuation of 4.5 per cent.)

One group that did take notice of this bit of international financial mumbo-jumbo and figuratively (and perhaps literally) jumped with joy over it was the boys at the Merc. All this time they had been doing spadework for the establishment of the IMM, not fully convinced it was a viable concept because of the narrow price fluctuation allowed currencies under Bretton Woods. Now, with the new, wider range of fluctuation, the stage was set for some decent price action; and as the traders at the Merc knew only too well, it takes price action to make a successful futures market in any commodity, from hog innards to money.

A few days after the Smithsonian meeting adjourned, the Merc told the world about its plans for a currency futures market. A month later the IMM received its charter to do business in the State of Illinois. On May 16, 1972, the new exchange opened.

Five weeks later, on June 23, the British pound joined the West German mark, the yen and the Canadian dollar (which had been floating since 1970) as a floating currency. Suddenly, foreign exchange was a whole new ball game and the infant IMM was ready, willing and eager for players. By accident more than design, the Merc's timing had been exquisite.

March 25, 1974

The business of international finance is not conducted in small numbers, and the contract size for each of the seven currencies that began trading on the IMM was appropriately gargantuan—50,000 British pounds worth \$130,000, 1 million Mexican pesos worth \$80,000, 200,000 Canadian dollars worth \$201,500, 500,000 West German marks worth \$152,500, 500,000 Swiss francs worth \$125,000, 50 million Italian lira worth \$85,000 and 25 million Japanese yen worth \$80,000.

(Since then, partly to reduce the greater risk inherent in the new, wider currency price fluctuations, partly to increase trading activity by lowering the amount a speculator must put up to trade, the IMM has halved the size of each of the original seven contracts except the Mexican peso. It also has added a contract in Dutch guilders that consists of 125,000 guilders worth approximately \$43,150. Nonetheless, 100,000 Canadian dollars or 12.5 million Japanese yen is still an impressive sum of money.)

## ARE GOLD FUTURES NEXT?

If trading ordinary commodities, such as wheat, silver, sugar, cattle or cotton, is tricky—and it is—trading foreign currencies is even trickier—and a lot riskier. The reason is not only the mind-boggling complexity of international finance and the welter of factors that determine a currency's value (everything from a country's interest rates to its cost of living) but also the deviousness with which governments traditionally handle their financial affairs.

For example, it has almost become a cliché that the more vehemently a finance minister denies there is going to be a change in the value of his nation's currency, the likelier and sooner it is to happen. Also, governments are fond of announcing changes in the values of their currencies on weekends, when foreign-exchange markets are closed. The ensuing scramble among even professional currency traders to protect their financial flanks the following Monday morning is akin to a crowd fleeing a burning theater.

Still, for the steel-nerved and strong-hearted (and exceptionally lucky) there are fabulous rewards to be gained trading currency futures. They go, however, only to the trader who has done his homework very, very well and on whom the gods smile broadly.

One such person was a young Chicago executive who early last year decided the dollar was about to be devalued again. He also reasoned the Swiss franc would appreciate in value as a result—a good bet, because historically the Swiss franc has been one of the world's most stable currencies. Backing his conviction with cash, he bought five Swiss franc contracts (totaling 2,500,000 Swiss francs worth approximately \$625,000) on the IMM and deposited \$25,000 margin. (This was before the IMM lowered its contract sizes and reduced margins; today \$4,000 margin is required to trade one contract of 250,000 Swiss francs worth approximately \$75,000.)

As it turned out, he was right. On Feb. 12, 1973, Washington devalued the dollar for the second time in 14 months. In less than six weeks, this lucky trader made a very cool \$150,000 profit. Of course, if he had been wrong, he could have lost the same amount, which would not have been very cool.

Contrary to how it may seem, the IMM was not established solely to provide speculators with another financial playground. The market does have a sound economic reason for existing. This is to provide price insurance for importers, exporters, multinational companies, banks and others engaged in international business, all of whom must deal in foreign currencies. By using the IMM to "hedge" their risks, these commercial interests can protect themselves against sudden and adverse changes in currency prices that could turn a profitable transaction into an unprofitable one. The reason the IMM un-

abashedly makes an appeal for speculators—and, indeed, must have them to function—is because without them the market would not be liquid enough to attract commercial hedgers. Profit-seeking speculators, protection-seeking hedgers: This is the economic *quid pro quo* of the IMM, as it is of any commodity futures market.

Considering that currency trading traditionally has been, as IMM chairman Melamed points out, "a private and sacred shrine of the banking community," the big Chicago banks have shown an astonishingly friendly attitude toward the new market. The Continental Illinois National Bank is the IMM's delivery agent. The First National Bank of Chicago is a clearing member of the exchange. Dr. Beryl Sprinkel, senior vice president and economist of the Harris Trust and Savings Bank, is a director of the IMM.

Even some major New York banks, many of which Melamed says originally considered the idea of a currency futures exchange "too ridiculous to discuss," are showing some interest. Both First National City Bank and Chase Manhattan, the number two and three banks in the nation, are now doing business through the IMM.

In its nearly two-year existence the IMM has toted up some impressive statistics. Through the end of 1973, trading volume totaled 581,302 futures contracts, representing a dollar volume of \$47.4 billion. So far, the Japanese yen has been the most actively traded currency; the Italian lira has been the least active and was recently de-listed as a result. The IMM has 650 members, most of who also are members of the Merc. Memberships, which originally sold for \$10,000, sold for as high as \$24,000 at the beginning of this month.

Currency futures, according to Leo Melamed, are only the tip of the monetary commodity iceberg for the Merc and its IMM offspring. "We're going into a consciously monetary posture," he vows. "We want a full portfolio of monetary commodities."

How full is full? Apparently the sky's the limit. Last fall the IMM added futures contracts in both U.S. and Canadian silver coins (contract size: five canvas money bags of coins with a total face value of \$5,000) and trading has so far been brisk. Currently the IMM is readying a gold futures contract and hopes to get Washington's nod to begin trading, if and when Congress passes any of several pending bills to allow U.S. citizens to own and deal in gold. Beyond this there is talk at the exchange of someday listing futures contracts in such far-out (in traditional commodity market terms, that is) financial instruments as home mortgages, Eurodollars, Eurobonds, U.S. federal funds and ocean freight rates.

The old Chicago Butter and Egg Board, as the Merc originally was called, has come a long way and, says Melamed, "We haven't begun to flex our muscles."

When the IMM opened, Merc president Everette B. Harris made what at the time was probably a judiciously modest prediction but has since proved to be a gross understatement. "Our baby ought to walk and talk within two years," Harris said. At the rate it's going, the IMM will soon be in long pants, and the boys at the Merc will be well on their way to earning the highest accolade the international financial community can bestow—albeit grudgingly: the right to be called the Gnomes of Chicago.

#### HEDGING AS A WAY OF DOING BUSINESS

Nations have money problems just as people do. But when nations have them, the ramifications are usually felt worldwide.

During the past two decades, the currencies of more than 100 nations have been revalued—that is, either raised or lowered in price against the U.S. dollar. Of these, more than 80 per cent have been revalued at least twice.

## EXTENSIONS OF REMARKS

The financial fallout from these monetary megabombs governments drop from time to time on the world of international business and kept the balance sheets of some companies operating worldwide—so-called multinational companies—dotted with red ink. For example:

Chesbrough-Pond's Inc. recorded a \$977,000 loss on foreign-exchange transactions in 1970, a figure equal to nearly 5 per cent of the company's net income for the year.

In the decade ending in 1971, Deere & Co. had write-offs every year for foreign-exchange losses. These ranged from whopping \$5 million-plus in 1967 to a comparatively modest \$546,000 in 1971.

F. W. Woolworth Co. suffered a \$3 million loss because of the 1967 devaluation of the British pound from \$2.80 to \$2.40.

Ford Motor Co. disclosed in 1970 that it had established a \$55-million reserve against losses in foreign operations, in part because of currency uncertainties.

Always present for those doing business across national boundaries, foreign-exchange risks have increased enormously with the current new international monetary order of floating currencies, with heightened national chauvinism and with the wider currency price fluctuations allowed by the Smithsonian agreement of December, 1971.

Prior to the advent of the IMM, multinational companies, as well as banks, import-export firms and others who transact business abroad and thus must deal in foreign currencies, had only one way to hedge their foreign-exchange risks. This was in the "forward" market, a small but well-organized group of large banks and foreign-exchange dealers in the world's major money centers who deal with each other through an elaborate, worldwide telephone-teletype network.

The IMM, according to its officials, offers a supplementary and complementary alternative to the forward market, particularly for the small hedger, who does not always enjoy equal bargaining power with big companies when it comes to prices in forward market transactions.

How does the IMM's hedging mechanism work? Dr. Mark J. Powers, senior vice president and chief economist of the IMM, cites a hypothetical but typical example:

"Suppose we consider an American importer who orders \$5-million worth of British automobiles. Based on a British pound worth \$2.60, the automobiles represent 1,923,077 British pounds. The order is placed on April 1, with payment due nine months hence, on January 1.

"During those nine months, assume the pound has moved upward in value 2.25 per cent in relation to the dollar and is now worth \$2.6585. The American importer now must pay \$112,500 more for his merchandise than he anticipated, significantly reducing his profit or possibly creating a loss on the transaction.

"If he had bought \$5-million worth of British pounds on the futures market on April 1, he would have locked in a price and saved himself \$112,500, less, of course, relatively modest brokerage fees."

## PROPOSED AMENDMENTS TO H.R. 69

### HON. DAVID C. TREEN

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. TREEN. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following proposed amendment to H.R. 69:

#### AMENDMENT TO H.R. 69, AS REPORTED OFFERED BY MR. TREEN

Page 28, line 9, strike out "1977" and insert in lieu thereof "1976".

Page 48, line 16, insert "(1)" immediately after "as may be necessary".

Page 48, line 18, immediately after "such amount" insert the following: "and (2) to take into account the total amount of sums appropriated for the fiscal year involved pursuant to the authorization for appropriations made by section 134(a)(1)".

Page 50, line 25, insert "(1)" immediately after "(d)".

Page 51, immediately after line 2, insert the following new paragraph:

(2) Section 144(a)(1) (as redesignated by section 109 of this Act) of title I of the Act is amended by adding at the end thereof the following new sentence: "There is authorized to be appropriated to carry out the provisions of this title not to exceed \$300,000,000 for the fiscal year ending June 30, 1976."

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## LUDLOW, MASS., BICENTENNIAL INCORPORATION DAY

### HON. EDWARD P. BOLAND

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. BOLAND. Mr. Speaker, on February 28, 1974, I had the honor of being the main speaker at the Bicentennial Incorporation Day of the town of Ludlow, Mass. The following is the program of the day, the history of the town of Ludlow, and my remarks at that event:

LUDLOW, MASS., BICENTENNIAL INCORPORATION DAY, FEBRUARY 28, 1974, LUDLOW HIGH SCHOOL

#### INCORPORATION DAY COMMITTEE

James Salojo, Chairman, Joseph Andreis, Helen Lemek, James Martin, Hazel Morton, Nel Sunter.

Luncheon Arrangements: Helen Lemek, Nel Sunter, Hazel Morton.

Historical Research, Photography, and Programs: James Martin.

Technical Arrangements, Audio and Video Taping: Joseph Andreis.

Piano Accompanist: Helen Lake, Class of '76.

Band Director: Mr. Royce Layman.

Choral Director: Mr. Gregory Wrinn.

The Committee wishes to thank Mr. Herbert L. McChesney, Chairman of the History Book Committee, for his assistance in compiling historical data and photographs. Also, we wish to express our gratitude to Mrs.

Helen Bello and to Mr. John Hurley, Principal of Ludlow High School.

PROGRAM

Invocation.

"The Star Spangled Banner" (F. S. Key), Ludlow High School Band.

Address of Welcome: Mr. Robert Koss, Chairman, Board of Selectmen.

Town Charter: Marian Andre, Class of 1974, President, L.H.S. Student Council.

"The Last Words of David" (R. Thompson), Ludlow High School Concert Choir, Introduction by Melanie Miller, President, Class of 1974.

Historic address and slide presentation: Mr. James Martin, President, Ludlow Education Association.

Introduction of guests: Mr. James Saloio, Chairman, Incorporation Day Committee.

Main address, The Honorable Edward P. Boland, United States Congressman.

"The Battle Hymn of the Republic" (J. W. Howe), Ludlow High School Band.

The bicentennial year: Mr. Rene Bousquet, Chairman, Town Bicentennial Committee.

Presentation: John F. X. Davoren, Secretary of the Commonwealth.

Concluding message: David Marini, Class of '74, Student Advisory Board.

"The Lord Bless You and Keep You" (P. Lutkin), Ludlow High School Concert Choir.

USHERS

Dolly Bloodworth, Donna Carneiro, Janice Dias, William Golden, Pam Goodreau, Daniel Hennessy, David Hennessy, Michelle Koscher, David LaFortune, Richard L'Heureux, Kathy Martins, Anna Miranda, William Rooney, Drew Strong, Pam Sousa, Laurie Thompson, and Bruce Wilson.

LUDLOW HIGH SCHOOL MEDIA CLUB

Special Effects: Thomas Belisle.

Video Recording: Steven Kuchyt.

Audio Control: William Methot.

Audio Communications: William Peacey and Rory Gauthier.

Cameramen: Gary Ciempa, Michael Lipscomb, and Michael Murray.

Production Supervisors: Marie Falconer, Deborah Dinnie, and Mary Murray.

Faculty Advisor: Mr. Joseph Andreis.

The video-taping of this program is a Ludlow High School Media Presentation.

HISTORICAL ADDRESS: A SURVEY OF THE HISTORY OF LUDLOW, MASSACHUSETTS

(By James L. Martin)

The name of our town of Ludlow is not an uncommon one in the United States. About ten other states have towns bearing the same name.\*

Where Ludlow gets its name is not certain. The town could have been named after Sir Edmund Ludlow, a fifteenth century British republican leader; or perhaps after Roger Ludlow, a prominent New England citizen and candidate for the governorship of the Massachusetts Bay Colony in 1634, until he later retired to Southern Connecticut where, today, a Bridgeport high school bears his name.

It is very likely that our town takes its name from Ludlow, Shropshire, England, a small market town famous for its eleventh century royal castle.

In a letter, dated December 21, 1874, John Adney, Mayor of Ludlow, England, explains that the word Ludlow may signify in the medieval Saxon language, "the grave or burial hill of the people."

Before its incorporation, Ludlow was part of the township of Springfield, a large parcel of land granted to William Pynchon by the British Crown. At the time, the Ludlow area

EXTENSIONS OF REMARKS

was referred to as the Outward Commons, the Cow Pasture, Mineachogue, or Stony Hill.

The earliest settler in Stony Hill, its most popular name, was perhaps Aaron Colton, whose home was situated on a bluff, just above the Chicopee River. Other settlers prior to 1751 include James Sheldon, Shem Chapin, Benjamin Sikes, and Abel Bliss. Of course for years, members of the Agawam Indian tribe lived in this area before the advent of the white man.

Another one of the first settlers was Captain Joseph Miller who came with his family from West Springfield and pitched his tent on the banks of the Chicopee River, along the falls of Chicopee or Wallamanumps, the Indian names given to that part of the river near the present Ludlow Bridge. Captain Miller later settled near the present North Wiliabraham Bridge, near the home of Aaron Colton.

The fourteen-mile trip through the wilderness from West Springfield to Stony Hill was considered so hazardous that friends of Captain Miller in West Springfield mourned his death even before his departure, knowing full well that he might never survive the dangers of such a long journey!

Towards the end of the eighteenth century, the Alden family settled in Ludlow. Members of this family are direct descendants of John Alden and his wife, Priscilla, early Puritans from Plymouth, Massachusetts, who had come over on the "Mayflower."

The population of the area was approximately two hundred when Stony Hill petitioned the Massachusetts Bay Colony for its own town charter. At that time, in the year 1774, the king of England, George III, desired to better control the colonies by reducing the representative power of towns. Ludlow was therefore one of the communities incorporated as a district. This gave Ludlow all the rights and privileges of a town, except that of sending a representative to the Colonial Assembly. In 1775, the General Court of the colony passed an act declaring that all districts would henceforth be designated as towns, and that they would have equal privileges, especially that of representation.

On March 16, 1774, the first town meeting was held at the home of Abner Hitchcock, the main order of business being the election of the town officers.

At the second town meeting, held a few weeks later, it was voted to secure the services of a minister for the town. The same meeting, concerned with the practical aspects of town government, also voted that hogs would be allowed to run freely on the town commons!

The third town meeting was concerned with setting up a committee to find the geographical center of the town for the purpose of constructing a meeting house. Nine years passed before the actual construction of the building was undertaken, probably due to the lack of funds and of able-bodied young men to help in the project. The Revolutionary War taxed the colonists severely, and one-seventh of the town's population (or about thirty men) were engaged in the American Revolutionary Army.

The growth of Ludlow during its first decade was relatively slow due to the effects of the war. An embargo on goods being shipped into Boston Harbor was enforced after the Boston Tea Party—at which it is said Dr. Aaron J. Miller of Ludlow was present. People were also reluctant to settle in wilderness areas such as Ludlow, preferring to remain in the relative safety of the villages.

At the time of Shay's Rebellion in 1787, Daniel Shays, in an attack on the Springfield Armory, passed through Ludlow, spending the evening with his troops at Fuller's Tavern, near the present intersection of Center and Lyons Streets. Three men from Ludlow took part in this rebellion. One of them, Isaiah Call, was later killed on passing through South Hadley.

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In 1789, the first church was established and, in 1793, the Rev. Antipas Steward was ordained as the first permanent minister. Services were held in the town meeting house until a church building was constructed in 1841. In 1859, this building was destroyed by fire and immediately replaced by the present structure in Ludlow Center.

In 1812, Benjamin Jencks of Rhode Island came to Ludlow and decided to build a dam and a small textile mill along the Chicopee River. He had already rejected the idea of settling in Rochester, New York, because of the numerous Mohawk Indians which inhabited that region. The area of Ludlow nearest the river, or Ludlow Village, became known as Jenksville.

The War of 1812 called thirteen men from Ludlow. Two of these men deserted their ranks and hid themselves in their homes to avoid going off to this unpopular war.

Between 1846 and 1848, Joseph Rood was wounded during the Mexican War and was the only Ludlow resident known to have taken part in that battle.

About 120 men, or one-tenth of the population of Ludlow, fought in the Civil War. Captain Henry A. Hubbard commanded the Ludlow company, and was among the sixteen Ludlowites who died either on the battlefields, in the infirmaries, or in the infamous southern prison at Andersonville.

The availability of water power, including the falls at the Chicopee River, accounted for a large number of small mills located in Ludlow. Some of the major products from these operations included glass, lumber, chairs, textiles, and scythes.

In 1821, the proprietors of the Jenks mill organized as the Springfield Manufacturing Company which set up looms and began the manufacture of wool and cotton fabrics. Between 1848 and 1856, the company went into receivership. After some years of uncertainty, the Ludlow Manufacturing Company was formed when Charles Hubbard bought the mill property and moved his company, the Boston Flax Mills, from East Braintree, Massachusetts.

Since its establishment in 1868, the Ludlow Manufacturing Company has remained for many years as the most dominating force in the growth of Ludlow. Its most important operation was the manufacture of yarn, twine, bagging, and webbing from the raw material, jute. By 1919, the Ludlow Jute Company was operating at Chengal, India, to supply the Ludlow mills with quality material.

It is interesting when one notes the number of unique services that the Ludlow Manufacturing Associates, as it was later termed, rendered to its employees in the areas of education, health, and recreation. In later years, many of their facilities were turned over to the town. These include the Stevens Memorial Building (home of the Ludlow Boys' and Girls' Clubs), the Ludlow Hospital, the first town library,<sup>1</sup> the first modern school building, Whitney Street Park, and Memorial Park. The mills also built many homes which still stand throughout the town. The homes in Park Place, around the library, were constructed for their executives. The business block on lower East Street was constructed by the L.M.A. in 1901. The town also benefited from the work that the mills did in the area of public utilities and street construction.

The Ludlow Manufacturing Associates contributed greatly in populating the town by recruiting many Scotch, French Canadians, Italians, Polish, and Portuguese to become mill operatives. One of the results of this move was the construction of the town's first Catholic church, St. John the Baptist

\*Other states include California, Illinois, Indiana, Iowa, Kentucky, Mississippi, Ohio, Pennsylvania, and Vermont. Also, New Brunswick, Canada, and Ludlowville, New York.

<sup>1</sup>The L.M.A. had donated some 1,500 volumes which were later housed in the present library building which was given to the town by the Hubbard family.

Church was completed in 1906 to serve the needs of the town's French-speaking population. It was not until the 1940's that the Polish, Italians, and Portuguese completed the construction of their respective church buildings. In recent years, a Ukrainian Catholic church has also been built.

In addition to the First Congregational Church at Ludlow Center, the town has seen the construction of three additional Protestant houses of worship: the Methodist, Union, and Episcopal churches.

In 1882, the town was divided into ten different school districts, each with its own one-room school house. This system was abolished sixty years later when, in 1883, the Ludlow Manufacturing Company built a six-room school on Chestnut Street. This building was used to house all grade levels. Due to overcrowding, the nearby Masonic Hall was used to house 250 additional pupils. The Cole and Primary buildings were built in 1901 and 1907, respectively. In 1910, a new high school was built, with an addition being added in 1926. This building now houses the present junior high school. East Street School was built in 1923, and the other school buildings followed at different times after 1959. This was of course due to the fact that the town saw its population doubling between the years 1950 and 1970.

One of the earliest concerns of the settlers of Ludlow was the construction of bridges. The earliest bridge over the Chicopee River at the falls was built in 1794. This was the first Put's Bridge, named for Eli Putnam. In 1812, the Cooley Bridge replaced the original until it was worn out or carried away and replaced in 1822 by the second Put's Bridge, a replica of which stands today. An iron bridge followed in 1897 until it was replaced by the present bridge constructed in the 1930's.

Between 1873 and 1874, the Ludlow Reservoir was formed by rechanneling three brooks in order to form this large body of water. In 1888, the Ludlow Savings Bank was established; and in 1910, the first regularly organized Fire Department was voted by the Board of Selectmen.

Over four hundred men from Ludlow served in the armed services during World War I, with 15 deaths recorded. In the second World War, forty-six men from Ludlow were killed, out of the 1,416 who served. Three men died in the Korean War; and 250 Ludlow men fought in Vietnam, with two deaths unofficially reported.

It is interesting to follow the transition of Ludlow over the past two hundred years. Beginning as a strictly agricultural community, it rapidly changed into a mill town, due to the abundance of water power. Over the years, economic and social conditions changed the town from a manufacturing center to a primarily residential community with some light industry.

We wonder today what effect the conditions we are now experiencing will have on the Ludlow of the future, and how our descendants will look back at the next one hundred years when they celebrate Incorporation Day in the year 2074.

#### CONCLUSION

The following quote was taken from the conclusion of the Historical Address delivered one hundred years ago at the town's centennial celebration:

Taking the progress of the past as a measure, with so much already done, and the prospects ever brightening, what will not another century do? Who says the world does not move? It does, and the possibilities for the future, imagination fails to reach. The people that will live in 1974, on these hills and plains, and in these valleys, shall see the wilderness become as fruitful fields, the fields pleasant gardens, and quietness and assurance be theirs for-

#### EXTENSIONS OF REMARKS

ever. While we do not expect to be present at the Bi-centennial they will celebrate, we send them happy greetings across the intervening space of the century to come.

We would like, today, to thank our forefathers for their one hundred year old greeting, and to extend our best wishes to the inhabitants of Ludlow in the year 2074 when they will celebrate the town's Tri-centennial. We hope that the century which separates us will bring them a life of peace and happiness, and that they too will enjoy Ludlow over the past two hundred years.

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*The History of Ludlow* (Second Edition). Springfield, Massachusetts, 1912.

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#### ADDRESS OF HON. EDWARD P. BOLAND

Mr. Chairman, distinguished guests Secretary Davoren, Senator Zarod, Representative Chumura, Selectman Koss, members of the Bicentennial Committee, students, faculty of Ludlow High School.

I am particularly pleased to join with you this morning in celebrating the incorporation of Ludlow, two-hundred years ago. I say particularly, because I note from the town history that Ludlow was originally incorporated as a district, instead of a town.

The distinction, as you may know, had to do with the right of the incorporated area to send representatives to the colonial assembly in Boston. A town could send its elected delegation; a district could not. For someone in my line of business, it was an unhappy state of affairs.

The colonial authorities of the day apparently felt that the best way to control the increasingly rebellious flow of disgruntled delegates to Boston was to limit the number of delegates. So Ludlow began its history as a separate unit of government without the most important prerequisite of government—representation in the halls of the legislature.

Today, that state of affairs has been corrected. I hope that my presence here today stands as living proof of that.

And, just as the American Revolution helped to reverse that wrong, soon after the incorporation of Ludlow, so the 200th anniversary of the revolution is only just around the corner for all of us who are celebrating the bicentennial of Ludlow here today.

The birth of our nation was a particularly fierce one—as befitting the experiment in radical ideology that it represented. Think of it—the idea that a group of colonists, scattered up and down the seaboard of a huge and largely undiscovered continent, should come together in forming a nation which would guarantee “life, liberty and the pursuit of happiness” to all who might seek refuge in their midst.

It was a staggering experiment in 1776. Adjectives like radical, revolutionary, liberationist, and guerrilla were no doubt employed by its critics.

Those words still have the force of political outrage in American society two-hundred years later, but they serve as a reminder of what the United States continues to mean today.

You know, when speaking of the bicentennial celebration which we are now fast approaching, people often mention the struggle through which this country has gone just to stay in one piece—the wars for independence, our civil war, the recent world wars and Vietnam.

They speak of teapot dome and they talk of Watergate. What they seem to be doing, is picking out the highlights.

The only trouble with this technique is that it often gives you the impression that

these are the peaks—towering over the plains of peace and uneventful prosperity.

The truth is—that our national history viewed as a graph—resembles an almost constant plateau of high points.

Conflict and controversy have been and will continue to be the underlying characteristics of our society. They represent the usual state of affairs in society, not the unusual.

Managing crises, constitutes the conduct of business as usual, in this country. If we subscribe generally to a conservative tradition, what we are conserving is quite radical in nature.

Listen to what Alistair Cook has to say about “America”, in the closing paragraphs of his book by that name:

“What is fiercely in dispute, between the Communist and non-Communist nations today, is the quality and staying power of American civilization. Every other country scorns American materialism, while striving, in every big and little way to match it.”

“Envy obviously has something to do with it. But there is a true basis for this debate, and it is whether America is in its ascendant or its decline.”

“I myself, think I recognize here, several of the symptoms, that Edward Gibbon maintained were signs of the decline of Rome, and which arose, not from external enemies, but from inside the country itself.”

“A mounting love of show and luxury—a widening gap between the very rich and the very poor—an obsession with sex—freakishness in the arts masquerading as originality, and enthusiasm pretending to creative ness.”

“As for the rage to believe that we have found the secret of liberty in general permissiveness from the cradle on, this seems to me—disastrous sentimentalism—which, whatever liberties it sets loose, loosens also the cement that alone can bind any society into a stable compound—a code of obeyed taboos.”

“I can only recall the saying of a wise Frenchman that ‘Liberty is the luxury of self-discipline.’”

“Historically those peoples that did not discipline themselves, had discipline thrust on them from the outside. That is why the normal cycle of great nations has been first, a powerful tyranny broken by revolt, the enjoyment of liberty—the abuse of liberty—and back to tyranny again.”

“As I see it, in this country—the race is on between its decadence and its vitality.”

“There is, too, the general desire to live off the state, whether it is a junkie on welfare, or an airline subsidized by the Government: In a word, the notion that Washington—Big Daddy—will provide.”

“And, most disturbing of all, the developing moral numbness to vulgarity, violence, and the assault on the simplest human decencies.”

“Yet, the original institutions of this country still have great vitality: the Republic can be kept, but only if we care to keep it.”

“I find it impossible to believe that a nation that produced such dogged and ingenious humans as Jefferson, and Eli Whitney, John Deere and Ford, Kettering and Oppenheimer and Edison and Franklin, is going to sit back and let the worst happen.”

The theme that Cook presents to us—is that of great possibilities—great expectations if you will—confronted with great challenges.

As he points out, a sort of self-discipline is required to achieve the former, while meeting the latter.

My message to you today is that the possibilities, and the problems, are of a very similar magnitude today, as they were nearly two-hundred years ago.

The men and women of Ludlow, who lived through the Revolutionary War, would have found equal challenges during the Vietnam War. In many ways, the latter conflict offered

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more potential for internal dissension, than the former.

For as this country has grown and expanded, the growing pains have produced conflicts among its citizens—more dangerous than any external threat.

This is why the wisdom of the founding fathers in forging our Constitution, still stands us in such good stead. They anticipated that groups with fundamentally opposed positions would grow, clash, diminish and merge across the whole panorama of our society—in politics, religion, business and society.

And that instrument which kept the Nation on a more or less even keel, despite its segregationists, and secessionists, its know-nothings and its jingoists, has been our Constitution.

In the quote of Alistair Cook's that I just read to you, he speaks of discipline. What he is trying to get across is the idea that for every right there is a duty, for every privilege—a license.

That is a theme that, until recently, was not heavily emphasized in our society of the seventies. To express it, left one open to suspicion that you were trying to limit someone else's freedom of expression.

In a sense you might have epitomized the national attitude in the phrase, 'anything goes' or 'whatever grabs you.'

The attitude behind all this seemed to be that any action was permissible—as long as it did not hurt anyone else.

The only trouble with this philosophy is that nearly everyone's idea of what is harmful to his neighbor, will most often differ from his neighbor's attitude on that subject.

Watergate has helped to change the direction that our national consciousness has been taking. As the lives of successful and eminently placed men were picked apart before the Nation by the Senate subcommittee, people began to see—perhaps for the first time—how clearly and directly the partisan and self-interest motivations of these men resembled their all-too-familiar attitudes.

So often, in the beginning I heard people say, "What bunglers," or "How could those fools have gotten in a position to make such decisions?". But as public perception of these scandals deepened, I sensed a deep feeling of moral outrage developing.

I think the principal reason for this was that the citizens began to realize that these people apparently regarded our laws—the constitution—as a stumbling block, rather than as a framework within which to operate.

It became evident that it was the policies of their superiors that guided their actions, not the principles that underlie the balance of powers.

We are all aware—believe me, I more than most—that these scandals have created a crisis of trust.

Trust in the integrity of our governmental system—and in those who operate it—is the foundation of this country.

That is why it is so important that this trust be re-affirmed, strengthened more than before as we celebrate this bicentennial, and as we prepare for the national bicentennial.

The value of a document like our constitution—which is unique in the world—is only so great as the trust that our citizens place in it.

If they are not convinced that it can protect them, then it will not be able to do so. You all remember Benjamin Franklin's saying, "We must all hang together or we will hang separately."

He was talking about presenting a common front to their enemies. That kind of spirit was essential for the colonists if they were going to have any success in battling the more numerous and better equipped British.

That was what the Spirit of '76 was all about. It somehow helped the ragtag army at Valley Forge live through a bitter winter and emerge a more effective fighting force.

It is this kind of commitment and discipline that can take this country through several hundred more years.

The power of this spirit throughout the two-hundred years we have completed as a Nation, is that despite the raging controversies that have divided and subdivided the many strains and nationalities of our population—there was a consciousness of the Nation that always provided limits beyond which it was in everyone's interest not to reach.

National unity has been our strength from July 4, 1776. It can be our salvation in 1976.

But it can only be our salvation if we as individuals continue to see ourselves as part of the larger picture.

Some of you feel that this often means being only one car in a giant gas line but the unspoken law that keeps every car in its place and discourages those who might try to cut into the line are the most important weapons we have in combating our problems—whether they be the energy crisis, foreign wars, etc.

Trust in the system—as a way of changing things—as well as an appreciation of the obligations and rights of everyone under law have always distinguished Americans in the past.

It has worked well for us, because the laws which our Founding Fathers forged, have been proven worthy of the tests, that they have gone through.

Our Nation can continue to prosper, and to serve its citizens well, as long as we as people continue to extend faith in the principles and processes of government that have brought us this far.

Other nations will call us politically naive, as they have in the past. It's true: We are genuinely shocked as a nation when scandals are uncovered or national trust is betrayed.

Faith in each other—"all hanging together", brought us this far. It can do that, and much more, if we continue our dedication and reliance upon the "self-evident truths", that started it all off some two hundred years ago.

I think it's worth it, but as I said it's up to all of us. Thank you.

Following the above remarks, I presented a pewter plate with the seal of the United States of America to Mr. James Salojo, chairman of the Incorporation Day Committee.

Miss Melanie Miller, president of the class of 1974 of Ludlow High School, has received a flag which was flown over the Capitol on Ludlow's Bicentennial Incorporation Day.

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A CRISIS BECOMES A SERIOUS PROBLEM BUT, FOR SOME, REMAINS A CRISIS

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HON. HOWARD W. ROBISON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. ROBISON of New York. Mr. Speaker, some weeks ago I introduced H.R. 12843, a bill to authorize short-term, low-interest loans to small businessmen for operating-expense purposes where they could show direct and substantial economic hardships resulting from the impact of the energy crisis on their enterprises.

My proposal was not tailored to meet the need of any particular, specific segment of the small business community—

in these regards—but it did subsequently attract rather widespread interest on the part of retail automobile dealers and undoubtedly so because, while many private ventures have sustained severe economic damage from the so-called energy crisis, as the article I will include with these remarks in a moment points up, there is a strong prospect that the gasoline shortage and public reaction thereto will, among other things, result in as high as a 25-percent rate of auto dealer closings in 1974.

Given the fact that most of such dealerships would fall into the small business category, any such a closure rate would seem to be near-catastrophic for this important and, from the standpoint of public service, essential portion of our Nation's small business community. It is apparent that the automobile manufacturers are rolling with the punch, so to speak, of the energy crisis, and making some perhaps long-needed adjustments to the facts of life in what looks like a rather long period ahead of various fuel and energy shortages. The manufacturers are big enough—and financially strong enough—to so adjust and survive. But, unless they also wish to eventually control more and more of the automobile business—from factory gate to the sales and service end of the whole operation—it would certainly appear as if the retail auto dealers, or at least a good many of the smaller ones of the type that serve congressional districts like mine, are going to need some sort of help to keep their doors open.

It seems to me that we, the public, and the manufacturers, as well, have taken these kind of dealers for granted—as places where we could not only shop for new and used cars, but could also look for the kind of regular auto service and maintenance that keeps the mobile population we are on the road. These dealers have had their periodic ups and downs, but I do not really know what we—or the manufacturers—would do without them. Where, for instance, would we take our cars for necessary corrections when, in the interests of their safe operation, one of the manufacturers had to recall several hundred thousand models for so-called factory adjustment? And just who would the manufacturers use for that all-essential "customer relations" job of readying new cars for actual use—fixing sticky windows, adjusting faulty ignition systems, handling basic car purchase financing arrangements along with the inevitable customer complaint, and the like?

I know the manufacturers have had their own energy-related problems, and have had to focus on them—as the subsequent article points out—but I do remain somewhat disappointed by their apparent lack of concern over, and regard for, their essential retail outlets' own economic distress. In point of fact, some weeks ago I also wrote to the president of General Motors, that one-third of the so-called "Big Three" which seems to have been especially hit by the advent of the "small car" consumer interest, calling his attention to the plight of small business GM dealers in my district. I have to assume he must have considered my inquiry

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none of my proper business, since I have yet to receive a reply, though a recent newsstory suggests that GMAC—which handles a good share of the small dealer's biggest financial problem of the moment, which is car-plan interest payments—has begun to help out troubled dealers on what is described as a selective basis.

Well, Mr. Speaker, I readily admit that my legislative proposal is far from perfect—and I also state I am not wedded to it. In point of fact, the thoughtful letter I received—following its introduction—from Chairman PATMAN, of the Banking and Currency Committee, pointed out some of the problems with any such approach, notably the possible very high cost of any such loan effort unless the same could, somehow, be kept within proper bounds since we, obviously, are talking about far more parts of the small-business community, when it comes to adverse effects of the energy crisis, than just retail auto dealers.

Nevertheless, there is a clear economic problem here that needs to be addressed in some responsible fashion—and, as I see it, the only way to begin is to begin hearings into my proposal, and Mr. PATMAN's own comparable one along with the several others that have been introduced, to see what, if anything, can be worked out. The need is, of course, for responsible action. But the need is, also, for action—now—since, even if the energy crisis is now only a serious problem for most of us, for a few others it remains close to a catastrophe.

The article I had reference to, and now include, is entitled "Auto Dealers, Caught in Embargo Vortex, Fight To Stay Alive," and is taken from the March 13 edition of Christian Science Monitor: AUTO DEALERS, CAUGHT IN EMBARGO VORTEX, FIGHT TO STAY AFLOAT

(By Charles E. Dole)

The timing could not have been more ironic.

In the midst of the energy squeeze—and with big-car sales scraping bottom—Robert W. Pierce and his son were opening their spanking-new dealership in Pawtucket, R.I.

Cost of the new Buick-Chevrolet facility: \$1.7 million.

Cutting the ribbon was Edward M. Cole, the soon-to-retire president of the world's biggest auto conglomerate, General Motors.

"At this unsettled period," said Mr. Cole, "when more people seem to be bearish than bullish, these two men are betting about \$1.7 million on the future of the auto industry and this community."

Then he added: "In my book, that is a good bet."

Nationwide, the big-car picture is far from bright. On Jan. 1, standard-car inventory in dealerships from coast to coast stood at an estimated 114-day supply, according to Automotive News, trade paper for the industry.

On Feb. 1, the supply had risen to 131 days. Although the figures are not yet out, they were believed to be down a mite on March 1.

Dealers are troubled; so are the manufacturers.

What are they doing about it?

"At this point," says one viewer of the automotive scene, "it isn't so much that the dealers have done anything to move the cars than that the factories themselves are cutting back sharply on the production of big cars."

There are sporadic efforts all over the U.S. by dealers and automakers alike to pump up interest in the standard-size cars, such as

newspaper and TV ads and occasional dealer-sight spectacles, but no firm figures can be found to show that these campaigns work very well.

The pitch: Don't panic and buy a little car that you won't be happy with.

Prices are being slashed just to get rid of the big-size cars."

Mr. Cole says: "We think the big car is an excellent value today because it can be bought at a very good price." In fact, Mr. Cole insisted in Pawtucket that the standard car is still the choice of the American car buyer.

"I have great doubt that the individual is going to change his life-style and his standard of transportation if this energy bind can be solved," he declared. "And I think it's solvable."

Yet no matter how much the industry talks up the big car, when the motorist goes by a gas station and sees a two-block line, he's going to believe his eyes and not what he reads.

In an effort to meet the dramatic switch in customer buying habits which followed the Arab oil embargo last fall, automakers are pulling all stops in shifting big-car plants to much-in-demand smaller cars and are spending hundreds of millions of dollars in the process.

Also, tens of thousands of auto workers have either been laid off indefinitely or are on temporary furlough. Entire shifts have been dropped, such as at the GM plant in Framingham, Mass., which builds intermediate-size cars for Buick, Oldsmobile, and Pontiac.

This week, for example, there are many furloughs in effect—that is, workers who have been laid off for a week or more.

Even booming American Motors, perhaps the only solid beneficiary of the gas-pump squeeze because of its heavy emphasis on small-car production, is laying off workers at its Ambassador plant, the second, just announced this week. Affected in the latest downturn are 3,000 workers.

Automakers also are offering extra-large bonus incentives to car dealers to help them push the leftover '73-model standard-size cars out the door. Chrysler, for example, pays a dealer up to \$500 in bonuses on all C-body cars—Chrysler, Imperial, Plymouth Fury, and Dodge Polara and Monaco—if he exceeds his sales objective by a stated percentage.

Other manufacturers run their own versions of the bonus plan.

Every year, as new models are introduced in the fall, there are leftover cars to be sold, but never like this before. The volumes were enormous. With the start of the Arab oil embargo last autumn, a large class of cars became quickly almost unsalable—the big ones.

And to the lament of the industry, this happened right at the time that the new models were introduced.

Car dealers, meanwhile, have slashed their crews, including those up front, the salesmen, as well as peripheral workers, the boys who jockey the cars around the lots, run errands, etc.

Some dealerships have whacked away at salaries, anything to cut back overhead. Car-planning—the cost of financing the inventory of cars—grinds on.

Many dealers are trying to cut back on new cars in stock by not taking more cars than they reasonably can sell. Yet it is common practice for an automaker to require a dealership to take a certain number of hard-to-unload cars in order to get the good sellers, the smaller-size cars.

Many dealers readily admit that sales are way down. A Boston-area Chrysler dealer laments that sales are down 50 percent or more. GM dealers are especially hard hit because of GM's orientation toward the big end of the industry.

## CATASTROPHIC PROSPECTS

Are car dealers going out of business in a larger volume than usual? There is always a turnover in dealerships but the prospects now are catastrophic, say some prognosticators on the scene.

John Hinckley, former president of the National Automobile Dealers Association, said in January that if things kept on the way they were going at that time, he would not be surprised to see a 25 percent rate of dealer closings in 1974.

Reed T. Draper, head of the NADA government relations committee, puts the figure at around 1,000. There are about 25,000 domestic dealerships in the U.S.

Despite the noticeable shift in car-buying habits during the past few months, carmakers insist that any permanent change in the future will follow an evolutionary line and not a revolutionary one.

Out of some 110 million cars now in the U.S. population, some 70 percent of them are full-size cars.

What Mr. Cole is looking for is a rise in multicar families in the United States. About 23 percent of all families now own more than one car.

"We're seeing a shift to more multicar families already," reports the GM president. "People are not trading in their big cars but are buying smaller ones just the same," he says. "A year ago some 60 percent of all Vegas sold had trades; today we see less than 25 percent with trades."

Some of them, he admits, may be waiting for a better price before selling the big used car.

GM has largely been centered in big cars and last year this was a good strategy because an automaker can make more money on a big car with its high-cost options than it can on a little car.

But now, all of a sudden, GM is trying to up its small-car capacity.

Automakers also are looking toward the future with a new line of subcompacts in the offing. GM, Ford, and Chrysler are all expected to field some brand-new small-small cars within the next two to three years. Ford is unveiling two new compacts in the fall, one for the Ford division and the other for the Lincoln-Mercury division.

The Ford Granada will join the Pinto, Mustang II, and Maverick in Ford's small-car lineup. The Mercury Monarch joins Capri and Comet.

Ford president Lee A. Iacocca says the company will have a small-car capacity of 2 million units a year with the start of 1975-model production next summer, a doubling of its capacity in one year.

Will the standard-size car of, say, 1980 be smaller than the full-size car of 1974?

Mr. Cole sees the big GM cars getting smaller but not much smaller. "I do say that we are going to employ some new technology and try to make the car possibly as functional as it is today but we may use new materials to make that function more efficient."

He adds: "The size can come down some. But one thing you have to remember, the size of the car has a direct relation to its safety. The more space you have available in a car the higher intensity of collision a person can survive."

William P. Benton, head of the Lincoln-Mercury division, says:

"The big Lincoln no doubt will be smaller by the end of the decade. But that was going to happen before the fuel situation came about."

Meanwhile, automakers and car dealers watch and wonder.

"The benchmark to watch," confides an automotive source, "is the day that Cadillac puts in a sales-incentive program. If that happens, you can grab your hat and run for high ground."

In other words, if GM's top-line carmaker

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makes that kind of a move—discounting the merchandise, as it were—the domestic car industry is in real tough shape.

And that hasn't happened yet, say the carmakers.

## CYRUS EATON ON CUBA—NO. 3

## HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. STOKES. Mr. Speaker, recently I have submitted to the RECORD several reports on Mr. Cyrus Eaton's message to America following his visit to Cuba.

Today I submit another perspective on this distinguished American's mission to help reconcile the differences between our country and revolutionary Cuba:

[From the Kansas City Star, Mar. 9, 1974]

TIME TO FORGE U.S.-CUBAN TIES, CYRUS EATON BELIEVES

(By Thomas J. Bogdon)

CLEVELAND.—Few Americans still remember the sinking of the U.S. battleship Maine Feb. 15, 1898, in Havana Harbor, setting off the Spanish-American War. Fewer still visited Cuba last month, a trip that since the early 1960s has been listed as "unauthorized" by the State Department.

Cyrus S. Eaton, the Canadian-born Cleveland industrialist, qualifies on both counts. At 90, Eaton is attempting to promote improved relations with Fidel Castro's Cuba just as he searched for a settlement to the Vietnam War and attempted to bring the U.S. and the Soviet Union closer together in the depths of the Cold War.

"When I was a boy in Nova Scotia," Eaton recalled this week, "my father was postmaster, among other things, and the American newspapers came into the post office every day—the Boston Transcript, the Providence Journal and Mr. Hearst's Boston American.

"Hearst made the public believe the 'Maine' was sunk by orders of the Spanish. 'Remember the Maine' was the slogan everywhere. Hearst got the United States to declare war on Spain and throw her out (of Cuba). Teddy Roosevelt came into fame by leading the Rough Riders."

Eaton's version of more recent relations between the U.S. and Cuba was equally biting during a 2-hour interview in his richly-paneled office on the 36th floor of the Terminal Tower here.

Eaton, chairman emeritus of Chessie System, Inc., a recently formed combination of the Chesapeake & Ohio and the Baltimore & Ohio railroads, reportedly is worth more than \$100 million. His other credentials as a capitalist including holdings in many companies, including the Kansas City Power & Light Co. He claims to have known every U.S. president since McKinley and serves on the board of the Harry S. Truman Institute in Independence, Mo.

But he also holds the Lenin Peace Prize and received personal greetings on his 90th birthday in December from Leonid Brezhnev, the Soviet party leader. Other reminders of his friendship with communist countries are on the office walls: oil paintings given to him by leaders of the Soviet Union, Czechoslovakia, Poland, Romania and Hungary.

During the week-long visit to Cuba last month, Eaton met with Prime Minister Castro, Carlos Rafael Rodriguez, vice prime minister and minister of foreign affairs, President Osvaldo Dorticos and Jose Fernandez, minister of education.

Eaton said he also spent a day with Raul Castro, the prime minister's brother and chief of the armed forces, inspecting agricultural facilities in the Cuban countryside about 75 miles from Havana.

The industrialist said he also left Cuba with the conviction that Castro wants to re-establish relations with the U.S. but that the first move had to come from the U.S., which Eaton termed the "colossus to the north."

"If Nixon or Kissinger would sit down with him (Castro) for a couple of days they could work out a settlement," Eaton said.

But if the initiative came from Castro, Eaton said, it could be interpreted as a sign of weakness. Thirteen years after the Bay of Pigs invasion Castro is not weak, Eaton said, partly because Cuba is more prosperous and stable and partly because of "enormous" support from communist countries around the world.

Eaton said the economic blockade imposed just before the Cuban missile crisis in 1962 had been ineffective since it was regularly ignored by most Latin American countries and by Canada and Mexico. He said the blockade should be terminated, as was proposed in Congress in December by Sen. Claiborne Pell (D-R.I.) and Rep. Michael J. Harrington (D-Mass.).

Asked whom he blamed for current and past hostility between the U.S. and Cuba, Eaton said the State Department, the Pentagon and the White House had been against Castro since he seized power in 1959, even though the preceding regime had been corrupt.

"The blame is mainly in Washington," Eaton said. "First we were supporting Batista, who was probably the greatest thief who ever lived. There was a revolution down there that made him flee the country, and we refused to go along with Castro.

"He came to see me because I had substantial interests in Cuba. I met him in New York 15 years ago. He wanted to get along but the corporations that I was in and others didn't want to do business with him because it would offend the State Department, it would offend our government, and all the companies that had big business in America wouldn't dare go on. Castro wanted to have an understanding with all of us but we were afraid to."

Eaton said he asked boards of directors he served on to take a chance with Castro but because of reluctance to offend the government, the companies decided to let their properties be confiscated and take a loss.

Eaton has particular disdain for the Central Intelligence Agency, which he said plotted the abortive Bay of Pigs invasion and continues to stir up the 400,000 Cuban exiles living in Miami. Eaton said he thought it was significant that four Cubans were among the original seven Watergate defendants.

The industrialist said that while opposition to Castro undoubtedly exists among Cubans in Miami, he had been asked by influential Cubans in this country to see if there was any chance of better relations with the U.S. so that "the land of their fathers" could eventually return to normal relations with the U.S., their new home.

While he remained an avowed capitalist, Eaton said, the danger of ideological hostilities in the nuclear age and the advantages of world trade made him accept other economic and social systems, especially if they are strongly entrenched.

"Woodrow Wilson, when he made a speech right here in Cleveland, and I was with him, said he was going to make the world safe for democracy," Eaton said. "And what did he produce? Stalin, Mussolini, Hitler."

March 25, 1974

## LEO FOSTER, ESQ., SPEAKS ON IMPEACHMENT

## HON. C. W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. YOUNG of Florida. Mr. Speaker, as the controversy over interpretation of the constitutional definition of impeachment swirls around us, I would like to offer my colleagues a statement on this topic by a highly respected attorney and good friend of mine, Mr. Leo Foster, Esq., addressed the Tallahassee Bar Association on February 5 of this year, and the topic of his speech was "Impeachment—The Doctrine of Separation of Powers."

The statement follows:

It is my purpose to sketch rapidly certain outstanding phases of constitutional law. A great danger to constitutional government lies in popular misunderstanding of its precise methods and purposes. In many ways the small minority who would treat the United States Constitution as an archaic hindrance to their centralist purposes, and willingly would discard or subvert it, pose less threat than that far greater number who vocally support the Constitution but who unwittingly approve or participate in actions that tend to destroy its protective principles.

As employed in this Country, constitutional law signifies a body of rules resulting from the interpretation by a high court of a written constitutional instrument in the course of disposing of cases. The effectiveness of constitutional law as a system of restraints on governmental action in the United States, which is its primary *raison d'être*, depends for the most part on the effectiveness of certain doctrines, (1) the concept of federalism, (2) the doctrine of separation of powers, (3) the concept of a government of laws, not of men, and (4) the doctrine of due process of law and attendant conceptions of liberty.

The second great structural principle of American constitutional law is supplied by the doctrine of separation of powers. The notion of three distinctive functions of government approximating what we today term, (1) the Legislative, (2) the Executive, and (3) the Judicial, is set forth in Aristotle's *Politics*. It was Montesquieu who, by joining the idea to the notion of a "mixed constitution" of "checks and balances," brought Aristotle's discovery to the services of the rising libertarianism of the Eighteenth Century. He contended that "men entrusted with power tend to abuse it." Hence, it was desirable to divide the powers of government, first, in order to keep to a minimum the powers lodged in any single organ of government; and secondly, in order to be able to oppose organ to organ.

The American conception of the separation of powers may be summed up in the following propositions: (1) there are three intricately distinct functions of government, the Legislative, the Executive and the Judicial; (2) these distinct functions ought to be exercised respectively by three separately manned departments of government; which (3) should be constitutionally equal and mutually independent and, finally (4) the Legislature may not delegate its powers. At least three distinct ideas have contributed to the development of the principle that legislative power cannot be delegated. One is the doctrine of the separation of powers: Why go to the trouble of separating the three powers of sovereignty if they can be straight-

away remerged on their own motion? The second is the concept of due process of law. Lastly, there is the maxim of agency "delegata protestas non protest delegari" which John Locke borrowed and formulated as a dogma of political science, that is "The Federal Constitution and State Constitution of this country divide the governmental power into three branches" \* \* \* in carrying out that constitutional division \* \* \* it is a breach of the national fundamental law if Congress gives up its legislative power and transfers it to the President or to the judicial branch; or if by law it attempts to invest itself or its members with either executive power or judicial power.

"The Constitution," said Charles Evans Hughes, "is what the Judges say it is." If "treason, bribery, and other high crimes and misdemeanors" and "good behavior" are what Congress says they are, and Senator Giles and his later day counterpart Congressman, now Vice President Ford, did not err in asserting that impeachable offenses are what Congress consider them to be, what will happen when one party elects all of the members of Congress—or even two-thirds? If that party is strictly disciplined as are the Communist parties, the officers of that party will be more powerful than our elected officials and the Chairman of that party could exercise all the powers of sovereignty—directly or by threats of removal and impeachment of the officers of the executive and judicial branches—and by expelling members of Congress who would not go along.

As early as September 6, 1819, Thomas Jefferson complained that the judiciary department after twenty years' confirmation of the federal system by the voice of the nation, was on every occasion still driving the nation into consolidation. He wrote from his home at Poplar Forest to Spencer Roane,

"In denying the right they usurp of exclusively explaining the Constitution, I go further than you do, if I understand rightly your quotation from the Federalist, of an opinion that "the judiciary is the last resort in relation to the other departments of the government, but not in relation to the rights of the parties of the compact under which the judiciary is derived." If this opinion be sound, then indeed is our Constitution a complete *felo de se*. For intending to establish three departments, co-ordinate and independent, that they might check and balance one another, it has given, according to this opinion, to one of them alone, the right to prescribe rules for the government of the others, and to that one too, which is un-elected by, and independent of the nation. For experience has already shown that the impeachment it has provided is not even a scare-crow; that such opinions as the one you combat, sent cautiously out, as you observe also, by detachment, not belonging to the case often, but sought for out of it, as if to rally the public opinion beforehand to their views, and to indicate the line they are to walk in, have been so quietly passed over as never to have excited animadversion, even in a speech of any one of the body entrusted with impeachment. The Constitution, on this hypothesis, is a mere thing of wax in the hands of the judiciary, which they may twist and shape into any form they please. It should be remembered, as an axiom of eternal truth in politics, that whatever power in any government is independent, is absolute also; in theory only, at first, while the spirit of the people is up, but in practice, as fast as that relaxes. Independence can be trusted nowhere but with the people in mass. They are inherently independent of all but moral law. My construction of the Constitution is very different from that you quote. It is that each department is truly independent of the others, and has an equal right

## EXTENSIONS OF REMARKS

to decide for itself what is the meaning of the Constitution in the cases submitted to its action; and especially, where it is to act ultimately and without appeal."

The impeachment that Jefferson characterized as "not even a scare-crow" brings into play the power of one organ to remove officers of the other two organs from office on impeachment for and convictions of misdemeanors in office. Most of the state have drafted their constitutional provisions on this subject in language similar to the language of the Federal Constitution. All states but Oregon and Ohio have provisions for impeachment in their Constitutions. Slight variations exist in other states but after all is said, the basic law in them as in our State stems from the Constitution of the United States.

As there is no enumeration of offenses comprised under the term "misdemeanor in office," no little difficulty has been experienced in defining offenses in such a way that they fall within the meaning of the constitutional provision.

Impeachable offenses were not defined in England. Two theories of impeachment had evolved in English parliamentary law, (1) the Judicial, and (2) the Political theory. The Judicial is known by the fact that the law names the offense for which impeachment may be imposed, the proceedings that must be taken to effectuate it, who may institute it, who may try it and the penalty that may be imposed. It proceeds on notice and due process. It is ruled by reason, passion is suppressed, and justice should be the goal. The Political Theory proceeds on the premises that the offense on which impeachment is based may not be specified in the constitution or the statutes but that those charging and those trying it may convict for anything that is offensive to the ideals of the triers; that anything which they in their judgment evidences unfitness for holding office, whether connected with official conduct or not, cause so decide; that passion rules, reason is suppressed, and political victory is the goal. The wrongs in the Political Theory, supra, are most noticeable in some English cases where all subjects were liable to impeachment and punishment was in the discretion of the King.

Madison, whose objection lead to the insertion of the more definite phrase "high crimes of the broad construction of the impeachment and misdemeanors," was the strongest advocate powers. He argued that incapacity, negligence or perfidy of the Chief Magistrate should be ground for impeachment. In discussing the President's powers of removal he maintained that the wanton removal from office of meritorious officers would be an act of maladministration and would render the President liable to impeachment.

Hamilton thought the proceeding should never be tied down by such strict rules either in the delineation of the offenses by the prosecutors or in the construction of it by the Judges. It would thus appear that it was not the intention that the Constitution should attempt an enumeration of offenses for which an impeachment would lie.

The Framers of the Constitution in leaving out of the Constitution any provision for the removal of an official subject to impeachment did it purposely and with a view of giving stability to those who hold the offices, and especially the judges:

"Mr. Dickinson," says Elliott in his Debates on the Constitution, "moved, as an amendment to Article XI, Section 2, after the words 'good behavior,' the words, 'Provided, That they may be removed by the Executive on the application by the Senate and House of Representatives'."

This was in respect of the judges.

Mr. Gerry seconded the motion. Mr. Gouverneur Morris thought it a contradiction in terms to say that the judges should hold their offices during good behavior and yet be removable without a trial. Besides, it was fundamentally wrong to subject judges to so arbitrary an authority.

Mr. Randolph opposed the motion as weakening too much the independence of the judges.

Delaware alone voted for Mr. Dickinson's motion.

Says Judge Lawrence in a paper on this subject, which he filed in the Johnson impeachment case: "Impeachment was deemed sufficiently comprehensive to cover every proper case for removal."

The first proposition was to use the words 'to be removable on impeachment and conviction for malpractice and neglect of duty.' It was agreed that these expressions were too general. They were therefore stricken out."

Mr. Mason said:

"Treason, as defined in the Constitution, will not reach many great and dangerous offenses. Hastings is not guilty of treason. Attempts to subvert the Constitution may not be treason as above defined."

He moved to insert after "bribery" the words "or maladministration."

Mr. Madison replied:

"So vague a term will be equivalent to a tenure during the pleasure of the Senate."

Mr. Mason withdrew "maladministration" and substituted "other high crimes and misdemeanors against the State."

Hinds' Precedents—Vol. 3, § 2012, pp. 329, 330 (Nature of Impeachment).

The above relatively flexible conception of misdemeanor was early replaced by a much more rigid one in consequence of Jefferson's efforts to diminish the importance of the Supreme Court, the first step in which enterprise was the impeachment in 1805 of Justice Samuel Chase. The Constitution had not contemplated the formation of political parties and while there were factions within Washington's administration it remained for the organizational genius of Thomas Jefferson to bring about partisan politics and as a result, Jefferson was elected President and his political party had commanding control of the House and Senate, but he could not control the Supreme Court either by threats or intimidation and in order to accomplish his goal of achieving supreme power the impeachment of Chase was mandatory. The theory of Chase's enemies was summed up by Jefferson's henchman, Senator Giles, of Virginia, as follows:

"Impeachment is nothing more than an inquiry by the two Houses of Congress whether the office of any public man might not be better filled by another . . . the power of impeachment was given without limitation to the House of Representatives; and the power of trying impeachments was given equally without limitation to the Senate; . . . a trial and removal of a Judge upon impeachment need not imply any criminality or corruption in him . . . but was nothing more than a declaration of Congress to this effect; you hold dangerous opinions, and if you are suffered to carry them into effect you will work the destruction of the nation. We want your offices for the purpose of giving them to men who will fill them better." John Quincy Adams' Memoirs, Vol. 1, pp. 321, 322 (1874).

To this theory Chase could have answered,

"If this be true, the modern theories of government and the forms of civil government framed in the later periods are but

## EXTENSIONS OF REMARKS

solemn complicated frauds, machines for the amusement and the impoverishment of the people. If all political and judicial supervisory power is lodged in one body of men, notwithstanding the establishment which all peoples have so reverently organized under written Constitution which in terms divide the powers of government into several departments of magistracy, supposed to be created to perform the offices of adjustments and balances, then are such several departments mere cheats and shams, baubles and playthings invented to delude and ensnare.

"If this be so, what need of any other department than a single body of men, or indeed a single human being, covered with tinsel, whose ambrosial locks and imperious nod may dispense all power and all justice, and command the obedience of all other men; a government fashioned after that of Heaven itself, but whose Mentor is a mere piece of crumbling pottery?"

Chase's lawyers submitted the proposition that high crimes and misdemeanors meant offenses indictable at common law; and Chase's acquittal went far to affix this reading to the phrase "till after the War between the States."

A major crisis in the history of American constitutional law had been successfully weathered and the great structural doctrine of separation of powers had survived. Had the Jefferson theory prevailed and impeachment established as being nothing more than an inquiry by the two Houses of Congress whether the office of any public man might not be better filled by another, the political party in power, with its control of Congress and the Chief Magistrate, could by threat of impeachment intimidate the judicial organ so as to diminish the importance of the Supreme Court. The political party in power would then exercise all sovereignty as does the communist party today in USSR. Chase's acquittal went far to preserve the "checks and balances" which was greatly in the public interest because men entrusted with power tend to abuse it.

But with the impeachment of President Johnson in 1867 for "high crimes and misdemeanors," the controversy was revived. Representative Bingham, leader of the House Managers of the impeachment, defined an impeachable offense as follows:

"An impeachable high crime or misdemeanor is one in its nature or consequences subversive of some fundamental or essential principle of government or highly prejudicial to the public interest, and this may consist of a violation of the Constitution, of law, of an official oath, or of duty, by an act committed or omitted, or, without violating a positive law, by the abuse of discretionary powers from improper motives or for an improper purpose."

Former Justice Benjamin R. Curtis stated the position of the defense in these words:

"My first position is, that when the Constitution speaks of 'treason, bribery, and other high crimes and misdemeanors,' it refers to, and includes only high criminal offenses against the United States, made so by some law of the United States existing when the acts complained of were done, and I say that this is plainly to be inferred from each and every provision of the Constitution on the subject of impeachment."

Trial of Andrew Johnson, I, (Government Printing Office, 1868), 147.

The issue was made. The two theories of impeachment met head on. Johnson contended for the judicial theory. The House Managers of the reconstruction Congress espoused the political theory proceeding on the premise that the offenses on which impeachment is based need not be specified in the Constitution or the Statute but that those charging and those trying it may con-

vict for anything that is offensive to the ideals of the triers; that anything which they in their judgment evidences unfitness for holding office, whether connected with official conduct or not, is ground for impeachment; that passion rules, reason is suppressed, and political victory is the goal.

With Johnson's acquittal, the narrow view of "high crimes and misdemeanors" appeared again to win out. Doctrine of separation of powers again sustained but by only one vote in the Court of Impeachment. Two successful impeachments of lower Federal Judges in recent years have at first blush seemed to have restored something like the broader conception of the term which Madison and Hamilton endorsed, (Archbalt and Ritter), but a careful study of the proceedings will reveal that in both these instances the final result was influenced by the consideration that Judges of the United States hold office during "good behavior" and that the impeachment process is the only method indicated by the Constitution for determining whether a judge's behavior has been "good."

It is my judgment that this is what Watergate is all about. The separation of powers leaves no room for removal by a vote of no confidence and those who would treat our Constitution as an archaic hindrance to their centralist purposes and willingly would discard or subvert it have adopted impeachment as their modus operandi.

Professor Raoul Berger of Harvard in his book, "Impeachment: the Constitutional Problems," published last year argues for judicial review of impeachments. He states:

"I would urge that judicial review of impeachments is required to protect the other branches from Congress' arbitrary will. It is hardly likely that the Framers, so devoted to 'checks and balances,' who so painstakingly piled one check of Congress on another, would reject a crucial check at the nerve center of the separation of powers. They scarcely contemplated that their wise precautions must crumble when Congress dons its 'judicial' hat, that then Congress would be free to shake the other branches to their very foundations."

I respectfully submit that if we ever agree to such a proposal (which Jefferson condemned so bitterly in his letter to Spencer Roane) accomplished by a judicial fiat of an activist court or a constitutional amendment then we should insist that the name of the Supreme Court be changed to The Presidium.

Under our division of powers doctrine, national military heroes such as Marlboro, Washington, Grant and Eisenhower became useful civil servants whereas in Greece or Rome they would have become another Pericles, Sulla or Caesar.

I submit that we must preserve inviolate the separation of powers doctrine and that we should not permit it to be eroded and as Adams in his "Defense of the Constitutions of Government of the United States of America" written and published in October 1787 states and I quote:

"The whole art of government consists in combining the powers of society in such a manner, that it shall not prevail over the laws. The excellence of the Spartan and Roman constitutions lay in this; that they were mixtures which did restrain it, in some measure, for a long period, but never perfectly. Why? Because the mixture was not equal. The balance of three branches is alone adequate to this end; and one great reason is, because it gives way to human nature so far, as to determine who is the first man. Such is the constitution of men's minds, that this question, if undecided, will forever disorder the state. It is a question that must be decided, whatever blood or wounds it may occasion, in every species of gregarious animals as well as men. This point, in the triple

division of power, is always determined; and this alone is a powerful argument in favour of such a form." Adams's Defense, Vol. 3, pp 410, 411.

If we abandon the separation of powers America is finished and dead.

I have seen much to hate here—much more to forgive. But in a world where America is finished and dead I do not wish to live.

March 25, 1974

NIXON'S CLEAN AIR ACT AMENDMENTS OF 1974 THREATEN THE PUBLIC HEALTH FROM NOW TO 1987

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. BROWN of California. Mr. Speaker, on March 22 the Administrator of the Environmental Protection Agency sent the Nixon administration package on dismembering the Clean Air Act to the Congress for our consideration. Much of the package has been before this body before. Some of it was accepted, and some of it was rejected during the debate on the Emergency Energy Act last December. The arguments that applied then do not necessarily apply at this time. Since the President, by his veto, demonstrated that he decided that the emergency was not serious enough for him to compromise, I respectfully submit that the Congress need not continue compromising the health and welfare of the American people by accepting the President's Clean Air Act Amendments of 1974.

My opposition to this package is based on more than my suspicions that the bulk of these proposals are not made in good faith, and are, in fact, unnecessary. It stems from my long involvement in the air pollution control battles of southern California since the 1950's. Over the years I have seen air pollution increase, year after year, and I have seen the legislation to remedy the situation proliferate. The air quality continued to deteriorate because the legislation failed to be specific. The Clean Air Act Amendments of 1970 were specific, and they finally caused people to face up to the seriousness of the problem. The solutions to the problem that were discovered are unpopular. They will require some industries to lose profits, and will cause the general public to adopt different life-styles. This we all know, yet we pretend that we can clean up the air without any serious changes in our way of life. The solution to this problem? The EPA proposes, among other things, to grant extensions of up to 5 or 10 years to the existing 1977 deadline to achieve the ambient air quality standards. This is a farce. The land use and transportation patterns of southern California must change. The fuel shortage has shown how foolish the existing growth patterns are.

The perceived willingness of the EPA to enforce the Clean Air Act was the major force behind the recent moves

toward public mass transportation in southern California. We have seen the automobile manufacturers spend their time and resources in lobbying Congress for time extensions to the Clean Air Act instead of working on a clean, efficient automobile engine. This package demonstrates, with its 2-year delay of automobile emissions standards, the success of Detroit's policy. The EPA is already being considered weak and indecisive by the bodies that it is supposed to regulate. A 5- or 10-year extension in implementation plans would only invite more delays. It would also remove the positive pressure that the implementation plans have had on growth and development in the Nation. Southern California cannot wait until 1987 for clean air.

Some parts of the package are so repugnant that even the EPA, which is supporting proposals which are nearly as dubious, could not support them. Yet they are part of the package, and should be considered evidence of the intent of the entire package. The two measures that the EPA could not support were the use of intermittent controls, which amounts to noncontrols of stationary sources of air pollution, and repeal of nondegradation regulations. The nondegradation issue can best be demonstrated if one were to fly from my congressional district in southern California on a normal smog-laden summer day to the desert and mountains to the east, where the air is still mostly clean and pure. This proposal would allow the area to the east to become like that of southern California.

I will stop here, having alerted this body to the nature of the administration's package. I would like to insert, for the Record, the article that appeared in the Washington Post on March 23 that described the administration's package and a second article in the same paper on the same day about the probability that the air quality in the Washington, D.C., area, will continue to deteriorate.

The articles follow:

#### EPA ASKS DELAY IN CLEAN-AIR RULES

(By William Claiborne)

The Nixon administration asked Congress yesterday to postpone for up to 10 years clean-air deadlines for some heavily polluted cities, and to authorize the government to order electric utilities to shift from oil to coal burning furnaces.

The administration also proposed delaying for two years implementation of automobile antipollution standards, meaning that antismog limits for 1975 model cars would be acceptable for 1976 and 1977 models.

The retreat from the original standards of the 1970 Clean Air Act is needed to balance the nation's environmental and energy needs, according to Russell E. Train, administrator of the Environmental Protection Agency.

Train, who unveiled a package of Clean Air Act amendments he sent to Congress, defended the plan as adding "flexibility" to current environmental standards. But, in response to questioning, he said some of the proposals would not have been his personal choice.

In fact, Train said, he could not accept two administration proposals, one of which would revoke the law's requirement that existing clean air not be allowed to deteriorate

#### EXTENSIONS OF REMARKS

as low as current minimum protective standards and another that would permit power plants to use anti-pollution equipment part-time when regional air pollution standards are not violated.

Train said he was sending those proposals to Congress as "issues" for debate, but not as legislative recommendations.

The legislative package—in effect a compromise between the EPA and those in the administration who sought further cutbacks in air quality standards—was greeted with mixed reaction by environmentalists.

Sen. Edmund S. Muskie (D-Maine), one of the authors and chief defenders of the Clean Air Act, credited Train with blocking some planned anti-pollution rollbacks.

He said the proposed amendments "do not do the damage to the law that some in the administration would have proposed."

Russell W. Peterson, chairman of the Council on Environmental Quality, said, "Those who don't want any changes in the law will be unhappy. On the other hand, energy suppliers who have just wanted to scuttle the whole thing will not be pleased."

A spokesman for the National Clean Air Coalition denounced the proposed amendments: "With minor reservations, the EPA today joined the rest of the industry-oriented Nixon administration in proposing unnecessary weakening of the Clean Air Act."

But Train, who formerly was head of CEQ, repeatedly said the amendments will not weaken air quality standards. "I honestly don't personally believe that this represents a rollback," he said in a press conference. He said he expected lively debate in Congress, but added, "I think they (the proposed changes) will withstand scrutiny."

One of the potentially most controversial proposed changes involves an extension of clean-air deadlines for some cities which, Train said, "are so heavily impacted by motor vehicle-related pollutants that severe gasoline rationing would be necessary to achieve air quality standards within the statutory deadline."

The amendment will allow EPA to extend by five years the clean air deadline in 38 cities that apparently will be unable to meet air quality standards by 1977.

An additional five-year extension could be granted if necessary, but Train said only a few cities, such as Los Angeles, might need more than one five-year extension.

The net effect of that provision is that at least a few major urban centers can have as much as 13 years to meet the minimum air quality standards of the 1970 Act.

The legislation would also allow the EPA to ease up on pollution standards and permit—or even order—natural gas and oil-burning power generating stations to use coal until 1980. A coal conversion provision had been included in emergency energy legislation passed by Congress but vetoed by President Nixon because of an oil-price rollback clause.

"The nation's energy supply problems have been exacerbated by greatly increasing demand which has resulted in dependence on foreign sources of crude oil. To reverse such dependence, it is necessary for some oil burning power plants to convert to coal," Train said in a letter to Congress.

Other key provisions of the proposed legislation would:

Authorize EPA to review state plans for meeting air quality standards to determine if supplies of clean fuels are adequate. If not, EPA could lift clean-air deadlines enough to eliminate the fuel deficit, provided that health-protecting standards were not effected.

An attorney for one Washington-based environmental group said that provision "writes effective standards out of the law until we

are a nation independent of importing fuel." Train pointed out that the clause is closely similar to one contained in the energy emergency bill adopted by Congress.

Allow EPA to temporarily waive clean-air standards for some new power plants "to encourage innovative and experimental control technology." Train said this will apply to facilities that appear likely to be able to meet standards with innovative equipment, but fail to do so "despite good faith efforts."

Provide civil penalties of fines up to \$25,000 per day for violations of air quality standards by plants, in addition to the existing criminal penalties provided in the act.

Allow EPA to temporarily suspend pollution emission limits to November, 1974, if necessary clean fuel is unavailable, provided health standards are not compromised. The temporary variances, EPA said, help facilitate conversion of gas and oil-burning plants to coal.

Authorize EPA to extend compliance schedules for stationary sources of pollution past the existing clean-air deadlines when necessary to avoid plant shutdowns where installation of new anti-pollution equipment is nearly finished.

Allow EPA to do away with the filing of federal environmental impact statements for certain coal conversions lasting less than one year.

#### LONG-TERM AIR QUALITY IS DOUBLED

(By Douglas B. Beaver)

Stringent enforcement of present air quality standards will not insure clean air for Washington area residents 10 years from now, studies by air quality planners predict.

The preliminary reports have been made to meet a U.S. Environmental Protection Agency requirement that areas trying to clean up bad air have to keep it clean once they get it that way. Washington is such an area.

"What we would like to do is have local governments integrate air quality standards into their growth plans so that air quality will be maintained," said Joseph Sableski of the EPA's office of air quality planning in Durham, N.C.

The EPA directed the District and its suburbs to identify which of five pollutants could potentially exceed permissible levels in the next decade, either because air quality is bad now or because of projected growth. If the EPA agrees with these projections, it can order a plan that would get the area into compliance.

District, Maryland and Virginia officials agree that there will be a problem with photochemical oxidants and particulates. The District foresees difficulty with sulphur dioxide, Maryland with nitrogen dioxide. All agree that carbon monoxide levels will be acceptable.

Photochemical oxidants—which result from the chemical reaction of the warm summer sun working on automobile exhaust emissions—caused the six air pollution alerts for the Washington area last summer. One of them lasted for 13 days.

The District says that, because of the energy crisis, sulphur dioxide could become a problem, although it is not one now. The availability of fuels with a low sulphur content has been brought into question and the EPA requirements for such fuels might have to be relaxed.

It was reported yesterday that Virginia and Maryland, because of availability problems, have permitted 15 companies and two colleges to use fuels whose polluting emissions exceed the states' air quality standards.

But it is automobile exhaust emissions that continue to be the biggest pollution

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problem for the Washington area, which has no major industry befouling its air.

Last November, the EPA imposed a tough clean-up program on the area that had as its keystone a 50-cent-per-day parking surcharge in 18 metropolitan employment areas that were served by mass transit. The fee was to have risen gradually until it reached \$2 a day by 1977. The purpose was to make it economically prohibitive to drive and to encourage the use of mass transit.

But on Jan. 10, in the face of criticism from Congress, the EPA dropped the parking surcharge plan.

According to William Colony, the Washington area EPA coordinator, that clean-up plan has been "delayed, if not shot down."

But David DeJulio, the air quality program manager for the Metropolitan Washington Council of Governments, took a more optimistic view.

Because of the gasoline shortage, "we've had a 12 per cent reduction in peak hour

travel this year," DeJulio said. "The political climate has changed somewhat; people are seeing a need for mass transit and for car pool locators. I think higher gasoline prices may have contributed as well."

## MICHEL AMENDMENT NO. 1

## HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. MICHEL. Mr. Speaker, last week I included in the Record the text of an amendment which I have been exploring, and which I indicated might be offered to title I of H.R. 69 when we resume consideration of that bill.

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As my colleagues will recall, that amendment would change the formula on which title I funds are distributed by basing two-thirds of the allocation on the school-aged population in local school districts, and one-third on the number of children from families with incomes below \$3,500 plus the number of AFDC children above \$3,500. The thrust and purpose of H.R. 69 would remain unaltered. Only the formula mechanism for distribution of the funds would be changed.

We have now received from the Congressional Research Service the computer run showing how the title I funds would be distributed under such a formula, and I wish at this time to bring it to the attention of my colleagues:

TABLE IV.—ESEA TITLE I COMPARISON OF ALLOCATIONS ACCORDING TO MICHEL AMENDMENT I WITH FISCAL YEAR 1974 ALLOCATIONS AT IMPOUNDMENT LEVEL

State	Formula	Fiscal year	Increase	Percent	State	Formula	Fiscal year	Increase	Percent
	allocation	1974 allocation	or decrease	increase or decrease		allocation	1974 allocation	or decrease	increase or decrease
(A)	(B)	(A-B)	(A)	(B)	(A)	(B)	(A-B)	(A)	(B)
Alabama	\$33,405,022	\$36,498,672	-\$3,093,649	-8.4761	Nevada	\$3,349,353	\$1,548,527	\$1,800,826	116.2929
Alaska	4,463,720	4,599,584	-135,863	-2.9538	New Hampshire	4,628,756	2,881,740	1,747,016	60.6237
Arizona	14,587,245	11,326,911	3,260,334	28.7840	New Jersey	70,551,376	60,575,552	9,975,824	16.4684
Arkansas	21,124,267	23,394,192	-2,269,924	-9.7029	New Mexico	9,811,483	9,083,931	727,552	8.0092
California	160,452,029	136,486,016	23,966,013	17.5593	New York	238,440,743	235,867,520	2,573,223	1.0910
Colorado	18,216,627	14,311,073	3,905,554	27.2904	North Carolina	51,563,799	56,969,632	-5,405,832	-9.4890
Connecticut	26,977,157	16,660,632	10,316,525	61.9216	North Dakota	5,405,633	5,393,937	11,696	2,168
Delaware	5,677,303	3,689,165	1,998,138	53.893	Ohio	70,678,506	53,476,816	17,201,690	32.1666
Florida	53,684,701	40,146,464	13,538,237	33.7221	Oklahoma	18,749,722	18,889,360	-139,637	-7392
Georgia	41,490,140	43,002,496	-1,512,355	-3.5169	Oregon	20,260,253	12,441,113	7,819,140	62.8492
Hawaii	6,525,164	4,552,617	1,972,547	43.3278	Pennsylvania	103,332,131	78,045,120	25,287,011	32.4005
Idaho	5,109,688	4,063,449	1,046,239	25.7476	Rhode Island	7,980,808	5,771,045	2,209,763	38.2905
Illinois	100,800,329	85,305,776	15,494,553	18.1635	South Carolina	29,640,446	32,812,752	-3,172,305	-9.6679
Indiana	34,580,494	22,535,584	12,044,910	53.4484	South Dakota	5,866,257	6,049,284	-183,026	-3.0256
Iowa	20,607,477	15,830,087	4,777,390	30.1792	Tennessee	32,354,348	33,561,968	-1,207,619	-3.5982
Kansas	15,220,027	11,762,936	3,457,091	29.3897	Texas	95,593,722	95,159,456	434,266	4,5664
Kentucky	31,171,633	33,409,408	-2,237,774	-6.6980	Utah	7,359,815	5,394,049	1,965,767	36.4433
Louisiana	36,964,452	34,756,000	2,208,452	6.3542	Vermont	3,874,649	3,054,045	820,604	26.8694
Maine	6,662,469	6,547,142	115,327	1.7615	Virginia	37,632,720	34,657,008	2,975,712	8.5862
Maryland	36,791,435	25,912,208	10,879,227	41,9849	Washington	28,033,071	19,257,392	8,775,679	45.5704
Massachusetts	44,457,826	32,268,400	12,189,426	37.7751	West Virginia	16,763,957	18,480,096	-1,719,138	-9.3027
Michigan	92,010,499	69,596,528	22,413,971	32.2056	Wisconsin	38,282,279	22,167,888	16,114,391	72.6925
Minnesota	34,260,454	22,761,440	11,499,014	50.5197	Wyoming	2,991,354	1,800,767	1,190,587	66.1156
Mississippi	34,114,158	38,134,032	-4,019,873	-10.5414	District of Columbia	11,192,170	12,639,227	-1,447,056	-11.4489
Missouri	32,590,070	26,074,784	6,515,286	24,9869	Total	1,842,506,316	1,602,027,634	240,478,582	
Montana	5,863,032	4,355,160	1,507,872	34,6227					
Nebraska	10,364,518	8,068,653	2,295,865	28.4541					

## OUR ECOSYSTEM IS AN UNRAVELING WEB

## HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, March 25, 1974

Mr. DINGELL. Mr. Speaker, what do we mean by the phrase "endangered species"? How many of these creatures are there? What will their numbers look like in the year 2000? These are just three of the important questions asked and answered in the current special endangered species issue of National Wildlife magazine. Today I would like to enter the following article into the RECORD:

## OUR ECOSYSTEM IS AN UNRAVELING WEB

(By Lee M. Talbot)

A tremendous roar of protest rose from all sections of the country when one western sheep rancher hired a man to shoot golden eagles from a small low-flying airplane. When plans were announced to locate an airport adjacent to an eagle nesting site in Virginia, there was protest—but not so loud. Nevertheless, the airport plan was dropped, at least temporarily, and wildlife habitat won a small but significant battle.

Until recently, most people believed that effective wildlife conservation consisted pri-

marily of protecting animals against wanton killing or capture. And they were right—at least in part. Since man first appeared on earth, he has driven a number of species to extinction. But all the armies in the world cannot save an animal if it has no place to live, no place to hide, no food to eat. In the years to come, even more so than in the past, the most critical threat to wild animals will not be direct physical assault by man, but rather his destruction of their habitat. Generally, moreover, it is far more difficult to sell the idea of preserving habitat than it is to protect animals who appear to be endangered. But let's start at the beginning.

No animal exists alone. Instead, it lives at the center of a figurative spider web. The radiating strands of the web represent the animal's interrelationships with all the components of the ecosystem—climate, water and soils . . . plants . . . animals, down to the lowest amoeba. Each of the strands, in turn, is interconnected with virtually all of the others.

If any one of these concentric strands is significantly altered, the others will be affected, too, and the whole web may be destroyed. Change the supply of water in an area, for example, and that changes the vegetation and other conditions necessary for all of the animals. Change the types of invertebrates inhabiting that area—even the most apparently insignificant micro-organisms in the soil—and the conditions essential for plant growth change, too. Change or modify plants, and you change the food

supply of the herbivorous animals, which in turn provide the food supply of the predators. Therefore, to preserve any animal, you must preserve its habitat web.

Each animal has its own "ecological niche," and an animal's adaptation to one niche usually rules out its occupation of any other. Polar bears and arctic foxes, adapted to extreme cold, could not survive in a desert environment; the desert kangaroo rat or whip-tail lizard would not survive in the high tundra or on the ice packs. The long legs and neck of a giraffe, along with its lip and mouth structure, adapt it to browsing on savanna trees and bushes, but not for survival in open grasslands. Prairie dogs and other burrowing rodents cannot survive where rocks, soil conditions or water preclude burrowing. And diving ducks and mountain blue birds are so different they could not possibly switch living quarters.

But the proper ecological niche alone does not ensure survival. The perpetuation of any species also depends on maintenance of adequate numbers. Some species need only a single pair for reproduction—bobcats, for example. Other species must live among large numbers of their kind—like penguins, which congregate in large flocks. Some species do not need the stimulus of large numbers to reproduce but are still in trouble today—whales and polar bears, for instance. They range over such vast areas that chances of males and females finding each other to mate are greatly reduced when the population is reduced.

A species with very low numbers—or a single concentrated population—is far more vulnerable to extermination from disease, hunting or habitat change than a species with larger numbers or a more widely dispersed population. Despite intensive protection efforts, the California condor and the whooping crane (with remnant populations of a few tens of individuals), the Laysan Hawaiian duck (with its total population on one small island) and the Devil's Hole pupfish (limited to a single pool in Nevada) are much more vulnerable than the Florida manatee (whose remnant population is spread along parts of the Florida coast) or the grizzly bear (with populations in the hundreds).

The population of a given species that the habitat can support is known as the "carrying capacity." The carrying capacity of a habitat is determined by what amounts to the weakest strand in the habitat web, and this weakest strand is known as the "limiting factor." The usual limiting factors are the amount and distribution of water, food and cover which, in turn, interact with the mobility of the animal involved.

For example, the cottontail rabbit must fulfill all its living requirements within a limited range of a few miles, while a mourning dove can make long daily flights between its feeding and resting area and its source of water. Thus, a single source of water might support a large and scattered population of mourning doves, but only a few rabbits.

Cover too, can be a limiting factor in several ways. Thick evergreens provide survival cover for some northern birds and mammals during winter storms. Some cover facilitates escape from predators or protection of nests. Location and interspersion of cover is also important, and many species need several different types. Sage grouse, for example, require escape cover, areas of sage for feeding and bare open areas for strutting.

Frequently, the factors that limit the carrying capacity of habitat are quite complex, especially so in food. For such animals as seed eaters and some predators the limiting factor is usually an insufficient quantity of food in certain seasons. Wolves may find food plentiful when migratory animals pass through, but at other times—when they must rely on resident prey—the pickings may be sparse. It's usually feast or famine with all seed-eaters, including the endangered Laysan and Nihoa finches, and the quantity available during the lean time of the year is the limiting factor. (This is why backyard bird-feeding trays are so effective in winter and also why, once started, such feeding should be continued until natural seeds are available.)

Quality of food is also important, especially to grazing and browsing animals where the limiting factor is often the availability of plants with the highest nutritional value during the period of greatest stress. With California mule deer in the Sierra Nevada mountains, for instance, the worst period is late winter, when plants are dormant, vegetation is snow-covered and the nutritional value of the available forage is low. Moreover, the protein content of the leaves of one plant may be five times higher than in a different plant species in the same area.

But habitat is not just a particular physical place. It is the sum total of the environmental conditions necessary for a species' health and survival. For many migratory creatures, that covers a lot of territory. Many ocean fishes reproduce in the shallow, nutrient-rich coastal waters, yet spend most of their life in the deeper ocean. It is estimated that a minimum of 60 percent of all commercially valuable ocean fishes rely on the coastal areas for some part of their life cycle, and these areas are most vulnerable to pollution. Anadromous fishes, such as salmon, spawn in cold, swift water high in coastal mountains, then migrate downstream to the ocean, where they grow to maturity and ultimately return up the same river to spawn. Obviously, the survival of both kinds of fish depends upon maintenance of their total habitat web.

Most ducks, geese and swans migrate in the spring to breeding grounds as far north as the shores of the Arctic Ocean, returning in the fall to winter grounds in the United States or farther south. Their habitat, therefore, includes the northern breeding grounds, the southern wintering grounds and all the areas they visit in between. For example, more than 200,000 Canada geese stop at Horicon National Wildlife Refuge in Wisconsin for a month during their fall migration south. If, for some reason, the Horicon Marsh was destroyed or developed, it would totally disrupt behavior of a sizable percentage of the Canada geese in North America.

Yet another habitat dimension is "biotic succession." Forest communities provide a good illustration, although the principles apply equally to grasslands and other communities. When a mature forest is cut or burned, leaving essentially bare ground, there will be a succession of types of vegetation and eventually—perhaps in tens or hundreds of years—there will be a forest again. Each stage in the recovery provides a different set of ecological niches for different animals. A mature forest is not a good habitat for deer, because it lacks small growth which the earlier successional stage has.

Through lumbering, grazing, burning and clearing, man is constantly creating more habitat for successional species (deer, elk, grouse, doves and rabbits) and less for animals that need a stable wilderness (bighorn sheep, caribou, grizzly bears, wolverines and ivory-billed woodpeckers). Maintaining habitats for these two types of animals calls for two entirely different approaches. The first requires active management, while to maintain habitat for more stable communities requires complete protection from any disturbance.

Currently, the contrasting fortunes of the moose and the barren-ground caribou in Alaska provide a dramatic illustration of how what's good for one animal may be slow death for another. The caribou requires large areas of lichens, and mature lichen growth needs decades to develop. The grazing patterns of the caribou do not damage lichens. But overgrazing by domestic animals and a recent series of severe fires set by man have sharply reduced this growth. Result: caribou have also decreased in numbers. On the other hand, the fires have encouraged the growth of hardwood trees and shrubs, a major source of winter food for moose. Consequently,

moose have extended their range into the area.

Throughout history, of course, man has similarly destroyed many other animal habitats all over the world and modified most—if not all—of the rest. Species have been exterminated, forced to migrate elsewhere or to adapt to new conditions. Hardest hit have been those animals requiring large, stable wilderness habitats, such as the buffalo, the grizzly and the wolf. In fact, over half of the mammals exterminated in Africa, Asia, Europe and North America have been large, wide-ranging predators—bears, wolves, foxes and cats. And about 40 percent of the extinct continental mammals have been large, hooved creatures requiring extensive feeding grounds. Roughly, half the species currently threatened are from this group.

The process of habitat modification continues today, accelerated by increasing human populations and new technologies. To make matters worse, pollution from pesticides and a great variety of other substances has added a new and lethal dimension. It is impossible to find an organic sample anywhere in the United States which is free of DDT or dieldrin. Twenty states have closed rivers and lakes to fishing because of mercury levels in the fish. Mercury has been found in waterfowl and DDT in upland game birds. Each year researchers uncover new pollutants and new facts concerning old ones. But chemical wastes, detergents, heavy metals, oil, sewage, exhaust fallout and heat continue to spread across the land and pour into the air and water.

More than 40 species of birds are plagued with the consequences of ingesting pesticide-contaminated foods. Their survival is threatened by progressive shell thinning—their eggs become so fragile the parent birds break them by stepping on them, while turning them during incubation, or even when laying them. Hundreds of pelicans on California's Anacapa Island lay eggs that are little more than yellow splotches on rocks and sticks. Our national symbol, the bald eagle, 13 species of hawks, and many other of our most spectacular birds are declining in number because of shell-thinning. And when a species cannot reproduce, its future is certainly bleak.

Far from being isolated tragedies, such problems are symptomatic of the health of wildlife in general. And that condition is usually a good index of any nation's natural resources. I have found by personal observation in 90 countries where there is a scarcity of wildlife, there also tends to be destructive exploitation of other resources. In part, this situation stems from a country's policies (or lack of them) toward resource management. Beyond that, it also reflects the pervasive impact of land use, and abuse, on wildlife habitat.

All this does not mean wildlife is doomed. Throughout the world, there is a growing appreciation of the values of wildlife in general. In 1972, more than 100 nations assembled at the United Nations Conference on the Human Environment in Stockholm. In 1973, eighty nations met in Washington and agreed to protect endangered species through control of international trade. Perhaps most important of all, though, people are at last beginning to realize that, in the final analysis, habitat protection is wildlife protection.

## SENATE—Tuesday, March 26, 1974

The Senate met at 11 a.m. and was called to order by the President pro tempore (Mr. EASTLAND).

### PRAYER

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Eternal Father, who hast designed us for companionship with Thee, and who hast called us to walk with Thee and be not afraid, be with us in our work that it may be done in the confidence of Thy strength and wisdom. In quiet moments, in dutiful hours, wilt Thou sustain us. Keep ever before us the vision of the better world which is yet

to come and give us a worthy part in bringing it about. Give us strength to persevere in the right as Thou dost give us to see the right. Reward us in the knowledge of work well done. Grant us the grace of the Man of Nazareth who went about doing good.

We pray in His name. Amen.