Mr. CHARLES WILSON of Texas, and Mr. YOUNG of Georgia):

H.R. 13952. A bill to amend the Land and Water Conservation Fund Act of 1965 to increase the authorization of appropriation for the Land and Water Conservation Fund; to the Committee on Interior and Insular Affairs.

By Mr. SIKES:

H.R. 13953. A bill to provide for the establishment of a national cemetery within the Eglin Air Force Base Reservation, Fla.; to the Committee on Veterans' Affairs.

By Mr. STEIGER of Arizona (for himself, Mr. JOHNSON of California, and Mr. UDALL):

H.R. 13954. A bill to authorize the Secretary of the Interior to engage in a feasibility investigation of a water supply delivery system for the city of Yuma, Ariz.; to the Committee on Interior and Insular Affairs.

By Ms. ABZUG:

H.R. 13955. A bill to amend title 39, United States Code, to eliminate certain restrictions on the rights of officers and employees of the U.S. Postal Service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. COTTER:

H.R. 13956. A bill for the relief of certain orphans in Vietnam; to the Committee on the Judiciary.

By Mr. FLYNT:

H.R. 13957. A bill to abolish the Commission on Executive, Legislative, and Judicial Salaries; to the Committee on Post Office and Civil Service.

By Mr. FROEHLICH:

H.R. 13958. A bill to amend title XVIII of the Social Security Act to provide that the determination of the "reasonable charge" for services furnished in any State by a physician or other person under the supplementary medical insurance program shall be made on the basis of the prevailing and customary charges for similar services throughout such State rather than on the basis of the corresponding charges in a particular locality; to the Committee on Ways and Means.

By Mrs. MINK:

H.R. 13959. A bill to amend the Federal Aviation Act of 1958 to require certain air carriers to grant free air transportation to certain attorneys and witnesses attending proceedings before the Civil Aeronautics Board and to require the Board to hold public hearings in additional locations; to the Committee on Interstate and Foreign Commerce.

H.R. 13960. A bill to provide that local governments may receive reimbursement from the United States for protection provided by such governments to visiting Federal and foreign governmental officials; to the Committee on the Judiciary.

By Mr. TEAGUE (by request):

H.R. 13961. A bill to amend section 203(b) of the National Aeronautics and Space Act of 1958; to the Committee on Science and Astronautics.

By Mr. WHITEHURST (for himself and Mr. ROBINSON of Virginia):

H.J. Res. 966. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. FORSYTHE:

H. Con. Res. 459. Concurrent resolution expressing the sense of the Congress with respect to the imprisonment in the Soviet Union of a Lithuanian seaman who unsuccessfully sought asylum aboard a U.S. Coast Guard ship; to the Committee on Foreign Affairs.

Mr. Mr. MURPHY of New York:

H. Con. Res. 460. Concurrent resolution expressing the sense of Congress with respect to a bill of rights for Vietnam veterans; to the Committee on Veterans Affairs.

By Mr. RODINO:

H. Res. 1027. Resolution to provide funds for the Committee on the Judiciary; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

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

By Mrs. BURKE of California:

H.R. 13962. A bill for the relief of Dea Lay-Hong; to the Committee on the Judiciary.

By Mr. McCLORY:

H.R. 13963. A bill for the relief of Trinidad P. Yumul, and minor children, Randy Eugene Richardson and Raymond Yumul; to the Committee on the Judiciary.

By Mrs. MINK:

H.R. 13964. A bill for the relief of Pham Manh Quynh; to the Committee on the Judiciary.

By Mr. PARRIS:

H.R. 13965. A bill for the relief of Lt. Comdr. Rodney H. Lovdal; to the Committee on Armed Services.

EXTENSIONS OF REMARKS

PRAISE FOR THE VOLUNTEER FIREMEN

HON. ROBERT E. BAUMAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1974

Mr. BAUMAN. Mr. Speaker, representing as I do more than one half of the counties of Maryland, most of them predominately rural in character, I have become well acquainted with one group of dedicated public servants who receive no compensation other than the respect of their fellow citizens. I am speaking, of course, of the volunteer firemen.

In an age when citizen participation and involvement are often avoided, these men are willing to give of their time and energy to help others.

I include in my remarks an excellent statement concerning the volunteer firemen which appeared in the Maryland State News, and which is written by Joe Bachelor, Sr., an instructor at the University of Maryland Fire Service Extension. It is called "The Volunteers."

The article follows:

MARYLAND FIRE OFFICIAL PRAISES "THE VOLUNTEERS"

(By Dan Tabler)

COLLEGE PARK, MD.—Six months ago, more or less, a Canadian broadcaster by the name of Gordon Sinclair sat in front of his microphone and did a two-minute, 48-second commentary on "the good Americans" that has been picked up, recorded and sold over a million copies.

A take-off on Sinclair's now-famous prose was given before the Kent and Queen Anne's Volunteer Firemen's Association March meeting in Millington by Joe Bachelor, senior instructor at the University of Maryland Fire Service Extension. He called it "The Volunteers."

I thought it deserved exposure to people other than volunteer fire fighters, and asked him to send me a copy. Here 'tis:

The volunteer firemen took another pounding in the newspapers this morning. Their renown and popularity hitting the lowest point ever known in this community. Their splendid service has apparently been forgotten and this observer thinks it's time to speak up for the volunteers as the most generous and possibly the least appreciated people in America.

As long ago as 30 years ago, when I first joined the volunteer fire service, I heard stories of disasters. Who rushed in and gave of themselves to help? The volunteers did! They have helped control emergencies at every crossroads in this county. Today they are in trouble and no one cares.

Thousands of citizens have been lifted out of their problems by volunteer firemen who poured out countless hours of their time. None of those citizens is today willing to give an hour of his time in return.

When the volunteers saw the need for a full time fire force to support their thinning ranks, they established paid positions, and their reward was to be insulted and pushed aside in their own fire stations. I was there! I saw it!

When great vision and enthusiasm was needed in the past to build modern fire defenses for a growing community, the volunteers planned and implemented new stations and communications centers and fire prevention bureaus and training programs. I'd like to see the people who are gloating over the erosion of the volunteer fire service to point to just one achievement which doesn't have its roots in what the volunteers established in the years gone by.

Come on! Let's hear it! Does anybody else in town leave the security of his own home at three o'clock on a winter morning to fight his neighbor's fire for free? Does anybody else in town, without hesitation, ruin his only good suit while pulling an unknown stranger from a crushed car on the highway? Is anybody else in town, without pay, willing to perform the hours of unglamorous and unseen work necessary to plan for the future, to maintain emergency equipment and to train?

You talk about the "professional" fire fighter and you get a man doing a job for 40 or 48 or 56 hours a week. You talk about the volunteer fireman and you get a man who lives, breathes, eats, sleeps and loves fire fighting above all else.

You talk about problems and the volunteers will admit they have them. No group as diverse and as large as the volunteer firemen, is going to be always perfect.

When the volunteers look back on this period, who could blame them if they said, "The hell with the rest of you! Let someone else fight your fires! Let someone else bloody his hands at your accidents! Let someone else pay the taxes to buy the services we've so willingly given free!"

When the community needed the support of the volunteers, they were ready and willing to serve. When the volunteers need the support of the community, nobody is willing to extend a hand.

I can name you 500,000 times when the volunteers have raced to the help of other people in trouble. Can you name me even one time when someone raced to the help of the volunteers in trouble? I don't think most communities even take the time to say, "Thanks".

The volunteer firemen have done it alone, and I'm one citizen who's damned tired of hearing them kicked around. They will come out of this with their morale high, and when they do, they are entitled to thumb their nose at the people who are gloating over their present trouble.

Finally, it is sad to note today, when the

volunteer's need is so great and their numbers are so few, that nobody, but nobody, seems to care.

TIFFANY CHAIRMAN SPEAKS OUT FOR FREE ENTERPRISE

HON. H. R. GROSS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1974

Mr. GROSS. Mr. Speaker, in this era of big government, with more and more interference, control, and management coming from Washington to the detriment of our individual freedoms and our economic well-being, it is refreshing to see instances of American businessmen speaking out for the principle of free enterprise which made our Nation great.

One company, Warner & Swazey, comes instantly to mind because of its long history of advertisements extolling virtues of freedom for individuals and enterprise.

More recently, a message from Mr. Walter Hoving, chairman and chief executive officer of Tiffany & Co., came to my attention. In the company's annual report, Mr. Hoving speaks out forcefully and compellingly against the constant and all too often irrational monkeying with the economic machinery of this country by Washington.

I include Mr. Hoving's remarks for insertion in the RECORD at this point:

A PERSONAL WORD

I would like to say a few words about the fact that business is increasingly facing economic problems that are largely artificial and arbitrary but which are foisted upon it by unwise government regulation. So many of these problems have been created by politicians, both here and abroad, who seem to have an irresistible compulsion to throw monkey wrenches of one kind or another into the economic machinery. Politicians, apparently, fail to comprehend that they are undermining the right of people to be free of constant economic tinkering by government.

Individually, many politicians seem sensible enough, but when two or more are gathered together they tend to concoct some incredibly idiotic schemes. Almost all such schemes have been tried since the days of Imperial Rome without success, but perhaps it is too much to expect that politicians will learn from history.

So what should be done?

First of all, politicians must stop foisting ill-conceived schemes on the public. Second, they should repeal the idiotic ones that are plaguing us now. Then they should let the Private Responsibility System have the freedom it needs to let the market economy do what it alone can do.

After all, the gross profits of private enterprise alone generate all the money that pays for all wages, all taxes, all interest, all dividends, all services, all future growth, and all benefits whether performed by government or by someone else.

The only time government pays for anything is when it increases the public debt, or resorts to deficit financing, which, of course, eventually comes out of the hides of the people by creating inflation with which we are all too familiar.

I believe business and those who have investments in business should take a firmer stand in these matters and let their voices be heard with much more vigor than in the past. This is of vital importance not only for business but for everything that business supports including government itself.

CUMULATIVE STUDENT RECORDS: A POTENTIAL ABUSE OF THE RIGHT TO PRIVACY—PART I

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1974

Mr. KEMP. Mr. Speaker, the House engaged in an extensive colloquy this afternoon on the crucially important subject of more effectively assuring the individual's right to privacy—his right to be left alone—his right to be let alone. I was honored to be one of the principal cosponsors of that colloquy.

As I indicated in my earlier remarks this afternoon, there is growing concern over the potential abuse and improper disclosure of information now maintained and used by the public and private school systems throughout the country—extensive information on the social and economic background, attitudes and behavior, performance and ability, and health of pupils within those systems. The gentleman from California (Mr. GOLDWATER) placed a highly informative article, authored by Diane Divoky and appearing in last weekend's issue of Parade magazine, into the RECORD of our proceedings yesterday.

These student records contain—in addition to essential factual information relating to the actual education of the pupil—subjective evaluations made by teachers and other school officials, evaluations which are often unverified by supervisors or other instructors, and evaluations which often reflect the biases—intentionally or unintentionally—of the evaluators themselves.

Because the information stored in these elaborate systems follows the student as he or she goes through the learning process, from one teacher to another, from one school to another, often from one school system to another, and because this information is subjective and involves the most sensitive of data which can be ascertained about an individual, we must come to grips with the potential abuses which can arise from the disclosure of this information. In many, if not most instances, this information is available to such diverse entities as the military services, actual or potential employers, and institutions of higher learning.

There are some potential invasions of privacy which affect less than the whole population. This potential abuse of school records, however, affects everyone who has even gone to a public or private school—in other words, virtually all of us.

It is important that the Congress—in its sphere—and the State legislatures in their spheres—for education is primarily a matter of State and local jurisdiction—get a handle on this matter as soon as possible.

As I indicated in my earlier remarks, I have this matter under intense scrutiny, and I hope to be able to report to the House and to introduce appropriate remedial legislation at the earliest opportunity. This is certainly a matter which should not go without redress.

The Parade magazine article which was included in our proceedings by Mr. GOLDWATER was a condensation of an extensive article which appeared in the September 1973 edition of Learning, also authored by Diane Divoky. At this point in the RECORD, I insert the first half of that article:

CUMULATIVE RECORDS: ASSAULT OF PRIVACY

(By Diane Divoky)

It all started innocently enough back in the 1820s, when schools in New England began keeping registers of enrollment and attendance. In the 150-odd years since, the student record has grown to grotesque proportions. Like Frankenstein's monster, it now has the potential to destroy those it was created to protect.

Educators have constructed this monster in the name of efficiency and progress, adding a piece here and there, tinkering with new components, assuming all the while they were creating a manageable servant for school personnel. But what they failed to foresee was the swift development of modern communications technology and the widening employment of that technology by a social system increasingly bent on snooping.

The growth of the record into an all-inclusive dossier came in response to the increasing centralization and bureaucratization of schools. Another contributing factor was the emergence of education's ambitious goal of dealing with the "whole child." Out of that context grew such specific actions as the NEA's 1925 recommendation that health, guidance and psychological records be maintained for each pupil, and the American Council on Education's 1941 development of record forms that gave more attention to behavior descriptions and evaluation and less to hard data such as subjects and grades. By 1964, the U.S. Office of Education was listing eight major classifications of information to be collected and placed in the student record.

More recently, the Ohio Department of Education took a hard look at state laws requiring the keeping of such records and sounded a note of warning: "When construed with other statutes which give school authorities wide discretionary power . . . it [is] obvious that schools may collect any kind of information they desire concerning pupils." Power of that magnitude, admonished guidelines for Ohio administrators, must be handled with great care and discretion.

The ultimate mushrooming of records may have been reached in the massive New York City school system—largest in the nation. There, the records required or recommended for each child involved, if nothing else, a staggering amount of book work. A typical, rainbow-hued student dossier in New York carries:

A buff-colored, cumulative, four-page record card that notes personal and social behavior, along with scholastic achievement, and is kept on file for 50 years;

A blue or green test-data card on which all standardized test results and grade equivalents are kept, also for 50 years;

A white, four-page, chronological reading record;

A pupil's office card;

An emergency home-contact card;

A salmon-colored health record—one side for teachers, the other for the school nurse and doctor;

A dental-check card;

An audiometer screening-test report;

An articulation card, including teachers' recommendations for tracking in junior high school;

A teachers' anecdotal file on student behavior;

An office guidance record, comprised of counselors' evaluations of aptitude, behavior and personality characteristics;

A Bureau of Child Guidance file that is regarded, though not always treated, as confidential, and includes reports to and from psychologists, psychiatrists, social workers, various public and private agencies, the courts and the police;

And all disciplinary referral cards.

In New York and elsewhere, as the records began to contain more detailed and varied information, they took on lives of their own; they became, somehow, more trustworthy and permanent than the quixotic people they represented. Read the cumulative folder of a student—131 IQ, strong language skills, musical talent, loss of vision in one eye, permissive home—and then meet the child, if he doesn't come on bright, articulate, humming a little and self-assured in spite of a squint, something, one feels, must be wrong. And it's not likely the record will be blamed.

As the process of information collection in the schools snowballed—a few more forms for the guidance department, a few more facts for state agencies, another set of teacher commitments for a new tracking plan—almost no one stopped to weigh the implications of recording so much hard and soft data about children and their families. There was little thought given to development of clear policies and practices by which student and parental rights of privacy might be balanced against the needs of the school and other social agencies to know, or to guarantee, that material contained in records was accurate and pertinent.

Thus, by 1970, almost any government agent could walking into a school, flash a badge and send a clerk scurring to produce a file containing the psychiatric and medical records of a former student. It was unlikely that the student would even know about the intrusion into his private life. A mother could be cooly informed that she had *no right* to see the records that resulted in her child being transferred to a class for the mentally retarded. A father attending a routine parent-teacher conference about his outgoing son could discover in the boy's anecdotal record comments that he was "strangely introspective" in the third grade, "unnaturally interested in girls" in the fifth, and had developed "peculiar political ideas" by the time he was 12—judgments that the father could neither retroactively challenge nor explain.

Case histories such as these helped motivate sociologists David A. Goslin and Nancy Bordier of the Russell Sage Foundation to undertake a survey of the record-keeping practices of 54 representative school districts. They found that the systems maintained as part of their permanent files widely varied information on students. Almost all kept informal teacher-made anecdotal records, special health data, notes on interviews with parents and students, correspondence from home, records of referrals, delinquency reports and other "high security" data. Nearly three fourths of them also kept personality ratings, samples of student work, diaries and autobiographies. One third recorded the race and religion of students, almost a half recorded students by nationality, and half kept photographs on the record forms. The research team also discovered that anyone from the school psychologist to a front-office clerk might be responsible for feeding information into the permanent file. (One interesting sidelight: The records were consistently little used by teachers and school staff, a finding that flew in the face of the official rationale that the dossiers were needed to guide teachers in their relations with individual students).

Goslin and Bordier also found that CIA and FBI agents had access to the entire student files in more than half the school systems, as did juvenile courts and health-department officials. Local police had access to complete files in almost one third of the systems. But parents—those citizens with primary legal and moral responsibility for the child—had access to the entire files in fewer than 10 percent of the systems. Some superintendents reported that parents were denied access to their children's records even when they possessed the legal right to inspect them. "What is particularly significant," the researchers noted, "is the impression that school officials have strong reservations about giving parents very much information (other than routine grade reports and sometimes achievement-test scores) about the content of evaluations that are continually being made of their children."

As a follow-up to the Goslin-Bordier study, the Russell Sage Foundation convened in 1969 a group of prominent educators, lawyers and social scientists to consider the ethical and legal aspects of school record keeping and to develop guidelines for the collection, maintenance and dissemination of these records. The conference report began: "There are clear indications . . . that current practices of schools and school personnel relating to the collection, maintenance, use and dissemination of information about pupils threaten a desirable balance between the individual's right to privacy and the school's stated need to know." It pointed to these abuses:

"Information about both pupils and their parents is often collected by schools without the informed consent of either children or their parents. Where consent is obtained for the collection of information for one purpose, the same information is often used subsequently for other purposes.

"Pupils and parents typically have little or, at best, incomplete knowledge of what information about them is contained in school records and what use is made of this information by the school.

"Parental and pupil access to school records typically is limited by schools to the pupil's attendance and achievement record (including standardized achievement-test scores).

"The secrecy with which school records usually are maintained makes difficult any systematic assessments of the accuracy of information contained therein. Formal procedures permitting parental or pupil challenges of allegedly erroneous information do not exist. An univerified allegation of misconduct may therefore . . . become part of a pupil's permanent record.

"Procedures governing the periodic destruction of outdated or no longer useful information do not exist in most systems.

"Within many school systems, few provisions are made to protect school records from examination by unauthorized school personnel.

"Access to pupil records by nonschool personnel and representatives of outside agencies is, for the most part, handled on an ad hoc basis. Formal policies governing access by law-enforcement officials, the courts, potential employers, colleges, researchers and others do not exist in most school systems.

"Sensitive and intimate information collected in the course of teacher-pupil or counselor-pupil contacts is not protected from subpoena by formal authority in most states."

The report concluded that "these deficiencies in record-keeping policies . . . constitute a serious threat to individual privacy in the United States." It suggested guidelines for record keeping based on these principles: (1) No information should be collected about students without the informed consent of parents and, in some cases, the child. (2) Information should be classified so that only the basic minimum of data appears on the permanent record card, while the rest is periodically reviewed and, if appropriate, destroyed. (3) Schools should establish procedures to verify the accuracy of all data maintained in their pupil records. (4) Parents should have full access to their child's records, including the right to challenge the accuracy of the information found therein. (5) No agency or persons other than school personnel who deal directly with the child concerned should have access to pupil data without parental or pupil permission (except in the case of a subpoena).

In 1972, the Sage Foundation tackled the subject once more and found that, in spite of the distribution of 100,000 copies of its guidelines, "the vast majority of schools in this country still do not have records policies which adequately protect the privacy of students and their parents."

The researchers also noted that a good policy may not begin to solve record problems. In one school system visited by a researcher, a written policy was drawn up by a committee composed entirely of counselors. As a result, "the social worker thought it did not apply to her records, the mechanics teacher who had considerable informal contact with local employers thought that it only applied to formal requests for information handled by the registrar, and one of the principals regarded it as of the utmost importance to stay on good terms with local employers by telling them in detail of all the behavior problems potential employees had experienced while in school."

The Sage reports and guidelines helped fuel a growing national alarm about threats to privacy posed by our technological and bureaucratic society, and several educational groups subsequently took public positions insisting on the confidentiality of records. In 1971, the NEA, which 46 years before had urged more comprehensive record keeping, approved the *Code of Student Rights and Responsibilities*, which asserts that the "interest of the student must supersede all other purposes to which records might be put," and urges strict policies to protect the rights to privacy of students and parents. It suggested that junior high school students have joint control with their parents over their own records, and high school students, total control.

Recently, a few local school boards, notably those in Des Moines, Iowa, and Jefferson City, Missouri, have adopted regulations to safeguard records. Des Moines allows parents and students to see the records, asks written consent of them before any information is released to anyone else, and gives them the power to determine which records may never be released to anyone.

On the state level, Oregon has given parents the right to inspect the total record, Delaware grants students 14 years or older control over the release of information from their own records, and New Mexico guarantees any public school student the right to inspect his own record. Both New Mexico and Oregon have moved to keep records confidential from outsiders. Oregon law prohibits the release of records to anyone other than the parents and child. The New Mexico board of education policy statement says that "government investigative agencies as such have no inherent legal right to have access to student files and records," and the board bars them from access without the student's permission or a court order. New Hampshire prohibits schools from keeping records that "reflect the political activities or beliefs of students."

Some educators and parents, discouraged with waiting for legislators or school administrators to act, have sought to take the reins in their own hands. In San Francisco, a group of black teachers and counselors are working for the elimination of all records except for a small card of hard data. They argue that the image of a folder as some capacious pocket into which all sorts of alleged wrongdoings and bad marks can be

dropped has a bad psychological effect on students, that the folders consistently contain indefensible and gratuitous negative comments but little about the student's real educational ability, and that these biased comments are used authoritatively by the schools, particularly by guidance counselors, who see a folder as a kind of bible. "Black students' folders tend to be at least half an inch thicker than those of white children," one of the committee members said, "which tells you something about the child even before you open the folder."

The manner in which the thick folders of a group of junior high school students in Washington, D.C., were handled is now the basis of *Doe v. MacMillan*, a case before the U.S. Supreme Court. The suit was triggered when the House Committee for the District of Columbia, in preparation for its annual hearings on the D.C. schools, sent investigators out to gather up the cumulative records of students. Copies of actual test papers, disciplinary reports and evaluations—defamatory if not libelous materials—were reproduced with the students' names still on them. The report was then published by the committee's chairman, entered in the Congressional Record and circulated about the country. Parents sued the individual congressman as well as the school board, principal and teachers. Sovereign immunity protections in the District of Columbia complicated the case, but the U.S. Supreme Court recently ruled that the congressmen had no special immunity "from local laws protecting the good name or the reputation of the ordinary citizen" and remanded the case to the Court of Appeals for further action. Not coincidentally, the D.C. board of education established regulations for protection of records just as the complaint was filed.

The second half of the article from Learning will appear hereafter.

CAPITOL CONTACT ENCOURAGES CITIZEN PARTICIPATION IN GOVERNMENT

HON. GARNER E. SHRIVER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1974

Mr. SHRIVER. Mr. Speaker, an interesting and valuable public service project called "Capitol Contact" has been initiated by KTVH, channel 12, in Wichita, Kans.

The television station has undertaken this project to help its viewers communicate with their representatives in Topeka and Washington. Viewers have been invited to send their letters expressing their opinions to the TV station, and the station, in turn, is transmitting the communications to the appropriate representatives.

"We realize that the majority of our viewers do not know how to reach their representatives. We are offering to do it for them," KTVH officials have explained.

In establishing this project, KTVH not only is sending constituent comments from its prime viewing territory, it is serving people from throughout the State. Each Member of the Kansas congressional delegation in Washington is receiving, on a regular basis, comments from their constituents. In addition, "Capitol Contact" reaches appropriate State officials including the Governor, State senators, and representatives.

It is helpful to me to receive the opinions of my constituents, and I believe this project will stimulate greater citizen participation in representative government at all levels.

"DÉTENTE: THE BALANCE SHEET," AN ARTICLE BY HANS J. MORGENTHAU

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1974

Mr. BRADEMAS. Mr. Speaker, I insert in the RECORD the text of a most thoughtful article by Dr. Hans J. Morgenthau, Leonard Davis distinguished professor of political science of the City College of the City University of New York.

The article "Détente: The Balance Sheet," was published in the March 28, 1974, issue of the New York Times.

The article follows:

DÉTENTE: THE BALANCE SHEET

(By Hans J. Morgenthau)

Détente has had a bad press of late on both sides of the fence that was once called the Iron Curtain. A national weekly writes of "Détente: End of Illusions." A Soviet general states that "political détente cannot be durable and irreversible if the arms race continues." On the other hand, the President and Secretary of State inform us that détente serves the purpose of avoiding nuclear war.

In order to gain perspective on such sweeping statements it may not be superfluous to remind oneself of the liberal meaning of détente.

The word refers to the previous existence of tension that has been abated or eliminated in consequence of détente.

Since there have been many tensions between the United States and the Soviet Union on different levels of social interaction and in different geographical locations, it is futile to raise the question of whether or not détente as an abstract, comprehensive concept has worked.

It makes sense only to ask whether or not previously existing specific tensions have been abated or eliminated by the policies of President Nixon and Leonid I. Brezhnev. When posed in such concrete, specific terms, the question requires a positive answer with regard to three kinds of tensions that have in the past poisoned the relations between the superpowers.

One manifestation of détente is the removal from over-all Soviet-American relations of the ideological fervor that during the Cold War transformed every contest into a Manichean conflict between good and evil, making negotiated settlements virtually impossible. This ideological decontamination has improved the atmosphere, an improvement that in an intangible fashion has improved the chances for the negotiated settlement of substantive issues.

Another manifestation of détente is the substantial settlement of the German question through West German recognition of the territorial status quo in Central Europe and, more particularly, of the East German state, and through agreement on the international status of West Berlin.

Finally, the 1972 agreements on the limitation of strategic arms, regulating the competition for offensive nuclear weapons and virtually eliminating that for defensive ones, have paved the way for the current strategic-arms negotiations and have thereby at least temporarily abated the tensions concomitant with an unregulated nuclear-arms race.

That short list of instances where détente has been successful is counter-balanced by a long one of issues that have remained unaffected by détente and may even have been aggravated by its partial achievement.

That is particularly true of Europe, where the conferences on European security and on mutual and balanced troop reductions are deadlocked and where the very fact of détente in Central Europe and the apparent overall détente between the United States and the Soviet Union have accentuated the disintegrative tendencies within the North Atlantic Treaty Organization.

In the Middle East, the two superpowers compete for power and influence, as they do in the countries bordering on the Indian Ocean. The thrust of Soviet expansion from the eastern Mediterranean through the Middle East to South Asia, supported by rapidly increasing naval power and movement in to the empty spaces left by the liquidation of the colonial empires, is likely to create new points of tension.

Two factors are bound to put into question the few instances of real détente achieved: the deadlock of the present strategic-arms negotiations and the American reaction to certain domestic policies of the Soviet Union.

The Soviet general quoted here on "political détente" has indeed a point. The continuation of an unlimited nuclear arms race will create tensions wiping out the limited gains made by détente thus far.

For since each side will suspect the other of seeking a first-strike capability, such an arms race will introduce an element of instability into the present balance of terror, which—and not détente—has actually prevented the outbreak of nuclear war.

While this development is still a matter of conjecture, the negative impact of the domestic policies of the Soviet Union upon détente is an observable fact.

American concern with these politicies is not, as Soviet spokesmen would have it, meddling in the domestic affairs of another country. Rather it reflects the recognition that a stable peace, founded upon a stable balance of power, is predicated upon a common moral framework that expresses the commitment of all the nations concerned to certain basic moral principles, of which the preservation of that balance of power is one.

As long as the excesses of domestic brutality in the Soviet Union indicate the absence of such a common moral framework, détente can only be limited and precarious.

CONGRATULATIONS TO DR. AUGUSTUS S. ROSE

HON. ALPHONZO BELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1974

Mr. BELL. Mr. Speaker, last week Mr. Donald E. Johnson, Administrator of Veterans' Affairs, informed me of his approval of Dr. Augustus S. Rose as a distinguished physician with the Veterans' Administration.

Dr. Rose, chairman of the Department of Neurology at the UCLA Medical School, will be one of only nine members of this program. President of the Academy of Neurology, director of the American Board of Psychiatry and Neurology, and a member of both the American Neurology Association and the American Board of Psychiatry and Neurological

Diseases and Stroke of the National Institutes of Health are just a few activities that give evidence to the prominence that Dr. Rose has shown in the field of neurology.

Dr. Rose has been senior consultant to the Veterans' Administration for over 20 years. He has the universal acceptance of his colleagues and will be a valuable asset to the Distinguished Physicians Program. I know my colleagues join me in congratulating Dr. Rose on this occasion.

EXCESS CONGRESSIONAL SPENDING MEANS HIGHER TAXES

HON. JAMES M. COLLINS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1974

Mr. COLLINS. Mr. Speaker, congressional spending continues to zoom and this is bound to mean higher taxes. More spending means more inflation, because inflation begins with the excessive spending that we are doing right here in Congress.

About this time of year the citizens back home feel the impact. When their income tax bill comes in they wonder why Congress spends so much money. Some of them suggest that the answer is to tax the rich.

As I picked up yesterdays' newspaper I read an interesting editorial written by Dick West in the Dallas News. He was talking about this reaction from the grassroots and pointed out very candidly that taxing the rich is no solution. We are talking about $304 billion of Government spending and before we get through, it will be much larger. It is like Abraham Lincoln once said:

God must have loved the poor people; He sure made plenty of them.

When it comes to taxes, the middle class, the solid American citizen right there in the middle, is the one who gets caught with the taxes because he is the one who makes up the great bulk of the American income. And he does not enjoy or see the benefit of paying excessive taxes when they are not needed.

Dick West is one of the best known conservative voices in America. He has a lot of commonsense, and he relates it all in a pragmatic analysis of life just as it is. Here is West's editorial from yesterday morning's Dallas News.

EDITORIAL

(By Dick West)

It's that time of year again—letters written to this column for comment are feverishly indignant over the cost of government and the income tax necessary to pay for it.

From a small Oak Cliff businessman, who requests that his name not be used: "I really get burned up when it comes time to fork up to Uncle. Why don't they make millionaires—or those who make, say, over $50,000 a year—pay these damn taxes? The little guy can't do it."

From J. W. Ellender of Houston: "I thought Lyndon Johnson was the last of the big spenders, but Nixon is spending three times what old Lyndon did and the Republicans have the gall to call themselves conservatives."

"What burns me up," says E. L. Ossiker of Fort Worth, "are these no-gooders on welfare who sit around all day, pay $5 a month for rent and watch color TV while I work like a dog just to pay my own bills. I'm tired of paying taxes to keep them up."

It is human—and understandably so—for the "little fellow" to want the rich to pay these tax bills. They've got it, haven't they?

Here's the hitch: There's not enough of 'em.

If the federal government should spend $300 billion the next fiscal year, that would be at a rate of around $6 billion a week which would be nearly a billion a day.

If you take away 100 per cent of the income of everyone making a million dollars a year, you would have $624 million. This would not finance one day's operation of the federal government.

Make everybody with an income over $50,000 a year pay the cost of government? In 1971, there were 430,000 people making over $50,000 a year. They paid income taxes totaling $12.3 billion.

If Washington plans to spend around $6 billion a week, then the taxes paid by everybody making over $50,000 would run the government only two weeks.

I well remember spending a weekend at the LBJ Ranch—

He was worried about being the first president who would have a budget of $100 billion. Now, only eight years later, a president who ran as a Republican conservative has a budget of more than $300 billion.

Considering the fact that he had to finance a costly war in Southeast Asia, Johnson did a better job of controlling federal expenses than Mr. Nixon has.

In his first full year in office (1964), Johnson spent $97 billion. In his last year (1968) it had increased to $172 billion, a 5-year gain of $75 billion. Nixon has had about the same increase since 1969.

Inflation accounts for a good hunk of these gains, but, the main pressure for ever-increasing expenditures is political.

Ever since the days of the New Deal, our economy has been geared to government spending.

In Eisenhower's administration, Secretary of Agriculture Ezra Taft Benson whacked farm subsidies. The result was a stormy revolt in the Midwest farm belt.

The national income dipped, and the subsidies were quickly restored as letters to the White House vowed vengeance at the polls.

In 1969 and 1970, Mr. Nixon tightened the strings and there was a mild recession. The President's standing in the Gallup poll dropped. Spending was resumed at a higher level than ever.

The future? You haven't seen anything yet, if a new "family assistance" welfare plan goes on the books and Ted Kennedy's socialized medicine program is enacted.

The budget could easily go to $475 billion overnight. This would mean that the average per-capita cost of government would be around $7,000 compared with $4,500 now.

Welfare has far surpassed national defense as the monster which devours the biggest hunk of the national budget. Defense and related activity will cost $85 billion in Mr. Nixon's proposed $300-billion budget; "social services," including welfare, will cost more than $120 billion.

VIETNAM VETERANS DAY

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1974

Mr. WOLFF. Mr. Speaker, on Friday, March 29, 1974, I had the privilege of speaking before a large assembly of Vietnam veterans who represent the Intercollegiate Veterans Association, at the State University of New York at Farmingdale. These young men were gathered together, on Vietnam Veterans Day, to discuss veterans' benefits, or the lack thereof, and to listen to the remedies available to them. I was honored to appear before them and offer my thoughts on the dilemma in which they find themselves. Many of them are unable to take advantage of their rightful educational benefits, since they cannot meet even the initial tuition payments for many State schools. I had the opportunity to speak about a bill I feel would do much to erase the present inequities in the GI bill, H.R. 12543, that includes, among other things, the very important direct tuition payment provision.

I would like to include, following these remarks, a copy of my speech to the veterans that day:

Today was designated by the President as Vietnam Veterans Day—a time for our country to pause and reflect on the gratitude we have for our Vietnam veterans, who have returned for those who will never return, and for those whose fate is still unknown, the MIAs. I support this proclamation. Vietnam Veterans Day is a nice gesture but this Nation can show her gratitude to you in only one way . . . and that is not with windy rhetoric or limp testimonials or even on a day of praise a year. We must pay our debt to you, our survivors of Vietnam, just as we did for World War II veterans. Our debt—our national commitment to you—is the same. Why should you men and women who fought so hard and so long in an unpopular war so far from our shores, receive less than World War II vets?

You don't need frills and candy promises. We owe you an education, we owe you an educational allowance that will let you attend the school of your choice. And we owe you a living allowance so you can pay your rent and buy food—so you can live—while going to school.

The House of Representatives unanimously passed the new G.I. bill in February, and just yesterday, the Appropriations Committee approved its funding. The new G.I. bill increases the so-called subsistence allowance by 13.6 percent. Thirteen point six percent. It doesn't even sound good on paper and it looks even worse in dollars and cents. Thirteen point six percent boils down to 29 dollars and 92 cents more a month. That means that you will now receive a grand total of about 2 hundred 50 dollars a month to pay for tuition, books, supplies and rent and food and gasoline. Your thirteen point six percent will be gobbled up by inflation by the end of this year. The new G.I. bill is a timid step in the right direction. I originally proposed a 25 percent increase in benefits. My proposal was voted down. It was killed by those who thought that such an increase was too much to give the Vietnam vet.

The new G.I. bill would give you 10 years instead of the original eight years, to use your rightful benefits. I tried to get the time limitation eliminated completely. It is simply unfair to force veterans to use up their benefits within some arbitrary time limit, but my proposal was again voted down. This two-year extension will certainly help the veterans of the Korean war and the cold war finish their education. Their eligibility runs out in two months. But what about the Vietnam vet?

The present G.I. bill does not even afford equal educational opportunities for each veteran. Vets who live in states where the cost of a public education wears a high price-tag are actually discouraged from seeking a

higher education. But veterans from States like Texas and California, where the price of an education is far below the national average, can afford school and live very modestly on their subsistence allowance.

Consider this example: In New York State, public education costs over 7-hundred-50 dollars. In California, the average cost of public schooling is one hundred-60 dollars. Compare the prices for yourself and consider that the vet in New York receives the same assistance as the vet in California.

How can this be? Why should we discriminate against our veterans simply because they happen to live in a state with high priced education? We in NY State contribute more taxes than any other state and we have more vets than any other state. I am outraged at this inequity. I have introduced an amendment to the new G.I. bill which would eradicate this injustice. My bill would provide a payment to the vet for tuition costs above $400 per school year with a ceiling of one thousand dollars. Here's how it would work:

The veteran would pay the first four hundred dollars himself, and the VA would reimburse him for any additional tuition costs up to a total of one thousand dollars.

The Veterans Affairs Committee started holding hearings on my bill yesterday and I am pleased to be able to tell you that we have gained over sixty co-sponsors for this provision. But we need more . . . we need your help. We need you to add your voices to the others in calling out for equal opportunities for all vets, regardless of where you live. Yesterday, the V.A. came out against this bill.

This country recognized its obligation to the World War II vet. We paid for all tuition expenses, directly to the colleges, the World War II vet chose what college or school to attend. He wasn't shuffled off to just state schools the way he is now. Many World War II vets went to private colleges. And in addition, the World War II vet received a monthly allowance just for living expenses. And that living allowance is the equivalent of what the vet receives today to cover everything.

We must not allow all the flag waving that goes on during commemorative days such as this, to obscure our vision. We must look for the day when all vets receive their rightful benefits. We must work for that day and not lose sight of our goal. We must have peace with honor, with justice—we can't enjoy that peace unless you enjoy the help to which you are entitled. You fought for us. Now it is time you have all of us fighting for you.

THE VIETNAM-VETERAN BLUES

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1974

Mr. ROSENTHAL. Mr. Speaker, the war in Vietnam was a shameful chapter in American history, and now that the United States has extricated itself from that quagmire, it seems there are those who want to forget everything connected with it.

The major victims of that approach are the Vietnam veterans. The war may have been wrong and unpopular, but, as the New York Times pointed out—

That does not diminish the Nation's debt to those who served in it.

That same edition of the Times, Friday, March 29, contained an article by two Vietnam veterans offering their perspective on the issue. The authors are John P. Rowan, who is a member of my staff, and William J. Simon, a Ph. D. candidate in European history at City University of New York. Their very fine column follows:

THE VIETNAM-VETERAN BLUES

(By John P. Rowan and William J. Simon)

On March 29, 1973—a year ago today—the last American prisoner of war returned from North Vietnam. Recently, President Nixon proclaimed today Vietnam Veterans Day, marking the first anniversary of that homecoming.

In the intervening year some of those men have died, some have dined at the White House, and still others have become spokesmen for what might be called a "remember-that-wonderful-war" campaign.

The war was not wonderful for the prisoners, the Vietnamese on both sides, for the soldiers who made it home in one piece or for those with pieces missing.

Peace for the ordinary serviceman who has not dined at the White House has involved waiting on an unemployment line, a runaround from public agencies while trying to get a job, getting into and paying for school, and avoiding the war news in the newspapers.

Vietnam veterans as a group have the highest unemployment rate of any minority. They suffer from the discriminatory practices of a Government that refuses to offer benefits equaling those given to their fathers who served in World War II and from employers who do not offer meaningful jobs.

Even if a veteran has managed to get a job and hold it for a while, the chances are that he is going to be among the first to be laid off because he lacks seniority on the job. After World War II, the various civil service agencies hired veterans. Today, even with bonus points for veterans there is a hiring freeze for new Federal employes, leaving only the postal service as the last recourse for young veterans, at a low pay rate.

The private sector has not provided meaningful employment for veterans, partly because of the myth that everyone who was in Vietnam ate heroin for breakfast. The young veteran is unwilling to accept menial positions.

Educational benefits today do not begin to approach those received by World War II veterans. There is a bias against those who choose to go to a college. Those who enter trade schools or on-the-job-training programs receive educational and unemployment benefits, but veterans enrolled in college only receive educational benefits. Yet even after finishing a trade school, a veteran finds there are often no jobs.

The $220 a month a single veteran now receives cannot possibly pay for the tuition costs of more than $2,500 a year of many private colleges. The Government paid full tuition benefits after World War II; today full benefits could not only assist veterans but save many private institutions that face serious financial problems.

It is an understatement to say that care at veterans hospitals is not what it could be. Billions are spent on defense but only pennies, by comparison, for providing fully staffed hospitals, physical-rehabilitation programs and vital outpatient facilities for all veterans. The inadequate final physical a G.I. received at the Oakland Army Base hours before being discharged failed to identify mental and physical problems a veteran might have encountered months later.

Not too many people want to talk about the war, what happened to the Vietnamese and what happened to America. And nobody wants to talk about the veteran because he did not win a noble victory over a craven enemy. His only victory was surviving.

Now the veteran has a struggle to gain acceptance from a country that does not want to admit it acquiesced in allowing the war to happen in the first place. Should the veteran have to make himself socially acceptable to the country, or should society try to make up for its rejection of him?

The country cannot undo the damage to servicemen who were in Vietnam, to the families deprived of their son, to those forced to feign psychological disorders to avoid military service, and to still others who remain in self-exile.

The President cannot bring about the proper climate of national acceptance for the Vietnam war by signing a proclamation. A national sense of responsibility can only be achieved at the community level by seeking out young veterans and attempting to reintegrate them into society.

TESTIMONY FOR THE URBAN EMPLOYMENT ACT

HON. JAMES V. STANTON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1974

Mr. JAMES V. STANTON. Mr. Speaker, as I noted in my statement of yesterday, I joined with leaders of business, labor, and local government of the city of Cleveland in testifying before the House Economic Development Subcommittee in support of H.R. 5808, the Urban Employment Act.

I would now like to insert into the RECORD the testimony given by Richard L. DeChant, vice president of the Greater Cleveland Growth Association:

TESTIMONY OF RICHARD L. DECHANT, VICE PRESIDENT, GREATER CLEVELAND GROWTH ASSOCIATION

The migration of business from central city to suburb in America is commonly viewed as "caused" by the conditions within central cities themselves:

Lack of land to expand, or to make possible the conversion of production from a multi-story operation to a more efficient, one-floor type operation;

Lack of land for employee parking;

High cost of land, when it *is* available;

Security problems;

Traffic congestion;

The list of central city "causes" could go on.

However, these are not really so much the causes as they are simply the symptoms. The real causes of this central city problem are broad economic trends, shaped by government policies and incentives which have traditionally subsidized suburban growth at the expense of central cities. For example:

Federally subsidized superhighways give competitive advantages to suburban industrial park development and cut transportation time to those who must travel from outlying areas into central cities. In central cities, where these highways converge, tremendous dislocations occur in both industrial and residential neighborhoods. Relocation assistance is required, of course, and this assistance usually compounds the problem by financing movement to those suburbs which the new highways serve. In the process, hundreds of acres of property are removed from the central city's property tax duplicate.

Housing is another area in which federal government subsidies give competitive advantages to suburban locations. FHA and VA mortgage guarantees have traditionally

worked against central cities, where many residential areas have been "red-lined". Middle income families move out. Companies follow their labor force. Left behind are the lower income, competing for fewer jobs. The tax base suffers once again.

There are other examples which could be cited.

My purpose is not to discredit federal policies which provide incentives for one purpose or another. They are necessary to achieve certain goals which our national leaders have set. What I do wish to point out is that these incentives often work to the disadvantage of this nation's central cities, its poor, its minority groups, its newly arrived immigrants, its uneducated. This imbalance of assistance must be redressed.

H.R. 5808 is a step in that direction.

Why are the incentives available under the bill vital to Cleveland?

To answer this question, I must provide some perspective on Greater Cleveland's economy, on how new jobs are generated within that economy, and on what local organizations, like the Greater Cleveland Growth Association and the City of Cleveland's Department of Human Resources and Economic Development, are doing to encourage economic development within our central city.

Greater Cleveland's economy grows principally through the expansion of existing firms—80% of all new job opportunities are generated in this way. Historically, new business ventures have accounted for only 20% of employment growth.

By applying this growth rate, 4:1, to the type of economic activity which occurs within the *City* of Cleveland, the problem which H.R. 5808 would help alleviate is revealed. 92% of employment in metropolitan Cleveland* is in manufacturing. The balance of jobs are in retail business, business services including transportation, and government.

Although manufacturing employment constitutes only 32% of *metropolitan* employment, it accounts for more than 50% of employment *within* the City of Cleveland. In fact, more than half of all the manufacturing jobs in metropolitan Cleveland are located in the City of Cleveland.

Manufacturing is obviously the anchor of the city's economy, and the city depends on the expansion of its manufacturing firms for a large share of its job growth. This growth has been arrested, however, because manufacturing firms must often move out of the city when they wish to expand. The city does not possess the most vital resource to a manufacturing firm considering expansion: *Land*.

Land on which to build;

Land which can be used for employee parking;

Land in reserve for additional expansion in the years ahead.

Because cities like Cleveland lack this land, manufacturing firms are forced to move out, at great expense and with frequent bitterness toward "a city which doesn't seem concerned about losing its manufacturing base."

I assure you that the concern is there. Unfortunately, the tools which are needed to express that concern are not.

The scenario which develops after firms move out is familiar.

The city's employment base, rather than expanding, diminishes.

Left behind are those who are unable to get to the new work-place, and who for one reason or another are excluded from living there.

The central city's income and property taxes dwindle, leaving less money than before to finance public services vital to those businesses which remain, as well as to city residents.

Vacant industrial buildings are vandalized and burned. Neighborhoods deteriorate rapidly.

The process then repeats itself, with fear becoming yet another factor encouraging businesses to leave for "greener pastures."

There are negative effects even beyond the limits of the central city. As businesses move out to new locations, public expenditures are required to provide services and facilities which the central city *already possesses*: New roads, water systems, sewer systems and treatment facilities, municipal buildings . . .

We duplicate and reduplicate public services and facilities in our flight from central cities, diverting huge amounts of money from more productive uses. The federal government is an investment partner in much of this waste.

Cleveland's response to the problem just described has been encouraging, yet we do not possess the resources to mount an effective challenge to an overwhelming trend.

First of all, the Greater Cleveland Growth Association and the City of Cleveland, through its Department of Human Resources and Economic Development, have forged a cooperative and mutually supportive program of business retention and expansion.

The Growth Association established a "Business Contact Program" in 1972 to help individual companies solve problems which threaten the fulfillment of expansion programs, or, in some cases, threaten the continuation of the company in operation.

In 1973, 536 companies were served through this program, 111 of these in some significant way. Five companies cancelled relocation plans as a result of assistance they received, and fourteen others were able to carry out expansion plans. The job impact: Nearly 1,500 jobs created and retained.

The program relies for its effectiveness on the cooperative efforts of a large number of concerned businessmen, labor leaders, and public officials who commit their time and energy to solve business problems.

Our principal partner in the public sector is the City of Cleveland's Department of Human Resources and Economic Development.

The Department of Human Resources and Economic Development, in turn, has a highly innovative "area industrial organization" program to which the Growth Association provides support. This program, which Mr. Joseph Furber will describe more fully, is directed at helping companies within Cleveland's industrial neighborhoods to work together to solve common problems. It is a program other cities might wish to adopt.

Cleveland has also been fortunate in the assistance it has received from the State of Ohio's Department of Economic and Community Development and the federal Economic Development Administration, of the United States Department of Commerce. In particular, without the technical and public works grant assistance of EDA during the past five years, much of what we have accomplished could not have been achieved.

Despite our efforts, we in Cleveland recognize that we still lack vital development tools. Our Business Contact Program has revealed that the two major problems confronting expansion-minded manufacturing companies in Cleveland are: 1) The availability of land at a reasonable cost in the vicinity of their current location; 2) Financing incentives which would encourage growth in the central city rather than relocation to the suburbs.

It is our belief that H.R. 5808 would assist in the solution to both of these problems. Its provisions for land bank grants and land bank loans would enable the City of Cleveland to compete on better terms with owners of suburban industrial property. Its provisions for business loans and loan guarantees would provide that added incentive to companies which are considering expansion but which are unable to do so through conventional financing mechanisms.

For these reasons, we strongly urge your favorable consideration of this most important piece of legislation.

*Metropolitan Cleveland-Cleveland SMSA: Cuyahoga, Lake Geauga, and Medina counties.

UNION POLITICAL PAYOFFS

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1974

Mr. MICHEL. Mr. Speaker, from time to time here on the House floor and on other occasions, I have made the point that there really should be more attention given to the support, other than political contributions, provided for certain candidates for public office by organized labor. An editorial appearing in the March 27, 1974, edition of the Peoria Journal Star is directed to the issue of union political payoffs and I would hope that those friends of ours in the media who seem to be on the lookout for abuses in the area of campaign financing might be interested enough to take a closer look at activity of the nature mentioned in the editorial.

I place the editorial in the RECORD:

[From the Peoria (Ill.) Journal Star]

UNION POLITICAL PAYOFFS

(By C. L. Dancey)

This Congress and the Washington press, alike, do not really seem bent on a general clean-up of Washington and an end to dubious political practices.

Watergate hasn't quite outraged them to that extent.

Whatever abuse of power took place in 1972, and by whom, still takes precedence as if it were the biggest problem of 1974 ONLY if it has the chance to involve President Nixon.

In that pursuit, investigation never seems to either come up with a definitive result—or ever to end. After each batch of "inside" materials, there is always another subpoena and another demand for MORE records and MORE tapes, again and again.

They are searching, searching, searching—and never satisfied with what they find.

And yet, as zealous as this effort has been regarding, for example, corporate campaign contributions (which are illegal, as such), no such zeal is visible regarding union practices, no subpoenas are going out, and virtually no demands to look at the books being made.

In the corporate situation, there is stumbling occasionally across more than they seem to want to know—like Congressman Wilbur Mills and Senator Hubert Humphrey's receipts of aid from the milk lobby. (Both "didn't know it was done", responses which are identical with the President's response—but seem to produce a far different reaction, somehow.)

But the real inertia comes in dealing with "soft money" from the unions, where only an inside-the-union lawsuit among machinists, themselves, provides a glimpse of how this works.

"Education funds" for a union's own members only are free of the ban on political contributions made from membership dues of the union—but this "in

house" lawsuit reveals some very strange "education" activities involving a good deal more than the membership people. It also exposes other "soft money" devices, such as renting hotel space on behalf of the union and "making it available" or having people on the union's payroll whose actual work is on the campaign staff of the candidate.

You get the idea. Covering campaign activities directly is the device and thus relieving the candidate of that expense without donating the money directly. The candidate doesn't report it and can scale down his spending reports, and the union evades the law to provide hidden support, both.

It's a fascinating technique and Congressmen are very familiar with it. I have seen Mr. Meany, under oath, tell a Congressional committee that unions make no political contributions—and then add, gratuitously, with a laugh they do spent money on "education." At that sally, the whole committee joined in the laughter.

I take that to suggest a rather widespread understanding of what "education" really means, and that these "soft money" cheats around the law are long practiced and both widely practiced and widely known to congressmen.

Yet, in its present fever for reform, Congress has shown no curiosity about such practices which are not only as illegal as corporate contributions—but so devious as to demonstrate downright conspiracy to violate the law.

The investigative mood is not "even-handed."

Meanwhile, many candidates this year will suffer, it appears, both from Watergate on the one hand and from being watergated at the same time by hidden, illegal financial support of their opponents.

Why don't the various investigating bodies into "campaign activities" put out a few more subpoenas, and bring in a few more union-congressmen relations and financial?

We could stand to look at some of those records, too.

STATEMENT OF PRESIDENT MANGUM OF CAST IRON SOIL PIPE INSTITUTE

HON. WALTER FLOWERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1974

Mr. FLOWERS. Mr. Speaker, my good friend and fellow townsman from Tuscaloosa, Robert B. Mangum, recently appeared before the Senate Committee on Finance to deliver a statement on behalf of the Cast Iron Soil Pipe Institute, of which he is president. He is a leading citizen of our community, being president of the Central Foundry Co. of Tuscaloosa.

Mr. Mangum calls attention to an interesting omission under present law pertaining to the imposition of countervailing duties for a product subsidized by a foreign government. The law makes it mandatory that the Secretary of the Treasury level such countervailing duties once he has announced that the country of origin has provided a subsidy. Present law does not, however, set a time limit for the Secretary to complete his investigation of complaints. Mr. Mangum poses the provocative question: Since the American businessman is required to meet many deadlines in dealing with the executive branch of the Government, should not the executive branch be required to meet deadlines also?

It is a great honor for me to be able to incorporate into the RECORD Mr. Mangum's statement:

STATEMENT BY ROBERT B. MANGUM

I am Robert B. Mangum, president of The Central Foundry Company, which is one of the leading manufacturers of cast iron soil pipe and related fittings. Our principal foundry is in Alabama but we have additional plants in Pennsylvania and New York. I am also president of the Cast Iron Soil Pipe Institute whose members produce more than 95 percent of the industry products. All of us make our cast iron products from used automobile motor blocks and bodies and similar cast iron items. Every day we see our only source of iron depleted by the transfer of such "scrap" metal to foreign countries. We are hurt by that, believe me! What really hurts the most, however, is for that metal to come back into our domestic markets as "dumped" or "subsidized" products at prices with which we cannot compete, because we have an entirely different type of relationship, both by law and by custom, with our skilled American workers than do some nations which have a different ideology and relationship to their workers.

In the past 20 years our industry has been involved in at least five dumping investigations. The last two involved shipments from Poland. Whatever relief, if any, we have obtained has been, to put it bluntly, "too little, too late". We are convinced that the Treasury and the Bureau of Customs both have taken an inordinate and totally unjustified length of time to provide relief, if indeed it is provided at all.

We spent years of effort to obtain a ruling that foreign cast iron pipe and fittings must be marked with the country of origin. Why shouldn't all products be so marked so as to prevent commingling of foreign with domestic products with the result that American purchasers are unable to make a choice between domestic and foreign-made products? For years foreign-made cast iron soil pipe and fittings were not marked in this respect simply because the Treasury erroneously included them in an excepted category in which they should not have been included. What reason is there for us to believe that if Treasury is given the discretion it now seeks it will exercise better judgment than it has in the past? We do not believe that it will.

Now, let me tell you of our most recent unhappy experience with Treasury. Since June 23, 1969, four years and nine months ago, we have had pending a petition for the imposition of countervailing duties for cast iron soil pipe and fittings imported from India. No relief is yet in sight although we have furnished positive evidence of subsidation by the government of India. So, you can easily understand our industry's deep concern with respect to Title III of the pending bill.

An article dealing with our petition appeared in the press following testimony before the House Ways and Means Committee in 1973. This article was published in the August 14, 1973 issue of American Metal Market.

When we pursued this matter, Treasury officials stated that a matter of "policy" was involved *but they never told us what that policy was*. Members of the House Ways and Means Committee inquired as to why the Secretary of the Treasury had not acted but they were not given a meaningful answer either. Upon pursuing the matter further, top ranking administration officials advised us that they hoped to gain such wide latitude in discretionary areas under the pending bill that they did not propose to take any action under the law as it now stands.

The law currently provides for the *mandatory* levy of countervailing duties once the Secretary of the Treasury has announced that the country of origin has provided a subsidy. Unfortunately for us, however, the law does not set any time limit within which Treasury must complete its investigation as to whether or not there was payment of such subsidy. This permits Treasury to avoid the levy by not making the announcement. In our case there is really no need for any substantial investigation—certainly not one of almost five years duration—because Treasury could have confirmed the information which we provided on this subject within a matter of a few days.

We believe that the Executive Branch of the Government is not going to make such findings but, on the contrary, will keep the investigation on the "back burner" until it is granted the discretionary power which it is seeking and that when this is done the discretion will be exercised to the detriment of American manufacturers.

The House, in its consideration of the bill, decided to delete the provision for the exercise of this discretionary power but still permitted a suspension of the countervailing duty requirements for a period of four years during negotiations under the provisions of this bill.

Even so, we are greatly concerned that the Administration will attempt to interpret this suspension as granting it authority to exercise its own discretion as to whether, if at all, and in what situations, if any, the imposition of countervailing duties will be undertaken. That appears to be what it actually is doing now rather than enforcing the mandatory provisions of the law.

Now I would like to speak specifically to several amendments which we believe to be required to protect American industry from what may be a serious curtailment of the protection which Congress obviously intends for it to have. Section 303(a)(1) provides that "the Secretary of the Treasury shall determine within twelve months after the date on which the question is presented to him, whether any bounty or grant is being paid or bestowed". This section should be amended so as to require the determination to be made within six months instead of twelve. There is no reason why the time element should be so long and there are many why it should be as short as possible to minimize the disruption of the American market.

We are much more deeply concerned, however, with Section 303(a)(4) which provides that "whenever . . . the Secretary concludes from information presented to him . . . that a formal investigation is warranted he shall forthwith publish notice of the initiation of such investigation in the Federal Register". Please note that there is no time limitation whatever as to when, if ever, the petition must be presented to the Secretary for consideration. Publication as to the initiation of the investigation should be required within some statutory period of time. We suggest that such publication, in fairness to all parties, take place within 30 days after an industry files a petition for the levy of a duty. We are driven to the inescapable conclusion that Treasury wants to have complete freedom to take whatever action it wants to, whenever it wants to, or to take no action whatsoever! It must not be permitted to so thwart the will of Congress.

We also believe that Section 321 likewise be amended so as to require publication of notice of the initiation of an investigation within 30 days following the filing of a petition. The Tariff Commission already has a statutory limitation of only three months to investigate and to decide the question of injury in those cases in which the Treasury

has found that dumping exists. Business judgments must be made expeditiously. Why can't the Treasury accomplish its task within seven months?

We also believe that Section 321(b) should be amended by omitting the words "or in more complicated investigations within nine months". I do not know exactly what the term "more complicated investigations" is intended to mean. I suspect that it may be interpreted to mean that the Treasury should be granted a substantially longer period of time to investigate complaints involving exports from Socialist countries. From our experience with dumping cases involving Polish exports, we see no justification whatever for granting this additional period of time. The present law does not differentiate between nations and there should not be any special circumstances (such as unwillingness to furnish information) which can be interpreted as involving "more complicated investigations". The grant of power to substantially extend the period of time for the completion of investigations which are loosely characterized as "more complicated" simply creates a fertile field for granting extensions of time for little or no reason at all. The American businessman has to meet many deadlines in dealing with the Executive Branch. Why should not it be required to meet a few deadlines itself when deciding whether to grant relief or not to do so?

This brings me to one final point. Our experience in the Polish cases has demonstrated the fact that, in dealing with certain nations, no one knows the values of their currencies or their actual production or distribution costs; nor how they compute their sales prices either for domestic consumption or for export. All foreign trade is conducted through state trading companies which are government owned and controlled. As we understand it, Treasury contends that it cannot readily obtain information necessary to properly investigate dumping or subsidy charges. This is a sad commentary. If foreign exporters who send their merchandise to this country for sale in competition with American-made products will not tell the American government whether their products are being "dumped" or being "subsidized", as the case may be, then there is a very simple answer. Their products should be denied entry until they provide such information. We, the American businessmen, realize that we must compete in our own markets with foreign-made products but aren't we entitled to start out on a somewhat equal basis?

Our only hope for relief is with the Congress. The members of Congress are the elected representatives of some two hundred-ten million people, each of whom has a right to come to you when he believes he has been ill-treated by the Executive Branch or any other agency of the Federal Government and to seek your aid. That is why I am here, as the representative of my industry. We have full confidence that you will give careful thought and attention to our problem. We also hope that you will find some way to convince the Executive Branch (particularly Treasury) that when you, the Congress, enact a law providing that the assessment of countervailing duties are mandatory, after payment of a subsidy by the exporting country is established, you mean exactly what you said when you enacted the law and that Treasury has no alternative but to follow that law.

KENNEDY FAMILY AWARD

HON. DAN ROSTENKOWSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1974

Mr. ROSTENKOWSKI. Mr. Speaker, I have just been informed by Mrs. Eunice Shriver, executive director of the Joseph P. Kennedy, Jr., Foundation, that the publisher of the Chicago Tribune, Mr. Clayton Kirkpatrick, and his staff have been honored by the Kennedy Foundation with the 1974 Kennedy Family Award for their outstanding coverage of the Illinois Special Olympics.

One of the articles which led to the Tribune's receiving this award appeared August 11, 1973. The article was judged by the foundation's Selection Committee to best portray the striving, joy, and achievement of the Special Olympics. A copy of the article by award-winning columnist, David Condon, follows:

SPECIAL OLYMPICS OPEN

(By David Condon)

(Top o' the Wake: "I had a shot at regular Olympic competition as a member of Panama's basketball team, but I've never had a thrill like the one these kids gave me today."—Candlelight Singer Lee Pelty.)

Hundreds of young athletes were milling in Grant Park by 8 a.m. yesterday. An evening of banqueting, dancing, and finding new friends was behind these young champions from the far sectors of Illinois. Now was a fresh morning. Now was the hour . . . the start of the campaign in track and field, in the swimming tanks, and on the basketball courts.

This was the rainbow hour. And it wasn't a pot of gold dangling at the end of the rainbow that intrigued these youngsters, champions all.

It was a gold medal that awed them. A medal modeled after those always awarded the world champions in the genuine Olympics. And believe me: No Olympian ever coveted an international gold medal more than yesterday's Grant Park athletes coveted their prizes.

This was one of sport's finest moments. The sun became warmer and the athletes shed warm-up jackets. Some of the younger tykes wandered off, probing here and there around the tents and facilities, but all were cautiously watched by John J. McDonnell and his security force.

Young boys and girls sprinted thru warm-up exercises. A few joked with sports celebrities like Ziggy Czarobski, Leon Hilliard, John Lattner, Mickey Rottner, or big-cigared Ben Bentley. Others answered interview questions for Mort [Son of John and Abra] Edelstein, the columnist.

Volunteer ladies found business brisk providing eye-opening coffee for visitors and officials. Everywhere you turned there was a smartly-uniformed member of the Chicago Fire Department or the Chicago Police Department.

The clock hit 9, and the hundreds of athletes—in genuine gold, yellow, orange, blue uniforms—swarmed around the officials' platform. These kids don't run very fast, sometimes they don't hear very fast, but now they bent all ears forward to listen intently.

Patrick L. O'Malley, the distinguished president of the Chicago Park District, was welcoming them to the annual Illinois Special Olympics for the Mentally Retarded.

Big deal, you say; a bunch of handicapped kids playing like for-real athletes.

I'll say it was a big deal. That's why O'Malley stayed overtime, postponing a flight to New York for the meeting where he will be welcomed as the newest member of Trans-World Airlines board of directors.

I'll say it was a big deal! That's why Richard J. Daley perspired in the sunshine while we endured the routine of opening ceremonies. That's why our mayor finally stepped to the mike and welcomed the champs to this greatest city in the world. Many, of course, come from corners of this city and suburbs.

But for some of the young athletes, it was their first visit to the big tent. We can excuse them if their attention occasionally wandered from the speeches to the Grant Park greenery, to the vast John Hancock building, or to the planes buzzing off from Meigs Field.

Not that the speeches went into overtime. Lt. Gov. Neil Hartigan, one of the founders of the Special Olympics, set a new world's record for brevity as he welcomed the participants on behalf of the state.

Hartigan's record was tied in the welcome from Tom Meagher, president of Chicago's Mentally Retarded Olympian Program—the group that supervises approximately $100,000 in yearly financing for the Illinois Special Olympics. After all, these kids didn't come to hear talk . . . they came to play.

So very quickly Mary Rose Burge [Independence Park] and Pamela McClure [Washington Park], both Olympians, raced to help the U.S. Navy recruiters raise the Stars and Stripes.

Candlelight Theatre's Lee Pelty rendered the Star Spangled Banner, and 1,200 young voices sang gladly, happily. Jeff Lemke, 17, from West Pullman Park, ran with the Olympic torch. Just like the Olympic games—except in the real Olympics they don't have one of Commissioner Bob Quinn's snorkels to lift the flame-bearer to the torch. You should have seen those kids go popeyed at seeing that snorkel. They seldom see snorkels in Teutopolis.

There was applause for Anne McGlone Burke, whose fertile mind originated the Olympic type competition for the mentally retarded.

Then Edmund L. Kelly stepped forward. Ed, another ex-athlete, is general superintendent of the Chicago Park District, which sponsors the Special Olympics. In best Avery Brundage fashion, Ed thundered: "I now declare these Special Olympic games officially opened."

The kids raced to the pits, the tracks, the arenas, the pools, The first gold medal winner was William Carpenter of Wood River, Ill., who negotiated the boys 16–18 mile in 5:17.2 He was followed to the line by John Murphy, Bill Reinschmidt, Richard Henry, Larry Bruce, Keith Crowfoot.

The competition was underway, for sure . . . and that's what these contests are all about.

Bottom o' the Wake: "In welcoming you, I assure you that the Special Olympics are one of the most important events in Chicago this year."—Mayor Richard J. Daley.)

NORTH VIETNAM'S CURRENT STRATEGY

HON. BILL ARCHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1974

Mr. ARCHER. Mr. Speaker, the withdrawal of U.S. troops from South Vietnam and the signing of the Paris Agreement has not ended the war in South Vietnam. North Vietnam still remains determined to conquer the south and put all of Vietnam, as well as Cambodia and Laos, under the control of the rulers in Hanoi.

The negotiations which have been proceeding during the past year at the La Celle St. Cloud Conference have revealed the difficulties of negotiating a secure and lasting peace in this turbulent area of Asia. Negotiators have failed to reach agreement on major issues such as national elections, the establishment

of a council on national reconciliation, and safeguards to secure the democratic liberties of the Vietnamese people.

It has become evident that the Communists have been less than faithful in keeping their part of the agreement. Communist violations of the Paris Agreement number over 39,000 including the shelling of bases of the Republic of Vietnam and terrorist activities directed against civilians. For example, on March 9, 1974, the Communists fired on the Cai Lay primary school, an incident which resulted in the death of 32 schoolchildren and the wounding of 34 other children. The Communists have also attacked the aircraft of the International Commission of Control and Supervision and fired at its headquarters. They have demanded a reduction in the ICC personnel and the ICC budget, actions which would paralyze the organization which has been designated to control the implementation of the Paris Agreement. The Communists have continually urged their supporters to gain more land and control more of the population in South Vietnam.

Speculation has been rampant over the next major activities of the Communists. Some observers expected the Communists to launch another Tet offensive in the early part of this year but the Tet holidays came and passed without a major Communist offensive. The leaders in Hanoi are patient and are willing to try various tactics to secure control of South Vietnam. A penetrating analysis of the Communist strategy appeared in the March 16, 1974, issue of the respected British publication, the Economist:

NORTH VIETNAM'S CURRENT STRATEGY

The next big push in South Vietnam by the North Vietnamese and the Vietcong may not now come this year, and very likely not next year either. The aim of the North Vietnamese government presumably remains what it always was: to unite Vietnam under a communist government. But the North Vietnamese appear to have reached the conclusion that an attempt to bring that about by sending their army into the attack again in the next year or two would either be defeated, or must be abandoned for other reasons. The sword suspended over South Vietnam's head may for the moment have been withdrawn.

There are many signals of this change of tack. Not much has been seen or heard of General Giap, the principal architect of the great offensives of 1968 and 1972, over the past six months. In a major resolution, the Hanoi politburo recently declared that the economic reconstruction of North Vietnam is its immediate priority. Still more revealing is a Vietcong document captured earlier this year (the so-called Cosvn resolution 12) which shows that the communists are thinking in terms of a campaign that could last until 1980, and will be psychological and economic as much as military.

It has been suggested that the North Vietnamese are playing things quietly in the hope of getting a large amount of aid from the Americans. If they indulge in such hopes at all—and they know as well as anyone how hard it has become to squeeze any kind of aid out of Congress, most of all for so recent an enemy—the idea is almost certainly marginal to their calculations. To begin with, North Vietnam is receiving about as much economic aid as it can usefully absorb from its Russian and Chinese backers, who sent a million tons of rice last year. Spanking new tractors, generators and machine tools are piled up along the road between Hanoi and Haiphong. Even the Swedes are contributing.

So American money is not sufficient reason for the communists' restraint. But the North Vietnamese, having seen how American aircraft and American-made antitank missiles defeated their armoured units two years ago, will be inclined to hold back from a new offensive until they are quite sure that the Americans are unable to do anything to resist it. The effort they have put into restoring their anti-aircraft defences shows that, despite Watergate, they still think President Nixon is capable of hitting back. Their tactic is therefore to wind down the war to a pitch they judge the South Vietnamese economy cannot stand, but American opinion can accept without reacting.

For the next couple of years this will be largely a war for South Vietnam's economy. The military threat limits the extent to which the South Vietnamese can pare down their armed forces, the biggest drag on the country's weak economy. The real war in Vietnam today is not the see-saw struggle for scraps of land; it is a test to see which side's national structure holds out the better. The North Vietnamese have their problems too: they have not yet recovered from the effects of the American bombing, or from the typhoons that wiped out a fifth of their rice crop last year. They are short of manpower, and above all of skilled management. But they have reliable, and generous, outside backers. The South Vietnamese, in contrast, cannot be very confident about the future generosity of the Americans.

South Vietnam's war is still paid for in American dollars. But at a time of unprecedented world commodity prices, American economic aid has been pruned back from $38.5m in 1972 to $320m last year. Congress is being asked to approve an additional $150m this year, but it may take a struggle to maintain even the 1973 aid when the issue comes up next month. Yet the need is obvious. South Vietnam's economic troubles are the result of bad luck as well as the distortions of war. The price of fuel in Saigon has been multiplied by 10 in the past two years. Inflation is running at an annual rate of 50 per cent, and real wages have dropped to a third of what they were in 1964. The effects of all this on morale can be imagined.

THE NEXT CUT WOULD DRAW BLOOD

The South Vietnamese picked up expensive habits from the Americans but now, out of necessity, they are learning not to throw money away by the bucketful in wasted ammunition or redundant consumer goods. The average South Vietnamese battalion is operating on a fifth of the ammunition and a tenth of the fuel that used to be consumed by an American battalion. The problem is that—short of a miraculous off-shore oil discovery—there is no way that South Vietnam can make itself anywhere near self-sufficient in the rest of this decade. Further cuts in American aid will be slicing into the red meat, not the fat.

North Vietnam's friends will do everything they can to persuade Congress to order those cutbacks, by the familiar tactics of selective outrage. Every effort that the South Vietnamese government makes to recover lost ground in what is still its territory is represented as an affront to peace. The issue of political prisoners is still trotted out at regular intervals—the argument being that since South Vietnam's rulers, under war conditions, are tougher on dissidents than democratic governments are expected to be in peacetime they might as well be replaced by communists. Since the communists, pleading military exigency, do not allow foreign investigators to tour their jails and rehabilitation camps, these are rarely mentioned.

Such arguments will be heard repeatedly in the debate over aid for South Vietnam. The North Vietnamese are chasing the chimera of an American handout for themselves much less than the very real possibility that Congress can be persuaded to cut into the subsidies that keep South Vietnam going. This is one reason why it suits them to play a waiting game for a year or two longer.

ADDRESS BY HON. JOHN SCALI, U.S. AMBASSADOR TO U.N.

HON. RALPH S. REGULA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1974

Mr. REGULA. Mr. Speaker, it was my great honor to introduce U.S. Ambassador to the United Nations, John Scali, at the Malone College Spring Convocation in Canton, Ohio, where Ambassador Scali received an honorary doctor of letters degree.

Ambassador Scali was at Malone College as part of "John Scali Day" in Canton, Ohio. Canton is proud of its favorite and illustrious native son who speaks for the United States in the United Nations.

The convocation address given at the college by Ambassador Scali, entitled "Global Response to a Global Challenge," provides a thoughtful analysis of the importance of the United Nations in our time and deserves to be read by opinion leaders through this Nation. For this reason, I insert his remarks in the RECORD:

ADDRESS BY AMBASSADOR JOHN SCALI

President Randall, Congressman Regula, Mayor Cmich, Faculty, students of Malone College, and citizens of Canton, friends all, I thank you for inviting me to speak to you today, for this warm welcome home, and for the honor you do me here. I certainly had no expectation, that when I left Canton 38 years ago, that my official return would be so long delayed. I am sincerely grateful and greatly flattered that you have permitted me this occasion to disprove so conclusively Tom Wolfe's thesis that "you can't go home again".

I want to take this opportunity to speak to you about what your Government is trying to achieve in international affairs and the part that the United Nations plays in this effort. I believe that historians will record 1973 as the year that the United Nations reasserted itself as a significant factor in international relations, when it became fashionable to speak approvingly of the United Nations and no longer chic to speak disparagingly of the Glass Palace on the East River in New York.

I suspect that historians will also record that one single challenge that the United Nations successfully met in 1973 made it worth the entire 4.7 billion dollars that the United States has contributed to its support since the organization was founded in 1946. The challenge I am speaking of, of course, was the October War in the Middle East, the longest, and the bloodiest and potentially the most dangerous war in that area for three decades.

I believe that without the existence of the United Nations, there might not now be peace, that the fighting in the Middle East might have continued and even expanded.

I am not sure what our future would hold for us today if it were not for the structure which we and our allies put into place at the end of World War II—the United Nations.

It was this international organization which organized an earlier U.N. peacekeeping force, only to withdraw it just before war broke out in 1967. Despite its lack of success as a permanent peacekeeper, this force achieved a reputation for effectiveness and impartiality in that part of the world during its brief existence. Without this first United Nations peace-keeping force, I believe there would have been little chance for the success of the second.

I believe therefore, that the United Nations is not only on its way to re-establishing the prestige and role that its founders had hoped for, but that in the years to come, the United Nations will play an increasingly important part in maintaining the peace, and in leading the way to an enduring settlement in the Middle East. The United Nations has shown itself to be a necessary and significant complement to bilateral diplomacy, that sort of intimate diplomacy which is necessary to pave the way toward more general efforts to disengage hostile forces and resolve disputes.

Let me invite you for a moment to remember just what happened in the Middle East last year. War broke out on October 6. Two weeks later our Secretary of State flew to Moscow, as it became clear that this was a different kind of war. Time, unfortunately, had only improved the capacity of the belligerents to inflict damage on one another, and there was every evidence that this could be the fiercest Arab-Israeli conflict ever. At this point, Secretary Kissinger intervened at President Nixon's direction, by flying to Moscow.

As a result of his intensive talks there, the United States and the Soviet Union, for the first time in history, agreed to introduce jointly, a resolution in the Security Council on October 21, calling for an immediate cease-fire, a cease-fire where all sides would stay in place. The Security Council debated the US-Soviet proposal, and how I remember this, into the wee hours of the morning, adopting it about 2:00 a.m. on October 22.

At the time this framework for peace was being established in the Security Council, the Israelis having recovered from their initial setback, had succeeded in crossing the Suez Canal and were moving rapidly to cut off large Egyptian forces trapped on the east bank of the Suez Canal. Despite the Security Council resolution, the fighting along the Canal continued. The United States knew that if there were to be any hope of a lasting peace, any chance of avoiding a confrontation between the Soviet Union and the United States, that the fighting had to be quickly brought to a halt. Washington and Moscow consulted urgently once more. In addition, there were closed door talks in New York between the Ambassador of the United States and that of the Soviet Union. As a result of these discussions, we, and the Soviet Union agreed once more, and proposed a second resolution which the Security Council again passed. This resolution on October 23, called once more on the parties to stop fighting and return to the lines of October 22.

About that time, American Intelligence received conclusive evidence that the Soviet Union had put elite troops on full military alert despite detente, despite the fact that they had just sponsored two joint resolutions with us in the Security Council, and despite the many ongoing negotiations which depended on a lasting, friendly US-Soviet relation. Certain Soviet divisions were raised to 100 per cent readiness. The Soviet Air Force moved its planes which had been carrying arms to the Egyptians, the Syrians, and others, to airfields near three airborne Soviet divisions. Within 12 hours, according to our calculations, Soviet troops could begin arriving in the Middle East.

Because of this unmistakable threat, President Nixon ordered American forces to a high state of readiness, called Condition Three. Many of you, undoubtedly have read or heard varying accounts of whether this alert was necessary. Ladies and Gentlemen, as one who sat near the hot seat at that moment, I can assure you that it is my view that it was, and that if President Nixon had not ordered that alert, future historians would have judged him irresponsible in moment of crisis.

President Sadat, if you recall, had appealed publicly on October 24 for the United States and the Soviet Union, jointly, to rush troops to the Middle East to help enforce the United Nations cease-fire. We had made clear our opposition to this proposal, because we did not believe Soviet and American troops in close proximity in the Middle East would promote enduring peace. Such a move, in our view, would only inflame an already tense situation. But it was becoming increasingly clear that the Soviets thought differently, that they were preparing to act unilaterally, with the excuse that they were only responding to President Sadat's appeal.

On October 25, the Soviet Union, with no warning, sent about 100 military officers to Cairo, with every indication that they were the advance landing party of many more to come. These officers were, the Soviets claimed, to act as "truce observers." At this point, President Nixon sent to Chairman Brezhnev a strongly worded note, making clear that if the Soviets sent more "observers", there inevitably would be a military confrontation in the Middle East. Even more important, this kind of development would certainly endanger our joint policy of detente and set back our cherished hopes for increased East-West cooperation everywhere.

The fact that we went on military alert—and made it generally known that we had—persuaded the Soviets that perhaps they had better take a new reading of the situation. For 18 hours, ladies and gentlemen, those who made decisions within our Government, did not know what the Soviet response would be. Only after those 18 hours did the Soviets agree that, if the United States did not wish to send units to join the Soviets, Moscow would then consider an alternative. That alternative was a United Nations peacekeeping force.

Now that decision by the Soviets, I submit, was an important and an historic one. It was of critical importance for the future of detente, and for the future of the United Nations. The ability of the United States and the Soviet Union to move away from confrontation to agreement was made possible by the greater degree of understanding that President Nixon had labored to build over several years. This had made it clear that President Nixon would not be bluffed, would not back away, in moment of crisis. But, had it not been for the prior experience of a United Nations peace force, in this region, and its earned reputation for impartiality and effectiveness, the Soviet Union and the United States would not have had this quick alternative to a continued confrontation.

I ask you this question: If on October 25 there had been no peace structure in place, no precedents, could the United States and the Soviet Union have succeeded in organizing an international peace force so quickly? Could they have enlisted the support of the rest of the world community? If it had not already existed, could they have succeeded in organizing an impartial force outside the United Nations in time to persuade the belligerents that it would make a difference?

Thus, when I say that the UN has been the indispensable element in maintaining peace, I say it with the full knowledge that the dramatic advances in our bilateral relations that we have worked so hard to achieve could not have been maintained in the absence of the structure for peace provided by the UN.

There are three important differences between the United Nations Emergency Force that exists today in the Middle East, that blue-helmeted army which is now keeping both sides apart, and the one that existed earlier, when it was sent to meet an earlier Middle Eastern war in 1956.

Number one, this is a peace force that the Soviet Union supports financially for the first time in history, according to an assessment levied by the United Nations on the Soviet Government. Moscow boycotted the last force.

Number two, it is a multi-nation force; one which while excluding the Big Powers is world-wide in its representation, with units from North and South America, Africa, Asia and Europe. The last force was mainly West European.

And, number three, this new force is carrying out its task with the complete understanding that no single government can force it to leave without the approval of the Security Council of the United Nations. This eases the deep Israeli fear that the UN fire brigade will flee at the first puff of smoke, as the Israelis claim they did in 1967 when the Egyptians demanded it.

I submit to you that these are three important and historic differences.

I might also ask you to bear in mind that our share of this force comes to 8.6 million dollars. Compare that, ladies and gentlemen, to the 2.2 billion dollars in emergency military aid for Israel, which Congress voted only a few months ago. Peace may be less dramatic than war, but it is much cheaper.

In 1974, the United Nations will continue to contribute to the maintenance of peace in the Middle East and to provide a framework for negotiations toward a lasting settlement. But 1974 brings with it also, new sources of tension, new issues to test the established patterns of international cooperation. In 1973 the Middle East crisis presented a challenge to the development of closer relations between East and West. The economic issues of 1974—commodity shortages, inflation, and other newly encountered obstacles to economic growth—presents a challenge to a much wider range of international relationships.

In the United States the long gas lines have given evidence to the gap between world supply and demand for energy. In other parts of the world bread lines call attention to an even more basic disparity between world supply and demand for food.

On one hand, the global demand for commodities continues to rise as a result of unchecked population growth and rising standards of living. On the other hand, the supply of goods is increasingly limited by environmental considerations, artificial distortions of trade and production, outdated patterns of investment and distribution, and a real shortage of available resources.

The United Nations and its subsidiary organizations are deeply engaged in this whole complex of issues. The International Monetary Fund is developing a new world monetary system to replace the gold exchange standard. Gold exchange standard. They and the World Bank are exploring means to insure that the new wealth of the oil producing countries, does not lie unused, but that it is employed to help others as well as themselves. In August a United Nations World Population Conference will meet in Bucharest. In November a United Nations World Food Conference will open in Rome.

The United Nations is presently exploring the possibilities of solar and geothermal energy. Two of the newer UN agencies, one for the environment, and the other for industrial development, are just beginning to grapple with the basic problem of how States should manage industrial growth.

In just a little more than two weeks from today, the United Nations General Assembly will meet in Special Session, demanded by

Algeria, to take a broad look at the whole range of issues involved in relations between the raw material producing countries and consumer nations. This is a subject of great interest to the United States. We are, after all, not only the greatest consumer nation in the world, but also the greatest producer of raw materials, and one of the largest exporters. One must hope that this forthcoming General Assembly will encourage cooperation between consumer and producer countries and not confrontation which can only hinder the solution to the world's pressing economic problems. It would be naive to look to this one meeting for specific new answers to the complex issues. But we do hope this General Assembly will draw greater attention to such things as

The consequences of recent rises in the price of oil for the economies of consumer States, particularly those States least able to bear the additional costs.

and

The pressing need to pursue international cooperation on these issues in all of the forums in which such discussion is already going forward.

and, finally,

The link between the economic health of the industrialized States and the prospects for development in the third world.

Thus, I believe that history will record that in 1973 the United Nations reversed a decade-long decline in public esteem. But in 1974, we have an even bigger task. I have spent one long, rather hectic year at the United Nations, pledging to speak realistically to the American people and to the world. I have said—so often, that I no longer like to hear it—that I am against creating a river of resolutions which make no difference. I am against rhetoric for rhetoric's sake. I want realistic, visible results; results which flow from healthy compromise. I do not want to stand as Horatio at the bridge, holding back the floods of meaningless resolutions and torrents of unrealistic rhetoric.

I am pleased to say that we are making progress. But the United Nations is an organization of 135 members of whom the United States is only one. We can persuade, cajole, and exercise considerable influence, but we cannot command. If the United States ever enjoyed an automatic majority in the United Nations, we do so no longer. Ultimately, the ability of the United Nations to meet the challenge of 1974 depends upon whether a majority of other members share our enthusiasm for a revitalized UN, our belief in an interdependent world, and our commitment to international cooperation.

As I have said, I am personally determined that the United States Government will play its part in this noble task. The United Nations has proved, and will prove again, that in time of crisis, it is an indispensable weapon of peace.

Ladies and gentlemen, I ask you for your support in our efforts to strengthen this institution. As we seek to move from confrontation to negotiation in many areas of the world, there should be new optimism that the United Nations can fulfill the hope of its Charter, that it can become a center where man gathers to "practice tolerance and live together as good neighbors and to unite our strength to maintain international peace and security."

This ends my formal remarks and before I close, I would like to address a few personal comments to the students.

This has been a very special occasion for me today. I stand before you with a warm and a full heart. And as you ponder the day when you will seek the road to travel, outside the campus, I wish you well. I wish you also, some problems and some hardships, so that you can measure the joys that will also come. Above all, I wish you peace and I wish you love. Thank you.

INFLATION, A FOE

HON. GARRY BROWN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1974

Mr. BROWN of Michigan. Mr. Speaker, as April 30 approaches, interest mounts in what will Congress do with respect to the administration's request to extend, in at least a limited way, the Economic Stabilization Act of 1970.

In view of the recent negative Senate action, it is obvious that substantial opposition exists to the extension of this wage and price control authority. Frankly, I seriously doubt the wisdom of a continuation of the authority to impose mandatory controls and even the standby authority some have suggested with mandatory controls being applicable to only one or a few segments of our economy.

However, I know that Dr. John T. Dunlop, the Director of the Cost of Living Council, is most sincere regarding his concern about excessive inflation in these limited segments of the economy, especially in the health care field, and has only the public interest and welfare in mind in his support of this aspect of the administration's proposal. In addition, I agree with Dr. Dunlop that a worthwhile and useful purpose could be served by a continuation of the Cost of Living Council "as a Cabinet-level agency to work directly with the complex problems of inflation, without mandatory controls" and that "the Government needs a continuing center of action, short of mandatory controls, to increase supply and capacity and to moderate wage and price increases."

In short, I could support this limited structure and activity of the Cost of Living Council, but am well aware of the political impracticality of proposing the same in the context of the present controversy over the extension of the Economic Stabilization Act.

Inasmuch as I feel Dr. Dunlop's remarks in this regard, from which the above-cited quotes have been extracted, would be of interest to our colleagues, I am repeating his views as printed in the New York Times, Sunday, March 31, 1974:

INFLATION, A FOE

(By John T. Dunlop)

I have heard a great many comments on my recent statement that our experience with inflation suggests no one truly knows how to control inflation—at least the type of inflation we have had in the last year.

Certainly we do not know how to constrain inflation by adapting our political institutions' taxing and spending, our private and public decision-making on wages and prices or our relations with the rest of the world. These are serious long-term problems that cannot be resolved by comprehensive mandatory controls or by returning to the so-called free market of pre-August, 1971.

The unique inflation of 1973–74 was largely unforeseen by all analysts, regardless of economic or political persuasion. As Walter E. Heller has said, "This was a year of infamy in inflation forecasting."

Today's inflation has been highly concentrated in primary products—feed grains, fibers, metals and petroleum. Two-thirds of the increase in wholesale prices has been in food and energy, and the inflation has been worldwide. The Economist's index of world commodity prices (in dollars) rose 54.4 per cent in the year ended Feb. 20, 1974, with the increase accentuated by the devaluation.

Nevertheless, on a relatively brighter note, consumer prices have increased in the United States at a lower rate than in many industrial countries. The nonfood and nonfuel items in the consumer price index increased 4.5 per cent in the year from January, 1973, to January, 1974.

The economic climate of 1973–74 has been markedly different from Phase 1 and most of Phase 2 (Aug. 15, 1971 to Jan. 11, 1973). Economic growth was extremely rapid in the first half of 1973 as the primary manufacturing industries pushed capacity levels in such sectors as steel, aluminum, fertilizer, cement, oil refining and paper.

That rapid growth put strong pressures on prices, as did cost pressures derived from worldwide raw-materials prices. The failure to apply tighter controls or to use a "stick in the closet" had little, if anything, to do with the rate of inflation we have experienced, despite much of the rhetoric of the spring of 1973.

In the current economic environment, stabilization authorities have had a very narrow course to navigate.

On the one hand, too stringent controls would reduce current output, destroy incentives to expand capacity and lead to abnormally large exports if not a system of extensive export controls. But too loose controls would result in larger present and future price increases, place even greater pressures on the wage structure and more certainly lead to industrial strife.

Therefore, the two beacons of more supply and price and wage moderation have dominated all Cost of Living Council activities during the last year.

This country is close to the limits of what wage and price controls can do in the present economic environment in all but a few cases. While prices received by farmers have increased 33 per cent over a year ago, controls can only hold down price increases by food manufacturers and limit retailers' profit margins. Yet, tighter control measures on farm products have been shown to restrict agricultural output and excite the powerful agricultural interests in Congress.

The answer lies in increasing agricultural production, imports and productivity. And those steps take some time.

When production is pushing capacity in many primary industries, the urgent need is for prices that encourage expansion and permit imports. When living costs have increased so much, and profits have increased within control standards, wages should be allowed to adjust more flexibly to the economic and industrial relations realities of each situation to avoid disrupting this era of constructive labor peace.

Under present circumstances, the necessary labor-management participation cannot be achieved for the continuation of a general controls program as George Meany of the A.F.L.–C.I.O. made abundantly clear on March 6. Accordingly, the policy of deliberate and orderly decontrol, save for a few sectors, should be completed by April 30.

But inflation is a continuing and long-run problem in all Western societies. All governments regardless of economic or political complexion are likely to be engaged with these issues for a long time.

Fiscal and monetary policy, including exchange-rate adjustments, will not be seen by public opinion to be enough. Neither the expenditure nor tax side of fiscal policy is susceptible to rapid or reliable adjustments, and Congress is not well organized for coherent expenditure and tax decisions. Monetary

policy suffers from the trauma of being held responsible for turning a boom into a recession.

And the society is unwilling to pay very much in terms of unemployment, economic growth, labor-management peace and freedom from regulation to achieve price stability. When citizens come down to realistic choices among these hard options, a degree of inflation is often perceived to be the lesser of other evils, despite the noise over inflation.

Wage and price controls, even in a different type of inflation climate than experienced in 1973–74, are a limited and special purpose tool. They tend to wear out. They have a relatively limited life wherever they have been used in Western countries.

While we recommend phase-out of comprehensive mandatory controls now, we need to avoid the twin fallacies that they are a powerful constraint to inflation or that they are the cause of most present shortages and are an unmitigated disaster.

Rather, the truth is that direct wage and price controls can make an incremental contribution to economic stability in some circumstances and in some sectors for a limited period, such as in the health area (in the last two and a half years).

The Administration has urged that Congress approve the continuation of the Cost of Living Council as a Cabinet-level agency to work directly on the complex problems of inflation, without mandatory controls, except in a few sectors.

The program should have two main centers of action:

To increase supply, particularly in areas where governmental policies have a significant impact, as in agriculture, transportation and construction.

To work with the private sector to increase capacity and productivity and to improve the structure and performance of collective bargaining without mandatory controls.

Imaginative and pragmatic cooperation in these areas should help in the longer run to develop an economy less prone to inflation. Our present knowledge and capacity to develop effective programs of inflation restraint require humility and modesty.

Inflation will not simply go away. The market alone will not automatically produce price and wage increases within socially and politically tolerable limits. Politics cannot ignore the problem or easily stay away from programs that deal directly with inflation and its symptoms. The Government needs a continuing center of action, short of mandatory controls, to increase supply and capacity and to moderate wage and price increases.

These problems are not solely economic; they involve complex issues of economics and politics. They will be of central concern to all citizens and to all major countries for a long time. It is imperative that everyone—consumers, labor, business and government—reflect and grapple with these issues.

As it has been said, "When one lacks the will to see things as they really are, there is nothing so mystifying as the obvious."

THE PLANETARY CRISIS AND THE CHALLENGE TO SCIENTISTS—AN ADDRESS BY MARGARET MEAD

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1974

Mr. BRADEMAS. Mr. Speaker, as Congress moves again to consider energy legislation, I insert in the RECORD the text of a most thoughtful address on the energy crunch.

The address, delivered to the New York Academy of Sciences on December 6, 1973, is by Dr. Margaret Mead, the distinguished curator emeritus of the American Museum of Natural History.

The text of Dr. Mead's address, which appears in the March 1974 issue of AGB Reports, the publication of the Association of Governing Boards of Universities and Colleges, follows:

THE PLANETARY CRISIS AND THE CHALLENGE TO SCIENTISTS

(By Dr. Margaret Mead)

The energy crunch, which is being felt around the world—in Japan, in Europe, in the United States—has dramatized for us a world-wide situation and a world-wide opportunity to take stock of how the reckless despoiling of the earth's resources—here in America and all over the world—has brought the whole world to the brink of disaster. It also provides the United States, its citizens, its government, its scientists, and its leaders of business and labor with a magnificent opportunity to initiate a transformation in our present way of life. Our present way of life was conceived in a spirit of progress, in an attempt to improve the standard of living of all Americans through the increasing capability of technological development to bring previously undreamed of amenities within reach of the common man. But this search for a better life has—especially since World War II—taken a form which is untenable, and which this planet cannot support. The overdevelopment of motor transport, with its spiral of more cars, more cement highways, more pollution, more suburbs, more commuting, has contributed to the near-destruction of our great cities, the disintegration of the family, the isolation of the old, the young, and the poor, and the pollution not only of local air, but also of the earth's atmosphere. Our terribly wasteful use of electricity and of nonrenewable resources are likewise endangering our rivers, our oceans, and the atmosphere which protects the planet.

HOW—AND WHERE—TO TURN AROUND

The realization that a drastic transformation is needed has steadily increased. But the problem has been how to turn around? How to alter our dependence on motor transport? How to persuade the individual citizen enmeshed in a system in which he and his wife and children are imprisoned without one car, two cars, three cars, that change is possible? How to stop building enormous, uneconomical buildings which waste electricity night and day, all year round? How to break the deadlock between environmentalists, bent upon enacting immediate measures to protect an endangered environment, and industry, itself caught in the toils of a relentless compulsion to expand? How to alter our own course and not injure the young economies of the developing countries, desperate to obtain the barest necessities of food and water and light for their hungry millions, clamoring for one per cent of our gross national pollution!

A YOUNG CATASTROPHE

Even though the present rate of development of energy use and resource use is only some twenty-five years old, it has been so much taken for granted in the industrialized countries that it has seemed almost impossible to turn around short of some major catastrophe . . . some catastrophe which would destroy millions of lives.

A CRISIS WHOSE TIME HAS COME

The catastrophe has now arrived, not in the form of the death of millions in an inversion over a large city, but in the energy crunch. The causes may be debated, will be debated: how much blame to assign to government mismanagement, how much to the recent war in the Middle East, how much to the action of the oil-producing countries for whom oil represents their only bargaining resource, how much to manipulation by companies that control oil, natural gas, coal, and the processing steps between producer and consumer, how much to the intention of producers to defeat environmental measures, how much to the maneuvers of exporting countries to strengthen their currencies. But in a more basic sense, these triggering events do not matter and focusing on them can in fact divert our attention from a much more important issue—how we are to take advantage of the crisis to move toward a way of life which will not destroy the environment and use up irreplaceable resources, not destroy large sections of the country by ripping off the surface of land in strip mining and by killing rivers, lakes, and the smaller seas like the Baltic and the Barents Seas. We can easily be diverted into acrimonious accusations instead of concentrating on what measures must be taken.

WASTE AND POLLUTION ARE THE STATUS QUO

The crisis is here and some kind of crisis activities will be undertaken. Some measures have been taken. More are underway. But we have the opportunity to use the crisis to transform our own economy, to take the lead in a transformation which is needed right around the world, to aim not for a shallow independence but for a genuine responsibility. We must not be content with half-measures, with small, mean palliatives following the Administration's assurance that all that is needed is fewer Sunday drives to visit mother-in-law and lowered lights on Christmas trees—to be followed very soon by a return to normal waste and pollution. We must not return to complacency over a situation in which our major nutritional disease is over-nutrition, while millions of Americans are on the verge of starvation and while we are only six per cent of the world's population, we are using thirty per cent of available energy resources. The crisis can and must be used constructively.

NEW STANDARDS FOR VITAL CHANGE

During the inevitable disorganization of everyday life, business, industry, and education, we will be taking stands, making decisions, learning new habits and new ways of looking at things, and initiating new research into alternative technologies in transportation, agriculture, architecture, and town planning. It is vital that these activities move us forward ino a new era, in which the entire nation is involved in a search for a new standard of living, a new quality of life, based on conservation not waste, on protection not destruction, on human values rather than built-in obsolescence and waste.

THOSE WHO KNOW WHAT CAN BE DONE CAN PRESS FOR WHAT MUST BE DONE

As scientists who know the importance of accurate information, we can press immediately for the establishment of an enquiry with subpoena power to ascertain from the energy industries the exact state of supplies and reserves in this country. As scientists, concerned with direction of research and the application of scientific knowledge to a technology devoted to human ends, we can press for a massive project on alternative and environmentally safe forms of energy—solar energy, fusion, other forms. Such a project should be as ambitious as the Manhattan Project or NASA, but there would be no need for secrecy. It would be aimed not at destroying or outdistancing other countries, but at ways of conserving our resources in new technologies which would themselves provide new activities for those industries whose present prosperity is based on oil and motor transport and energy-wasting, expensive synthetic materials.

TANDEM PROBLEMS—SOCIAL AND TECHNOLOGICAL CHANGE

Those of us who are social scientists have a special responsibility for the relationship between measures that are to be taken and the way in which the American people and American institutions will respond. For example, we have abundant information on the responses of Americans to rationing during World War II. If there is to be gasoline rationing, we have to consider the importance of built-in flexibility and choice. In the United States, a rationing system will only be experienced as fair and just if it discriminates among the needs of different users; recognizes that workers have to get to work, that many people work on Sundays, that different regions of the country will need different measures. Without rationing, we will set one set of users against another, one part of the country against another, encouraging such narrowly partisan measures as severance taxes through which oil-rich states will benefit at the expense of the residents of oilless states. Rationing is a way of making the situation genuinely national, involving each American in the fate of all Americans.

DEFINE A TRANSITION PERIOD

But while some form of rationing or allotment—or the same procedure by some other name—will be necessary, it will be important to consider that the American people have experienced rationing only as a temporary measure in wartime or as an abhorrent practice of totalitarian countries. There will be danger that rationing may simply accentuate the desire to get back to normal again, with "normal" defined as where we were when the shortage hit us. What we need to do is to define all measures taken not as temporary but as *transitional* to a saner, safer, more human life style. How can we make the present period into a period of tooling up for smaller cars, rapid research, and preparation for entirely new forms of transportation, of utilities, of energy generators? Such mechanisms can be found. In the past, war, revolution, and depressions have provided the dire circumstances within which society's technologies and social institutions have been transformed.

UNLIKE THE AFTERMATH OF WAR OR PESTILENCE, THE WORLD CANNOT RENEW THE PAST

Our present situation is unlike war, revolution, or depression. It is also unlike the great natural catastrophies of the past—famine, earthquake, and plague. Wars are won or lost, revolutions succeed or fail, depressions grind to an end, famine and plagues are over after millions have died. A country rebuilds, too often in the same spot, after an earthquake. The situation we are in is profoundly different. An interdependent, planetary, man-made system of resource exploitation and energy use has brought us to a state where long-range planning is crucial. What we need is not a return to our present parlous state, which endangers the future of our country, our children and our earth, but a movement forward to a new norm—so that the developed and the developing countries will be able to help each other. The developing countries have less obsolescence, fewer entrenched 19th-century industrial forms to overcome; the developed countries have the scientists and the technologists to work rapidly and effectively on planetary problems.

CREATE AN ETHICAL AWARENESS AND SOCIAL BOND TO REPLACE NATIONALISM WITH HUMANISM

This country has been reeling under the continuing exposures of loss of moral integrity and the revelation that ubiquitous law-breaking, in which unenforceable laws involve every citizen, has now reached into the highest places in the land. There is a strong demand for moral reinvigoration and for some commitment that is vast enough and yet personal enough to enlist the loyalty of all. In the past it has been only in a war in defense of their own country and their own ideals that any people have been able to invoke total commitment—and then it has always been on behalf of one group against another.

A MORAL CONFLICT WITHOUT AN ENEMY—UNLESS IT IS US

This is the first time in history that the American people have been asked to defend themselves and everything that they hold dear *in cooperation* with all the other inhabitants of this planet, who share with us the same endangered air and the same endangered oceans. This time there is no enemy. There is only a common need to reassess our present course, to change that course and to devise new methods through which the whole world can survive. This is a priceless opportunity.

SCIENCE CAN CREATE THE METHODS FOR NEW LIFESTYLES, BUT MEN MUST SEE THE VIRTUE OF PRACTICING THEM

To grasp it, we need a widespread understanding of the nature of the crisis confronting us—and the world—a crisis that is no passing inconvenience, no byproduct of the ambitions of the oil-producing countries, no figment of environmentalists' fears, no by-products of any present system of government—whether free enterprise, socialist or communist or any mixture thereof. What we face is the outcome of the inventions of the last four hundred years. What we need is a transformed life style which will be as different from our present wasteful, shortsighted, reckless use of the earth's treasures as the present 20th century world is from the agrarian world of the past. This new life style can flow directly from the efforts of science and the capabilities of technology, but its acceptance depends on an overriding citizen commitment to a higher quality of life for the world's children and future generations on our planet.

CUMULATIVE STUDENT RECORDS: A POTENTIAL ABUSE OF THE RIGHT TO PRIVACY—PART II

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1974

Mr. KEMP. Mr. Speaker, I include the second and concluding section of the article, "Cumulative Records: Assault on Privacy," by Diane Divoky, which appeared in the September 1973 issue of the magazine, Learning.

The section follows:

But even the best-intentioned policies don't guarantee ethical practices. A fair record policy in a suburban school district near Cleveland fell into disrepute when it was learned that students were regularly given the job of transporting records from one building to another and were just as regularly snooping on each other.

A California law passed in 1959 assures parents of the right to inspect their children's cumulative records, but local school officials frequently refuse access or fail to inform them of the privilege.

California's state education code also forbids school employees from giving out personal information about pupils to anyone except specified officials. That didn't stop one district administrator, acting in advance of a school board hearing into the suspension of a student, from publicly announcing that the boy had been guilty of "serious violation of manners, morals and discipline." Three years later, the courts found that the public statement was based on nothing more than allegations of the school superintendent, and the student was awarded damages.

So while scattered improvements in the national picture have indeed occurred, school records continue to provide an easy route for invasion of privacy. Perhaps the worst abuses of school record keeping in America occur, despite well-established guidelines to the contrary, in the country's biggest and reputedly most liberal city, New York.

During the months that the author served on the New York City board of education's committee to revise student records (as chairman of the subcommittee on safeguarding and dissemination), these incidents occurred:

A secretary at a private tutoring agency, calls a public junior high school to inquire about a child's reading level. The principal opens the child's record and gratuitously informs the unseen caller that the child has a history of bedwetting, his mother is an alcoholic, and a different man sleeps at the home every night. When the disclosures are reported to the board of education, the principal denies the incident and his immediate superiors back him up.

A teacher of a child entering a new school gets this summary of the student's past academic year: "A real sickie—absent, truant, stubborn and very dull. Is verbal only about outside, irrelevant facts. Can barely read (which was huge accomplishment to get this far). Have fun."

A black father who works for the school system has a friendly teacher show him his bright daughter's "confidential" record. In it is a five-page critique of how his own community activities as a "black militant" are causing his daughter to be "to challenging" in class.

Yet New York State has the clearest regulations in the nation concerning student records, thanks to a series of administrative and legal decisions dating back to 1960. In that year, the Levittown board of education directed that parents be permitted access to all the school records of their children, including evaluation, guidance notes and merical, psychiatric and psychological reports. A dissenting board member appealed the decision to the New York State commissioner of education. The result was a landmark ruling, *Matter of Thibadeau*, which specified that as a matter of law, parents have access to all their children's school records.

Yet in the following year, the administration in a neighboring New York school district refused to allow either the father or the private physician treating the former's son to see the boy's records. The father went to court, and the decision, *Van Allen* v. *McCleary*, stated: "It needs no further citation of authority to recognize the obvious 'interest' which a parent has in the school records of his child." The court added that the parent's right to see the records stems from "his relationship with the school authorities as a parent who under compulsory education has delegated to them the educational authority over his child." Since both the Thibadeau and Van Allen rulings affected all New York State school systems, they became the basis for the detailed *Manual on Pupil Records* distributed to all school personnel.

Handed that clear mandate to allow parents access to records, how did the New York City school system respond? In May 1962, the board of education sent a special circular to all schools stating that most data in records—guidance notes, medical and psychological reports, social agency reports—"are not part of the official school

record and are, therefore, not to be made available for parents to inspect." The system restated that policy in 1964 and 1969, insisting it was "in conformity with State regulations."

In 1970, the New York City system, disturbed by the publicity surrounding the Russell Sage guidelines and fearful of lawsuits, took a small step forward for privacy. It appointed an impressive committee of school department and civic representatives to review and help shape its policies.

An incident during the policy revision process said a good deal about the power of bureaucrats to ignore or override policy. The committee, hearing that school employees were regularly providing sensitive information about students to outside agencies, urged the chancellor to order an end to the practice until a new policy was settled on. He did so. Fifteen days later, under pressure from school administrators, he rescinded the order. During that short period of time, 28 separate and distinct categories of outsiders had called the board of education to complain that their usual sources of information about students had been cut off. They included FBI agents, military intelligence officers, welfare workers, policemen, probation officers, Selective Service board representatives, district attorneys, health department workers and civil service commission officers.

Inside education's own house, the most vocal opponents to giving parents access to student records are those who write and maintain the most sensitive and inferential records: the guidance counselors. In 1961, the American Personnel and Guidance Association issued a policy statement on the use of records that asserted that counselors have the right to decide which records parents should see and how those records should be interpreted to parents. The counselors generally argue this way: What if the child reveals a conflict with his parents that would only be aggravated if the parents knew what the child had said? What if a child tells of a home situation that may be defamatory or even illegal but is important to record for the future counseling of the student? What if parents misinterpret the professional notations of counselors? What if the child needs someone outside his home to confide in?

The other side of that argument is that if information is so delicate or painful that parents shouldn't see it, it probably shouldn't be in a school folder at all. Counselors answer that student evaluations will be badly watered down if those writing them know parents will see them—a statement that raises provocative questions about the school's views of the parents of their students, and its honesty in dealing with them.

Dealing with this issue, the *Buffalo Law Review* pointed out in 1970 that when a school evaluates a child, it is acting *in loco parentis*, because evaluation is a parental function that has been extended to the school. But "once the school authority insists on keeping its evaluation of a child *secret*, then it introduces into the domain of parental prerogative and oversteps its legitimate *in loco parentis* authority, for it is obvious that a parent can control publication of his evaluation of his own child and can keep secret from the world at large such evaluation."

There are, of course, circumstances in which the best interests of a child and inspection of his records by his parents may conflict. However, definition of those circumstances is made difficult by an unresolved ambivalence about whom counselors and school psychologists serve. If the counselor's client is the student, then the counselor should guard the pupil's records and interests zealously against all other parties, including other school employes. But if his client is the school system that pays him, and his job is trying to help adjust that student to the existing educational environment, then the counselor or psychologist might feel free to share personal information about the student with other educators and government agencies but not with parents, who become a sort of third party. Counselors who are used by school systems primarily to discipline truants and misbehavers unavoidably feel that the institution, not the child, is the client. Administrators all too often evaluate counselors not on the well-being of the child but on the thickness and currency of his record folder.

Perhaps the biggest problem faced by all concerned is the fact that we live today in a world of technologically recorded, maintained and communicated information. In 1968, the Phoenix, Arizona, Union High School System introduced a cumulative record system that enabled any staff member to pick up any phone in his school, push a button, dial a code number, dictate comments about a student into a remote recorder and play back comments made by other staff members. The comments, recorded on magnetic tape or a plastic disc in a central records room, are then transcribed by a typist onto pressure-sensitive labels that are entered in the student's permanent file. A clerk sorts the transcriptions, and they are delivered to the appropriate guidance counselor for inclusion in the cumulative record. Color coding identifies the kind of information contained on each gummed label—health, attendance, discipline or financial. Efficient, unquestionably. But what happens if a teacher calls in a comment at the end of a bad day and two weeks later regrets it, but the information has already made its way to the storage system? What if the typist misunderstands the diction? What if the staffer dials a wrong number? The potential for abuse is staggering.

The state of Florida already has a centralized record-keeping computer system, which employs an IBM 1230 Optical Scanner to enter data for all pupils from the ninth grade on up into a computer. These items appear: Social Security number, grade, school, address, type of curriculum, date and place of birth, citizenship, health and physical disabilities, sex, race, religion, marital status, family background, languages spoken at home, academic record, test record, honors-work record and extracurricular activities. Iowa and Hawaii are installing similar systems.

Just last April the New York State Education Department asked 85 school districts to supply the names and addresses of all students who have received psychological or social work services; have a history of truancy, delinquency, drug abuse or alcoholism, or a "potentially disabling emotional, physical or mental handicap"; or have attended classes for unwed mothers, for the "socially maladjusted," or in drug-abuse prevention. In no cases were parents asked for permission to release the information.

Many systems complied. In one that didn't, Commack, New York, the director of pupil personnel services said his district would not send the names along "until I receive a statement . . . that they will not be put in a computer. . . ." The Nassau (County) Psychological Association took a strong stand against the information release, telling all schools: "Releasing this information without securing authorization from the parent or guardian is inimical to the professional behavior of the psychologist."

Even the federal government, not the greatest defender of privacy rights in recent times, has begun to show some concern about the possible adverse effects of computerizing personal records. An HEW task force on data banks, concerned at first primarily with the recent push to require Social Security numbers of all children entering schools, has broadened its inquiry to include a wide range of other record problems. Another HEW group has been studying how records contribute to the systematic classifying and inappropriate labeling of schoolchildren.

What is often described as California's "pioneering" work in social control suggests ways in which schools inadvertently may feed information about their students into Big Brother computers. With funds from Title I of the Omnibus Crime Control and Safe Streets Act of 1968, the California Council on Criminal Justice has set forth on the mission of making "Californians safe from crime." CCCJ funds a statewide program called "Correctionetics." It computerizes and centralizes all juvenile records, including information on psychiatric treatment. Under state law, children down to the age of six years who have been identified as being "in danger of becoming delinquent" can be declared "pre-delinquent" and thus become a California Youth Authority statistic with a juvenile record.

As if that weren't enough, CCCJ is looking for other potential problems that might be computerized. One program, funded for two years, instructed kindergarten teachers in sophisticated methods of identifying "target students"—those five-year-olds whose social and academic profiles were similar to those of adolescents who ended up in juvenile courts.

Suddenly, an unwary kindergarten teacher has become, in effect, a government intelligence agent.

Mr. Speaker, I think, upon a careful reading of this article, that one can more easily ascertain why this matter is of intense interest to myself and my colleagues.

The extent of information stored and used, and the potential abuses which arise therefrom, simply must be addressed by this and State legislative bodies.

I am committed to that task.

NATIONAL MARINE ENGINEERS SPEAK OUT AGAINST OIL TAX LOOPHOLES

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1974

Mr. BINGHAM. Mr. Speaker, the National Marine Engineers Beneficial Association has published an informative, well-written pamphlet that explains the multibillion dollar tax loopholes enjoyed by the oil industry, and their effect on the American consumers' pocketbook. I commend its clarity to those of my colleagues who still believe that what is good for "big oil" is good for the rest of us:

TAX-FREE BILLIONS IN NEW PROFITS FOR OIL COMPANIES

U.S. oil corporations are piling up billions of dollars a year in brand-new income . . . using soaring Middle East oil prices and U.S. tax loopholes to collect exorbitant profits from foreign oil production.

Each tax loophole adds millions of dollars more each day to oil corporation bank accounts.

But others lose out:

The American consumer pays higher prices for oil.

The American Government loses millions—perhaps even billions—in taxes that should be paid.

The American worker loses job opportunities because the tax loopholes encourage overseas investment and the U.S. jobs go with it.

The oil corporations are using the oil depletion allowance and the foreign tax credit to keep from paying their fair share of taxes. These two tax loopholes should be repealed so everyone can get a fair deal.

THE ROLE OF THE TAX LOOPHOLES: HOW THE AMERICAN PEOPLE PAY FOR OIL COMPANY PROFITS

When the price of oil goes up in the Middle East, everyone pays more. Everyone—except the U.S. oil corporations. That's because every time Middle East countries raise the price of oil, U.S. oil corporations gain more in profits.

Who gets hurt? The American consumer pays higher prices for oil. The government loses more and more tax money that should justifiably go to the U.S. Treasury. How do the oil companies do it? By using tax loopholes big enough to drive a giant multinational corporation through.

LOOPHOLES ON TAXES

The *oil depletion allowance* is one such loophole. It lets the oil corporations take 22% of the selling price of a barrel of oil and subtract it from their taxable income. So every time the selling price rises, their tax deduction rises too, because they take the same 22%—but on the higher price . . . which means more dollars saved by the oil companies.

The *foreign tax credit* is the other loophole. The foreign tax credit law allows corporations to subtract, from U.S. taxes owed, dollar for dollar, all taxes paid to foreign governments. Oil corporations pay taxes to foreign countries on the oil they extract from the fields. Since the foreign tax per barrel is higher than the U.S. tax rate, they don't pay any U.S. taxes at all. Instead, some tax credit is left over, or excess.*

The excess tax credit represents the difference between the higher foreign tax and the lower U.S. tax. The oil companies can take this difference and subtract it, dollar for dollar, from the taxes they owe to the U.S. government on profits made in their other overseas operations—shipping, pipelines, refining, marketing, petrochemicals, etc. The tax credit encourages the corporations to invest overseas because they can use that credit to keep from paying U.S. taxes on their profits earned abroad, but they cannot apply it against profits earned in the U.S.

RISING PROFITS

With the tax credit and oil depletion loopholes, profits of U.S. oil corporations are climbing almost as fast as oil prices. The price of a barrel of oil is *four times* as high as it was in 1972, while the profit from a barrel of oil is *five times* higher.

Barrels of oil become barrels of gold for U.S. oil corporations using the tax loopholes.

The oil companies have two different ways to save: through the depletion allowance or through the tax credit. Either choice yields handsome profits—depending on the company's circumstances.

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* The excess credit can be applied to profits earned the previous two years and the subsequent five years in other overseas operations. The inclusion of the amount in profit assumes that there are sufficient profits and dividends from other overseas operations to realize the benefits of this excess tax credit.

PROFITS PER BARREL OF OIL

	Posted price per barrel	Selling price per barrel	With tax deduction (not counting depletion allowance)	With tax deduction (counting depletion allowance)	With tax credit (not counting depletion allowance)
1972	$2.48	$1.90	5¢	9¢	63¢
1974	11.65	8.30	49¢	94¢	$3.38

PROFITS PER BARREL (1)

Without depletion allowance or tax credits

You can first see what would have happened if oil companies had neither loophole.

For instance, assume that they had to treat the taxes they pay to the governments of the producing countries as simple tax *deductions*.

That's the way individuals and corporations deduct the taxes they pay to state and local governments here in the U.S. They're not able, for instance, to credit them—dollar for dollar of state and local taxes—against the tax they pay to the federal government.

If the oil companies simply had to list those overseas taxes as deductions, and assuming they did not have the benefit of a depletion allowance on foreign oil, the oil company profits in 1972 would have amounted to 5 cents a barrel, based on a selling price that year of $1.90 a barrel. By 1974, when the selling price had grown to $8.30 a barrel, profits would have increased to 49 cents a barrel. The four-fold increase in price would have multiplied profits by a factor of ten, even without the use of tax loopholes.

PROFITS PER BARREL (2)

With depletion allowance

The next set of circles shows the profit which the percentage depletion allowance adds, still assuming that the companies take their taxes to the foreign government as a *deduction* rather than as a credit. If they do that, the depletion allowance nearly doubles their profit. Oil company profits would have been about 9 cents a barrel based on the 1972 selling price of $1.90, as opposed to 5 cents without the depletion allowance. And again, the four-fold increase in prices produced a ten-fold increase in profits. Profits with the depletion allowance and a *deduction* for foreign taxes grew to 94 cents a barrel at the $8.30 selling price of 1974.

PROFITS PER BARREL (3)

With tax credit only

This is a very handsome profit to show from just the production of crude oil, but some of the major companies can do even better with the help of the foreign tax credit loophole. For those oil companies which have plenty of profits from other foreign operations, and, which compute their U.S. taxes on foreign income on the "overall limitation" method which lumps together foreign income and credits, profits per barrel increase geometrically. The taxes paid to the producing governments become invaluable as an immense tax shelter for all other earnings.

The tax credit loophole starts with the posted price, on which U.S. oil corporations make their foreign tax payments. This is set artificially high by the Middle East countries. With this higher base, U.S. oil corporations pay higher foreign taxes than the U.S. taxes they would owe, so they always have excess tax credit. As the posted price gets higher, the U.S. government loses ever more in tax revenue—because it loses tax money which would have had to be paid on the profits of the companies' other foreign operations, but which get exempted because of the excess

But while the U.S. government loses, all company profits soar. Under the 1972 price of $1.90, profits became 63 cents a barrel—more than 12 times higher than the 5 cents a barrel profit with a simple tax deduction and no depletion allowance. The four-fold boost in price to $8.30 in 1974 pushed profits up more than five times—from 63 cents to $3.38 a barrel.

A CHOICE OF LOOPHOLES!

Either way, the oil companies have their choice of loopholes: the depletion allowance or the tax credit. Either way, the oil companies win, and the American consumer and the U.S. Treasury lose.

It used to be even worse. Before 1970, the oil companies were allowed to use both loopholes together. They could pile up excess tax credits on the value of the depletion allowance. Half of that double loophole—that is, the use of the depletion allowance for excess tax credit—was finally plugged.

Now it's time to plug the other half of the loophole—by eliminating the tax credit altogether.

PROFITS ON 4 BILLION BARRELS

No matter how it is figured, these per barrel profits run into the billions of dollars for the oil corporations. Middle East oil production, at an estimated four billion barrels a year, would bring in healthy profits to U.S. oil corporations—even without using the tax loopholes. If the oil companies were required to take just the standard tax deduction and were not given the benefit of the depletion allowance, the 49¢ per barrel profit at the $8.30 price would bring in an annual $2 billion in profits. Then the U.S. Government would bring in healthy profits to U.S. oil taxes, instead of being shut out entirely.

This $2 billion profit nearly doubles when the companies use the loophole depletion allowance—to $3.8 billion a year on 4 billion barrels of oil. And using the tax credit loophole at an $8.30 selling price, the companies would gain profits on four billion barrels that would amount to more than $13.5 billion annually.

U.S. oil corporations could make a substantial profit without the tax loopholes. By using the loopholes, on top of soaring oil prices, their profits soar—going into corporate treasuries or into further investment overseas.

Either way, the U.S. loses out. The government collects no taxes, and oil investments continue to grow abroad. That's no way for the U.S. to become self-sufficient in the energy crisis.

IN SUMMARY

These two tax devices don't serve America's needs. The loophole depletion allowance and the loophole tax credit clearly work against our best interests.

It is time to plug those tax loopholes: so that America can get the benefits from profits the U.S. oil corporations make on foreign oil production.

So that America can benefit from the search and production of oil—and other energy sources—within its own borders.

CASE FOR A FEDERAL OIL AND GAS CORPORATION—NO. 16

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1974

Mr. HARRINGTON. Mr. Speaker, I wish to insert into the RECORD an article which recently appeared in the Penn-

sylvania Department of Agriculture's Weekly News Bulletin, in which Pennsylvania Agriculture Secretary Mr. Jim McHale called for the establishment of a Federal Oil and Gas Corporation.

In a speech before the National Farmers Union meeting in Milwaukee, Wis., on March 13, Mr. McHale charged that the major oil companies are deliberately withholding energy supplies in order to drive up prices, and stated that the best way to combat such a situation is to create true competition in the petroleum industry by establishing a Federal Oil and Gas Corporation.

Mr. McHale's speech is, I feel, a useful indication that the constituency for the Federal Oil and Gas Corporation concept extends beyond consumers in urbanized areas to rural, agricultural areas. In general, the speech is illustrative of the growing public support for the Corporation, and I would like to direct my colleagues' attention to Mr. McHale's remarks.

The article follows:

NEED COMPETITION TO KEEP OIL INDUSTRY HONEST

Pennsylvania Agriculture Secretary Jim McHale, addressing the National Farmers Union Convention March 13 in Milwaukee, Wis., called for establishment of a federal fuel corporation that would compete with the private oil industry.

He said government development of fossil fuel reserves on government land is needed to combat the energy shortage which has triggered a fertilizer shortage and, in turn, the threat of a food shortage.

McHale also said federal funding was necessary to strengthen farm cooperatives so they can compete in the market place against the increasingly consolidated power of the food industry.

He said a national land use plan should be formulated to keep plowland permanently in the hands of farmers. Such a plan, he said, should include establishment of federal and state land transfer banks that would help farmers sell their poor agricultural lands for development. "These are the people who should benefit from increased prices of development land," said McHale, "rather than speculators and big land corporations."

McHale charged the current energy crisis was contrived by the oil industry to gain higher prices at the gas pumps and to drive out independent dealers.

"Instituting a confusing allocation program is not the answer," said McHale. "A better one is to establish a Federal Oil and Gas Corporation that can provide true competition against private oil companies."

Citing reports by geologists, McHale indicated that 60 to 70 percent of all oil and gas yet to be discovered in the United States is on publicly owned land. "There is no reason," he said, "why these valuable resources should not be discovered and developed by a government corporation for use by their owners—the citizens."

McHale told the convention delegates he did not think "the public fully understands that the game the oil industry is playing with our fuel has caused a serious shortage of chemical fertilizers which could bring about a national emergency of food shortages and skyrocketing consumer prices."

He said total fertilizer stocks are down 43 percent, "and yet we will require ten percent more fertilizer because we are putting 20 million more acres of land in production this year over last year in a desperate attempt to rebuild our depleted grain stocks. The fertilizer shortage is worldwide. In India alone fertilizer tonnage will be 40 percent short of demand. The grim fact is that many people in the world will go hungry this year."

While the fertilizer shortage is helping to trigger a food shortage, McHale said the situation could be aggravated by a monopolized food industry.

McHale said, "The food situation, I believe, will get worse because of the vertical integration that is now taking place in the food industry. What we have seen occur in the oil industry—withholding of supplies and a doubling of prices in a year—can also occur in a food industry which is rapidly monopolizing."

He said, "The best way to restore competition in the food industry is to make a sizeable public investment in building up farm cooperatives that can bargain down the fuel and machine monopolies and gain efficient marketing channels to consumers."

AUTOMOBILE FREE TRADE ACT

HON. DONALD W. RIEGLE, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1974

Mr. RIEGLE. Mr. Speaker, today I am introducing into the Congress the Automobile Free Trade Act. This act is designed exclusively for the equity of our domestic American automobile companies and workers and if enacted would reduce many of the discriminatory tariff and nontariff barriers that now block the free trade access of American-built automobiles into foreign markets.

EQUIVALENT MARKET ACCESS FOR AMERICAN CARS

This bill is intended to deal exclusively with the artificial barriers and constraints that have arisen in the international automobile market and the problem of inequitable market access presently existing between major trading nations. In drafting this act, however, I have specifically exempted the tariff schedule that applies to the United States-Canada Automobile Agreement—which would remain intact. As to other major automobile-producing countries, the bill is designed to bring about the same market access in foreign countries for American-built automobiles that automobiles manufactured in those foreign countries presently enjoy in the United States. To be more precise, any country exporting automobiles to the United States would be required to restrict those exports to the average unit level of the calendar years 1971, 1972, and 1973, unless and until they offer American manufactured cars equivalent duty levels and the same nominal nontariff fees in their countries that their automobiles face here in the U.S. market. In other words—temporary import ceilings would be established until equal trade access is achieved for American-built automobiles on a country by country basis. The bill is, therefore, temporary in nature and would take effect within 30 days after enactment.

AMERICAN CARS BEAR HEAVY DUTY

There is a marked difference between the duty applied by the United States on cars of foreign manufacture imported into the United States and the equivalent levies imposed by those countries on cars of American manufacture. In the current tariff schedule the rate of duty applied to passenger automobiles imported into the United States is 3 percent. This is substantially less than the duty applied to American automobiles imported into Japan, for example, where a 10-percent duty is applied, or the Common Market countries such as Germany, Italy, France, and the United Kingdom, where the agreed upon rate is 11 percent. In most cases this means that an equivalent American car must bear an additional $220 of artificially higher cost—a severe and unfair handicap that prevents equitable competition and trade.

DUTY BASE IS HIGHER FOR AMERICAN CARS

Beyond this substantial tariff inequity, it is not unusual to find that the duty base on which this levy is applied is also higher on cars of American manufacture. Most countries that could import American cars further restrict fair competition by including freight and insurance costs in their duty base calculation, whereas the United States accepts a foreign valuation of the vehicle without these added charges. Japan, for example, includes these costs in their valuation with the resulting increase in duty that must be ultimately borne by the consumer. This of course tends to artificially price American cars out of the Japanese market.

DISCRIMINATORY NONTARIFF BARRIERS

There is ample evidence of the economic barriers that have been designed by many countries to artificially restrict the importation of U.S.-manufactured automobiles. The Automobile Manufacturers Association has compiled voluminous data on these barriers. It is evident from this material that while higher levies and a greater duty base are impediments to the sale of American cars abroad, the most discriminatory economic barriers are in the nontariff areas. Data culled by the Automobile Manufacfacturers Association for the year 1972 shows that a variety of nontariff techniques are also used to restrain competition. For example, Japan applies a commodity tax of 40 percent, Belgium a value-added tax of 25 percent, Italy a compensation tax of 7 percent, Norway an import tax of 67 percent, and England a purchase tax of 30 percent. In most cases, these taxes are applied to the duty-paid value, rather than manufactured cost and ingenous administrative procedures assures their application exclusively to American-manufactured cars.

SMALL AMERICAN CARS AVAILABLE

The criticism that American manufacturers do not make a car for the European or Japanese markets is inconsistent with the facts. American Motors has been struggling to market a small car for decades and when Ford and General Motors entered the small car market, the barriers to their exportation remained. Today the Pinto and Vega are priced competitively in the world market but are still denied fair market access in many developed nations. The American worker is not being given a fair shake. Unfair trade barriers have resulted in the loss of American jobs—and we will continue to lose American jobs until these inequities are corrected. It is essential to the strategic well-being of the United States that these trade injustices be eliminated. The reduction in tariff that has already been negotiated by GATT is nominal and in no way deals with the constraints that

have been fashioned by most countries to exclude U.S. automobile products.

U.S. NONTARIFF BARRIERS ARE NOMINAL

While the United States levies its own nontariff barriers, these sales, registration, and personal property taxes, which are imposed in varying amounts on automobiles sold in the States, are far smaller than the equivalent levies on U.S. vehicles sold in Europe or Japan. In fact in Japan each prefecture levies its own annual tax on all registered vehicles that discriminates considerably against larger vehicles.

U.S. MANUFACTURERS BYPASS PROBLEM

U.S. manufacturers, in many cases, have tried to cope with these tariff and nontariff barriers by investing capital in manufacturing capability abroad. But this has been at the expense of the American worker—it means exporting jobs. If we view our domestic automobile industry in national terms, there can be no meaningful separation between capital and labor. As one of the more labor intensive industries, the auto industry oftentimes serves as the industrial base of many developed nation's economy and is said to create one out of every seven jobs in a developed nation's economy. We must not allow our domestic auto industry to be further damaged by unfair international trade practices.

SUMMARY

In summary, today's international automobile market is not a free market. It is highly constrained, discriminatory and biased against cars built in America, be they standard sized, compacts, or subcompacts. The partial reduction in tariffs brought about through the General Agreement on Tariffs and Trade, while helpful, have not come close to creating a condition where fair and free trade can take place with respect to automobiles. So tariff inequity remains. But the bigger problem today is in the nontariff area and much needs to be done before the American worker can effectively compete within an economic trading framework that is fair. American technology and productive efficiency cannot possibly hope to overcome such massive and artificial constraints to trade. This act is desperately needed and will do much to strengthen our American automotive productive capability, help our American auto workers, and serve the basic goal of fair and free trade.

H.R. 13920

A bill to impose temporary quotas on motor vehicles imported into the United States from foreign countries which do not allow substantially equivalent market access to motor vehicles manufactured in the United States

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 "Automobile Free Trade Act".

SEC. 2. Within 30 days after the date of the enactment of this Act, the President shall—

(1) determine those foreign countries which allow, or will allow, market access in respect to motor vehicles manufactured in United States which is substantially equivalent to the market access allowed by the United States in respect to motor vehicles produced in such countries; and

(2) publish in the Federal Register a list of such foreign countries.

SEC. 3. The total quantity of motor vehicles manufactured in any foreign country not included on the list published pursuant to section 2 of this Act which may be entered after June 30, 1974, and before January 1, 1976, shall not exceed the average annual quantity of motor vehicles manufactured in such country and entered during calendar years 1971, 1972, and 1973.

SEC. 4. The Secretary of Commerce shall compute the quantities provided for in section 3 on the basis of available import data and shall certify to the Secretary of the Treasury the amounts which may be entered from each foreign country. The Secretary of the Treasury shall take such actions as may be necessary to ensure that the amounts which may be entered do not exceed these quantities.

SEC. 5. As used in this Act—

(1) The term "entered" means entered, or withdrawn from warehouse, for consumption in the customs territory of the United States.

(2) The term "motor vehicles" means automobile trucks, motor buses, and other motor vehicles for the transport of persons or articles as specified in items 692.02, 692.04, and 692.10 of the Tariff Schedules of the United States (19 U.S.C. 1202).

IN TRIBUTE TO MARTIN LUTHER KING ON THE ANNIVERSARY OF HIS DEATH

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1974

Mr. RANGEL. Mr. Speaker, tomorrow, April 4, 6 years after his tragic death, we will take a special order to honor the work and life of Dr. Martin Luther King and other great black leaders who have led the struggle for freedom, equality, and justice for all people in this Nation.

The historic achievements of Dr. King were only partly measurable while he lived. The seeds of brotherhood and human justice which he planted in Selma, Memphis, Birmingham, and other landmarks of civil rights movement have flowered into a growing black political power. This is represented by the recent election of blacks as mayors in major cities across the United States, the election of the first black Representatives from the South since reconstruction and the formation of political power that is the Congressional Black Caucus. Martin Luther King refused to remain silent when he encountered injustice. Whether it was a boycott of buses in Birmingham or support for a strike, the people knew that his involvement would not end until their goals had been achieved.

"Injustice anywhere is a threat to justice everywhere," Dr. King stated once. With that conviction he pursued goals that we should once again commit ourselves to. Yet it is indeed tragic that programs such as those administered by the Office of Economic Opportunity have faltered through underfunding and a lack of support on the part of the present administration to promote the ideals of Dr. King and the human rights movement.

Dr. King had a deep faith in freedom representative government and America. His great faith in mankind—in the people's capacity to do what was right—sustained this great leader in his crusade for the rights of all citizens, and keeps his memory alive in the hearts and minds of all of us who were inspired by his work and his life.

BUSING CAN WORK

HON. SHIRLEY CHISHOLM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1974

Mrs. CHISHOLM. Mr. Speaker, last week the House passed an amendment to H.R. 69 which may set back the cause of civil rights and equal education for everyone. The amendment in question is the "Michigan" amendment, which prohibits busing by court or HEW order and allows school desegregation plans already in effect to be reopened and modified.

The Supreme Court has ruled that local school districts have an affirmative responsibility to remedy school segregation and that busing is, under certain circumstances, one of those remedies. I have stated that busing is a necessary stopgap to deal with the inequalities of the educational system, and that the real remedy would be the end of discrimination in society in general and housing in particular. This amendment is merely an unconstitutional attempt to send the issue of equal educational opportunity back to the Dark Ages under the guise of establishing national standards to remedy school segregation. Furthermore, it has proven that busing can work, even in communities which experienced massive disruption in the early days of the implementation of busing.

Pontiac, Mich., is a case in point. After a troubled start 2½ years ago which included everything from the bombing of empty buses to attempts at driving buses full of children off the road, the schools have calmed down. School officials note that blacks and whites are becoming friends after remaining voluntarily separated for a full year after busing began. According to the superintendent, the Pontiac school system experienced greater tranquillity in 1972–73 than in any of the previous 5 school years, and a full 3 of those years were prior to busing. One school official complained that a major problem was that—

It may take several years before they (the children) completely overcome all the ugliness they learned from their elders.

Maybe those who are so quick to damn busing ought to learn a lesson from that quote and ask the kids how they feel.

Southern cities have shown no less a propensity for making desegregation through the use of busing work, and again most of the credit should go to the students themselves. In Memphis, Tenn., students told of their fears when busing first began, and some students even admit to crying at the prospect. They are quoted now in quite a different state of mind, making such comments as "It's one of the greatest things that ever happened" in a Washington Post interview, and recognizing the problem as one of having prejudiced parents more than anything else.

The House has made the same mistake as the prejudiced parents might have made, mixed in with more than a little election year maneuvering. Hopefully the Senate will not adopt a similar amendment.

THIEU TIGHTENS STRONG-ARM POLITICAL CONTROL OVER SOUTH VIETNAM

HON. RONALD V. DELLUMS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1974

Mr. DELLUMS. Mr. Speaker, supporters of the Thieu regime are glowing in their praise of the democratic fashion in which Thieu governs.

However, anyone who would confuse Thieu's system of military yoke and a vast police-terrorism-prison network with democratic principles is absolutely unaware of what is really happening in South Vietnam.

A recent article by George McArthur of the Los Angeles Times describes new village level controls instituted by Thieu, and is an important perspective on the repressive tactics employed by Thieu and his cohorts.

The article follows:

THIEU EXTENDS CONTROL MORE AT VILLAGE LEVEL

(By George McArthur)

SAIGON.—While South Vietnamese President Nguyen Van Thieu recently has been making political capital by strengthening his civilian government at the top, he has quietly been extending military control more thoroughly than ever at the bottom.

Without a public announcement or fanfare, he has given his approval to what some officials call the village militarization plan. Although the project is a good bit less sweeping than that title suggests, it will still bring life in the countryside more under army control than ever before.

It is indicative of how seriously Thieu views South Vietnam's political and economic future that he has gone ahead now with the plan that has been kicking around the bureaucracy for about six years. Previously it was always sandbagged by entrenched civil servants, provincial officials, policemen and others who would be downgraded. Early in February, however, Thieu ordered the plan into operation in the five northern provinces just below the 17th parallel demilitarized zone.

As the manpower becomes available, the project will be extended to threatened border districts and ultimately to most of the 3,000 or so villages in the country.

Although South Vietnam quite obviously has been under military control for many years, the administrative machinery of the military generally stopped at the district level—roughly the equivalent of an American county. A captain normally serves as a district chief and his tentacles reached down to the village level through varying militia outposts, police stations and such. Elected village officials handled a good bit of the administration, and local security was in the hands of policemen and militiamen usually from the area.

Under the village militarization plan—much of which remains unclear—young lieutenants will now be placed directly in the villages as sort of super advisers. The local police will be downgraded. Inevitably, criticis claim, local power will gravitate to the military officers on the spot.

Manpower is also a serious problem. Some of the village level officers will be drawn from regional force militia outfits that hardly have great reserves of administrative talent. Some officials estimate that perhaps 25,000 officers and men will be needed to staff the village posts—and this number of trained men simply is not presently available. Starting in January, the government instituted special courses at the officers' training center in Thu Due for cadets destined for the new project. The course leans heavily on information the government has amassed on the Viet Cong infrastructure in the south.

Despite such courses, it will be months, if not years, before genuinely well-trained officers are available. Meanwhile, the government evidently intends to go ahead and take the risk that the project might founder as many similar schemes have in the past, from administration by men of dubious competence.

Some officials privately state that Thieu felt forced to go ahead with the project since he saw no prospect that the Paris cease-fire agreements, signed just over a year ago, were going to bring any genuine reconciliation in the south. He felt that the villages—and particularly the border villages—needed military stiffening for the political struggle that continues in the countryside (unlike the major urban areas where the Viet Cong have long been quiescent if not eliminated).

On the other hand, Western diplomats in Saigon say that the project is simply one more setback for popular government in the countryside, following on the decision early this year to cancel the scheduled popular election of civilian province chiefs.

The project obviously is part of Thieu's overall strategy to retain power for himself and, in his view, to strengthen the government machinery sufficiently to withstand any renewed offensive—subversive or direct—from North Vietnam.

Thieu's strategy began to unfold late last year when he carefully orchestrated a Senate election. He then used his overwhelming legislative majority to change the constitution, enabling him to run again in three years. Simultaneously, he has made his Dan Chu (Democracy) Party into the sole significant political party in the country.

Within the past month, he has completely reshuffled the cabinet, retired 10 over-age or shopworn generals, fired the colonels running one-quarter of the country's 44 provinces, trimmed half a dozen special assistants from his personal staff and swept out dozens of other officials, including the colonel who bossed one of the world's leakiest customs services.

Much of this was more or less forced upon Thieu by the worldwide energy crisis, which compounded a domestic economic slump increasingly visible each day since the American military withdrawal a year ago.

Many Western experts in Saigon—and quite likely the Communist rulers of North Vietnam—feel that South Vietnam's economic situation will reach grim proportions within six months or so unless American economic aid is sharply increased.

Faced with continuing Communist pressure from outside South Vietnam and economic hard times within, Thieu is likely to rely more and more on the army, which remains the basis of his power.

WASHINGTON REPORT: A TURNING POINT IN EDUCATION

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1974

Mr. HAMILTON. Mr. Speaker, 1974 is shaping up as a turning point for the Federal role in education.

This week the House approved amendments to the Elementary and Secondary Act of 1965, which is the major source of Federal aid for public education. Between 1966 and 1973 a total of $13 billion has been appropriated for various programs, with annual appropriations now at $2.19 billion.

Everyone agrees that the present system, featuring a myriad of aid programs, needs improvement. Gradually those who have favored the Federal Government's money being spent on fairly specific national needs, as determined in Washington, and those who want the States to have the money to spend as they see fit, have drawn back from confrontation and begun to cooperate. A consensus is developing among educators, the Congress, and the President that Federal aid to education must be better managed, with fewer restrictions from Washington, less paperwork, and a bigger voice in spending the money for State and local officials. The result is substantive change, but not an abdication of Federal controls, and a basic shift in direction.

In the major title of the act, funds are provided for grants to local education agencies with concentrations of children from low-income families. The assumption of the act is that there is a high correlation between family income and educational achievement. The money is used for a variety of programs, but most of the aid is concentrated on the basic skills of reading, writing, and mathematics. A debate rages about the effectiveness of the act. The money has not brought equal educational opportunity to all American students—an expenditure of $175 a year for each student has been the pattern of the program, and could not accomplish everything—but without such extra funds there would be little chance of breaking the cycle of deprivation that ensnares so many of the poor. Many approaches used under this act have failed, but more are succeeding and reports now are beginning to indicate significant gains in reading and mathematics in many school districts. The act is making a difference in the education of disadvantaged students.

The major controversy on the extension of the act centered on the formula for distributing the money to the States and local school districts, with urban, suburban and rural factions, as well as poor and wealthy States, contending against each other. The House this week approved a more equitable distribution of the funds than the present system which has become skewed heavily in favor of wealthier States.

The House amendments also consolidated several categorical aid programs, pulling together existing programs for flexibility, convenience, and simplification. The consolidation will mean one allocation of money instead of eight, one State plan instead of five, and one application from a local school district instead of eight. The amendments also authorize the extension of Federal funds to local school districts where enrollments are increased because of Federal activities, a type of assistance valuable to several Ninth Congressional District school districts.

The House wrestled with school desegregation, adopting a provision that

would permit busing only as a last resort and then allow no student to be bused farther than the next closest school to his home. The alternatives to busing that must be shown ineffective before busing could be allowed, include assigning schools closest to home—taking school capacities and natural physical barriers into account—permitting students to transfer from a school with a majority of their race to a school with a minority, revising attendance zones or grade structures, and constructing new schools and closing inferior schools.

The Congress has an obligation to provide Federal guidelines and resources for constructive alternatives to massive busing to achieve desegregation and to improve educational opportunities for minority group children. The effort in this provision was to strike a balance between legislation of doubtful constitutionality, which completely denies courts the use of certain remedies, and the current practice of lower courts of imposing transportation remedies which seem to exceed the requirements of either the Constitution or sound educational policy.

CHANGES NECESSARY IN OCCUPATIONAL SAFETY AND HEALTH ACT

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1974

Mr. BOB WILSON. Mr. Speaker, I am pleased to join with my distinguished colleague from the State of Tennessee, Mr. BEARD, in cosponsoring his legislation to make certain changes in the Occupational Safety and Health Act.

Like many Members, I have received a considerable volume of mail from small businessmen and other interested constituents regarding the difficulties they have encounterel in the administration of OSHA. Many of these letters have urged outright repeal of the legislation.

There is no question that the goal of OSHA is a commendable one. Every American deserves the right to work in a healthy and safe environment, without the danger of loss of life or livelihood as a result of a job-related injury.

Unfortunately, the net result of the Department of Labor's often overzealous implementation of the Occupational Safety and Health Act has been distrust and defiance on the part of some employers who feel that the Department's actions have been both capricious and dictatorial. When employers who in the pre-OSHA era considered job safety an integral part of their business operations are antagonistic to the Department of Labor, its inspectors, and attendant mountains of paperwork, the purpose of the legislation is surely defeated.

For this reason, I am cosponsoring Mr. BEARD's legislation to bring about a more constructive and positive atmosphere toward OSHA practices, without in any way jeopardizing the safety or health of the worker. This legislation does not reduce the standards of coverage, but outlines new procedures to assure that employers are able to work in coordination with, rather than opposition to, the Department of Labor to achieve a safe and healthful environment for every American workingman.

I urge my colleagues' support of this legislation.

BAN THE HANDGUN—XXXIX

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1974

Mr. BINGHAM. Mr. Speaker, in San Francisco, Calif., there has been an alarming outbreak of seemingly related shootings since January. Recently the 11th victim of this 3-month long massacre, fell. Whatever the perpetrator's purpose or motive is, his deeds are made far easier by the Members of Congress who will not disarm him, who will not get the handguns off the streets and out of the reach of terrorists and murderers. The following article is reprinted from the April 2 edition of the New York Post:

THE 11TH KILLING IN FRISCO

An all-out manhunt was on in San Francisco today for a lone gunman who shot a Salvation Army cadet to death and critically wounded his woman companion in what was believed to be the latest of a series of militant-style killings in that city.

Two-hundred men—one tenth of the city's police force—were thrown into the search for the slayer, who walked up to the pair as they stood at a bus stop last night and opened fire without a word.

Killed was Tom Rainwater, 21, of Santa Barbara, Cal. His companion, cadet Linda Story, 21, of Hayward, Cal., was rushed to Mission Emergency Hospital in critical condition with two wounds in the back.

Authorities labeled the shootings "Zebra," the same code name for 10 random slayings committed on the city's streets last December and January. In each of those killings, the victims—like Rainwater and Miss Story—were white, and the assailants were black.

An alarm was broadcast after last night's shootings for a black man in his 20s, about 5-foot-10, 170-pounds, and wearing an Army fatigue jacket, jeans, a watch cap and tennis shoes.

The shootings occurred on Geary Blvd. in the city's Western Addition, several blocks from the Salvation Army training school where Rainwater and Miss Story were assigned.

RETURNS TO SCHOOL

Police said the pair had gone out for a snack and were returning to the school when they were shot. The killer fled on foot.

"The only thing that doesn't fit the militant pattern is the failure of whoever is responsible to claim credit and seek publicity," said San Francisco police operations officer Mark Swensen.

"Usually, in these cases, you get some sort of message, but we haven't heard a word. We don't know whether the shooting was some kind of weird initiation rite or just the act of a nut."

Similar silence followed the killings of six persons and the wounding of two over the span of a few days in December and the shooting of five persons—four fatally—in a two-hour period last Jan. 28.

In those cases, the lone gunman fled in a car driven by a second man. Police said every car in the city of similar description had been checked out, but no leads had been turned up.

AID FOR SOUTH VIETNAM

HON. BILL ARCHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1974

Mr. ARCHER. Mr. Speaker, this Congress will soon consider a request for $474 million in military aid for South Vietnam. This aid is designed to assist the South Vietnamese in defending themselves from aggression from North Vietnam. The American commitment in this area, costly in American lives, has succeeded over the past decade in building a strong South Vietnamese army so that the citizens of South Vietnam can defend themselves.

An editorial which appeared in the Washington Star-News on March 25, 1974, entitled "Scratching South Vietnam" discusses some key considerations regarding our military assistance to this embattled Asian nation.

SCRATCHING SOUTH VIETNAM

It is not particularly surprising that Senator Edward M. Kennedy and a number of his liberal colleagues should be leading a fight to block a Pentagon request for $474 million in additional military aid for South Vietnam this year. If the Senate doves had their way, South Vietnam would long since have been denied the means of defending itself against aggression from the North and the struggle for survival ended once and for all.

It is very surprising, on the other hand, to hear Senator Barry M. Goldwater lending his support to the Senate doves in blocking the transfer to South Vietnam of leftover Defense Department funds. As Goldwater put it the other day with characteristic bluntness: "For all intents and purposes, we can scratch Vietnam. I think it's evident that the South will fall into the hands of the North."

This is a brutal and quite possibly self-fulfilling prophesy. If South Vietnam is denied the military and economic aid on which its survival depends, it is indeed likely that the North will take over the country and its 18 million brave people. But it happens that South Vietnam is by no means on the verge of falling at this point. Goldwater's pessimism, it would seem, arises from a profound and most unfortunate ignorance of the situation in the country today.

Despite severe economic strains caused by the American departure from South Vietnam, the nation is more than holding its own against continuing Communist pressure. The North Vietnamese control considerable territory in sparsely populated parts of the country. In violation of the peace agreement, they have continued a massive infiltration of forces—130,000 troops by conservative estimate, some 600 tanks, long-range artillery and anti-aircraft batteries. Within South Vietnam, they have built a complex of twelve airfields, an oil pipeline and a road system.

For all this, however, they have failed in heavy fighting to make appreciable military gains. The Saigon government controls all of the major population centers and provincial capitals. The threat, to be sure, shows no signs of abating. But the South Vietnamese appear more determined than ever to defend their country and increasingly confident of their ability to do so.

In this situation, it is utter nonsense to talk of "scratching" South Vietnam and reneging on the solemn pledges of assistance that have been made. The amounts that will be needed will depend on how quickly the economy can be brought under control and the amount of military aid furnished to North Vietnam by China and the Soviet

Union. The point is, however, that the United States has already invested 50,000 lives and more than $130 billion in the defense of South Vietnam. And for all their own problems, one suspects that the American people do not want to see that investment written off.

MOSCOW'S HAND ON THE PUMP

HON. ROBERT J. HUBER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1974

Mr. HUBER. Mr. Speaker, a recent editorial in the Washington Post of March 20, 1974, points out how badly the Soviet Union treated its European trading partners during the recent Arab oil embargo. The Soviets had it both ways. They encouraged the Arabs to shut off the flow of oil to the West and then jacked up the price to their customers in Western Europe. How anyone can still believe that the United States would be allowed uninterrupted access to Soviet oil or gas as a result of any future trade arrangement is beyond understanding. The editorial follows:

MOSCOW'S HAND ON THE PUMP

A sobering comment on Moscow's reliability as a supplier of natural gas and oil is contained in recent accounts of its dealings with two veteran customers in Western Europe. Finland, for one, found that the Russians raised their price last fall to the level of the world price set by the oil cartel. This added at least half a billion dollars to Finland's annual energy bill. But the price of the goods which the Finns sell to Russia remained the same. So great was the shock that the socialist premier of Finland was led to compare the additional burden, five per cent of GNP, to the postwar reparations which Moscow imposed on the Finns—about two per cent of GNP. By their particular political dependence on the Soviet Union, the Finns are locked into this one-sided arrangement, which illustrates all too well the economic aspect of "Finlandization."

In respect to West Germany, the Russians evidently realized during the oil panic last fall that they could get a higher price by exporting elsewhere. So they slowed and then stopped delivering crude oil, though a contract had been in force for more than 15 years. They had contracted to deliver 3.4 million tons of crude in 1973; actual deliveries were 2.86 million tons. Exploiting Germany's temporary duress, the Russians pushed their price to $18 a barrel. Veba, the German oil buying agency, then suspended its contract with the Russians. It was put back into effect, at new higher prices, only a few days ago.

Meanwhile, Moscow Radio has just felt compelled to deny an Iranian newspaper's report that the Soviet Union is buying natural gas cheap from Iran and selling it dear in the West. Even if the Kremlin wanted to perpetrate such an uncomradely deed, Moscow Radio says, it couldn't because there is no pipeline. But there *is* a pipeline—a fact which has to be set against Moscow Radio's denial.

The Soviet Union has made a good thing in the past about being a fair and reliable trading partner. This reputation has served it well, the Economist recently noted, in inducing West Europeans to deliver large quantities of steel pipe and other equipment, against promises to be paid in future oil or gas. Yet in the Finnish case, the Russians jacked their prices through the roof. With Germany, they simply stopped delivering for a while and then resumed the flow but, again, at much higher prices. In brief, neither on the supply front nor the price front have they treated their traditional customers well—customers with whom they have no outstanding political differences, moreover. If the Russians began to run short of energy themselves, as many foreign experts expect they will, would they fulfill their contracts for export sales? These are matters which must be taken into account in the United States' own deliberations on the advisability of making large long-range investments in Soviet gas and oil.

TRIBUTE TO JULIA BUTLER HANSEN

HON. HERMAN BADILLO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1974

Mr. BADILLO. Mr. Speaker, I rise to pay tribute to a respected colleague, JULIA BUTLER HANSEN, who has chosen to end her outstanding public career with this session of the 93d Congress.

JULIA BUTLER HANSEN is one of the truly wise and progressive legislators it has been my privilege to know. Though my few terms are dwarfed by JULIA'S 14 years in the House and by her 37 years of public service, I want to make it clear that her effective chairmanship of the Democratic Committee on Organization, Study, and Review has enhanced the careers of younger Members serving today and those to be elected to future Congresses. It was her vision and leadership that mobilized the Hansen committee behind proposals to end the practice of awarding committee chairmanships solely on the basis of seniority, to allow a Member to serve on no more than two legislative committees, ann to allow no Member to chair more than one legislative subcommittee.

These three reforms opened up the proceedings of this body and represented a real advance toward democratizing the House of Representatives. The history of the House will give JULIA BUTLER HANSEN a prominent place for those recommendations adopted in the Democratic caucus on January 20, 1971. Before the end of that year, no fewer than 113 Members held subcommittee chairmanships, a remarkable departure from the past in the dispersal of higher responsibility to more than one-fourth of the Members of the House.

JULIA will be remembered for her compassionate and successful legislative endeavors on behalf of American Indians, for her work in conservation, and for her early insights into the need for new sources of energy.

JULIA BUTLER HANSEN is one of the most highly respected Members of the U.S. House of Representatives. More than that, she is a helpful, wise, and humane person who will leave behind monuments to her effectiveness and a large debt of gratitude. I wish her well in her richly deserved retirement.

PUBLIC SAFETY OFFICER'S BENEFIT ACT OF 1974

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1974

Mr. BIAGGI. Mr. Speaker, the House is expected to be considering the Public Safety Officer's Benefits Act of 1974 in the next few days. The bill will provide $50,000 Federal payment to the surviving dependents of public safety officers killed in the line of duty. It is long overdue.

The wide support this bill has received is exemplified by such private citizens as Mr. Ordway, P. Burden, of New York. Mr. Burden has been a supporter of law enforcement since his college days. As a Harvard Law School student, he was named to head a corps of volunteer student marshalls used during the 1970 civil disorder in Cambridge, Mass. In 1966, at 21 years of age, Mr. Burden was named an auxiliary policeman in Cambridge, and has been actively supporting law enforcement ever since.

Burden is typical of the wide support this legislation enjoys beyond the police and public safety officer organizations around the country. Through Mr. Burden many organizations like "The Hundred Club of Massachusetts", "The Hundred Club of Connecticut", "The Hundred Club of New York", and many other private citizen organizations, have rallied support for this legislation.

These organizations have been partially fulfilling the need for support of public safety officer's widows when their husbands have been killed protecting the public safety. The work of these organizations has been outstanding and in so many cases gone unpublicized.

It is not my intention at this time to try to get long overdue credit for these private citizen organizations that have been helping policemen's families when the public safety officer is killed protecting us. What I am trying to do is to show that through these committees of "Hundred Clubs," and people like Mr. Burden who support them, the need and wide support of this legislation has been well demonstrated.

Certainly few will deny that it is virtually impossible for many small police departments to pay death benefits to widows and families of officers killed in the line of duty. We also recognize that many criminals who have been arrested and convicted of killing police officers have come from cities, towns, and counties other than the ones in which they commit the killing.

The logic and need for this bill cannot be denied, and it is to people like Mr. Burden and his "One Hundred" clubs that we are indebted for trying to take care of these people who must be covered by this legislation. These "Clubs" will continue to grow, hopefully all over the country, but I pray that some wives and loved ones of police officers killed in the line of duty will not have to go unhelped because there are not enough Burdens or "Hundred Clubs" to take care of this problem.

There should not be a dissenting vote on this bill when it comes to the House floor for vote.

FUNCTIONS OF THE VOLUNTEER FIREMEN

HON. JOHN P. MURTHA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1974

Mr. MURTHA. Mr. Speaker, to many people the chief function of the local fireman is no more than parading on Memorial Day. But many know that the volunteer fireman is a true man of distinction—not because of his advertised preference for any particular product of commerce—but because he is a volunteer.

Volunteers in other job areas are becoming rare, unfortunately. However, the volunteer fireman stands out. Not only does he seek no pay for his great services to the community but, in many places, he contributes to the upkeep of the fire department and helps with the purchase of equipment through his work in the operation of carnivals.

I have always been impressed with the sense of civic responsibility displayed by volunteer firemen. After reading the following article by Bill Graff I came to better understand how the fireman is perceived by the people in the community. Bill Graff, assistant editor of the Evening Gazette, was a member of the Blairsville Fire Department for 22 years before retiring. He attained the rank of assistant fire chief before ending his career which included seven stints as an instructor at the Westmoreland County Fire School at St. Vincent College in Latrobe. This article is in reply to comments he has heard from people watching firemen at work, and from questions firemen hear.

It is an excellent article and one that firefighters and nonfirefighters alike will find extremely interesting.

Here is the article, Indiana Evening Gazette, Thursday, February 21, 1974, by Bill Graff:

"What took you so long to get here?"

Most firemen have heard this comment many times, primarily coming from a neighbor or curious bystander. Occasionally the victim of the fire will ask the same question.

But by and large . . . firemen are on the scene in a matter of minutes. For those requiring their services, however, it seems like hours since the alarm was turned in. That's human nature and most firemen cast the comment off.

Still . . . a good question sometimes deserves a reply and this is hopefully the answer.

Let's set up two hypothetical fires . . . one during daylight hours . . . the other in the middle of the night. One is a summer day alarm . . . the other a mid-winter call.

The phone rings in the police station and the dispatcher answers. "This is Mrs. Margaret Rathbaughn. My house is on fire. Call the firemen. I live along Route 217. Please hurry!" The dispatcher hears the click and knows the frightened woman has hung up before telling whether firemen should go north or south on Route 217. He punches the fire alarm button and starts the sirens sounding to alert the firemen. In the meantime, he's trying to look up Mrs. Margaret Rathbaughn's telephone number in the phone directory.

Firemen start for the door and their vehicle as soon as they hear the siren. They jump into the car and head for the fire hall.

"Where's the fire?" they ask. The fire hall phone is ringing and the first man in answers. It is the dispatcher telling them a house is on fire along Route 217 north of Blairsville. He successfully located the woman's phone number and location in the phone directory.

The officer-in-charge tells what equipment is to be dispatched and the trucks roll out headed for the fire. The big siren finally drones down to silence. Two minutes have passed since the dispatcher pressed the button to activate the siren and the first two trucks are on the way.

The route to the fire is relatively free of traffic. Police have stopped traffic near the fire hall and the trucks can roar around the corner.

It's daylight. The temperature is in the 50's, the time is 2:35 p.m. and approximately 23 of the 64 members have immediately responded to the fire siren. If the situation warrants more men can be summoned by a second alarm.

The first truck arrives at the fire scene within seven to eight minutes from the time Mrs. Rathbaughn had first called in the alarm.

"What took you guys so long to get here?" someone asks a fireman.

Now let's look at a fire alarm called in at 2:20 a.m. on a January morning where thermometers have plummeted to 16 degrees above zero.

The telephone rings in the police station. The disptacher picks up the fire phone and hears: "This is Mike Pollitskie from Blairsville RD 2. Get the firemen here right away my house is on fire." The dispatcher says: "Now don't hang up until you tell me where your house is located." He gets a reply like "I can't talk, my house is burning up."

The dispatcher hits the siren button and dials the fire hall phone. The first fireman in the door answers the phone and the dispatcher relays what he has heard and says he's trying to find a better address.

The second fireman in delivers bottled gas for living and says he knows where Mr. Pollitskie lives. More firemen arrive and start dressing in the warm night suits. A driver, an officer and four men are dispatched on the first truck as the siren goes silent. Less than 30 seconds later the second truck rolls out.

The roads are icy and treacherous but the driver realizes this and also knows his job is to get the truck and men to the blaze safely. He knows there are men who were awakened from a deep sleep hanging on to the big truck now cruising along at 35–40 miles per hour. The men are still dressing as they hang from the moving truck. Biting cold numbs their faces and hands. Tears fill their eyes as the biting wind never stops. Their hearts are still pounding at a quickened pace because that's how a fireman reacts to an emergency and danger.

A steep grade, narrow winding road, slippery curves, and knowledge of the human cargo aboard tend to make the driver extra cautious.

The truck crests a hill and firemen take a deep breath . . . they see the fire in the sky and know their work is cut out for them even before they arrive. They ask themselves: Is anyone trapped? Are there children involved? Is there water nearby? Is the house near a road? How long will we be there? Will I make it to work today?"

The truck pulls in at the blaze and people start screaming. The officer in charge quickly sizes up the fire and tells the men what to do.

The time: Just nine minutes from the time the wail of the siren chased these firemen from their warm beds and security of the homes and families.

And then the question: "What took you guys so long to get here?"

Then there is the snide comment often heard: "Well they're volunteers, not paid firemen." That comment hurts.

It is doubtful whether one volunteer fireman out of the nearly 500,000 in Pennsylvania considers himself a volunteer when it comes to fighting fire, saving lives, or risking their own lives and livelihood.

Paid firemen do a job and receive remuneration. Volunteer firemen do the same job, take the same risk, hear the same comment, and seldom receive any thanks for their services.

Volunteer firemen also go around begging for donations to help purchase fire equipment and even the clothing on their backs. Paid firemen don't have to do this.

Volunteer firemen save taxpayers thousands upon thousands of dollars each year by providing service their city brethren must pay for.

And volunteer firemen get hurt and are killed, just like their paid counterparts. But volunteer firemen are just that . . . volunteers doing their selected job to the best of their ability.

They work under handicaps their paid brothers seldom encounter such as have to build dams on small streams to obtain water to extinguish fires; laying hose across muddy fields, under railroad tracks and to ponds on farms.

Yet when these same men respond to alarms at all hours of the day and in all kinds of weather . . . they nearly always hear someone ask: "Hey! What took your guys so long to get here?"

CECIL R. KING

HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1974

Mr. ROYBAL. Mr. Speaker, it is with a deep sense of personal loss that I join the members of the California delegation in taking special note of the passing of our friend, former colleague and past dean, Cecil R. King.

Cecil King was a dedicated and hard-working legislator who served with distinction for more than two decades as a Member of the House of Representatives. He represented the 17th Congressional District of California from 1942 until he retired in 1968. And during that time he not only witnessed many great moments in legislative history but himself contributed significantly to the health care legislation of the 1960's. The Medicare Act that he coauthored will stand through the years as a reminder of his immense sense of concern and dedication in this area.

His death last month represents a great loss to his friends in the Congress, the State of California and the Nation that

he loved and served so long and so well. To his family and friends I extend my sincere sympathy and condolences.

AMERICAN AID TO INDOCHINA

HON. RONALD V. DELLUMS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1974

Mr. DELLUMS. Mr. Speaker, the following chart gives a breakdown of the magnitude of American assistance requested for fiscal 1975 and outlays for fiscal 1974 in Southeast Asia:

BREAKDOWN OF AMERICAN ASSISTANCE

Fiscal year 1975 New Obligational Authority (NOA) Requested and fiscal year 1974 Outlays for South Vietnam, Laos, Cambodia and Thailand.[1]

SOUTH VIETNAM

[*In millions*]

Fiscal year 1975 NOA requested:	
Postwar reconstruction assistance [2]	$600.0
Food for Peace (PL 480) [3]	NA
International narcotics control [2]	NA
Subtotal	600.0
Military assistance service funded (MASF) [4]	1,925.0
Total	2,525.0
Fiscal year 1974 outlays:	
Postwar reconstruction assistance	300.0
Public Law 480	250.0
Selected countries and organizations (development loan)	50.0
Food and nutrition sector	60.0
International narcotics control	.2
Subtotal	660.2
MASF	829.5
Total	1,489.7

LAOS

Fiscal year 1975 NOA requested:	
Postwar reconstruction assistance	55.0
Public Law 480	NA
Population and health programs	.6
International narcotics control	1.6
Subtotal	57.2
Military assistance program (MAP) [2]	90.0
Total	147.2
Fiscal year 1974 outlays:	
Postwar reconstruction assistance	40.0
Public Law 480	NA
Population and health programs	.6
International narcotics control	1.5
Subtotal	42.1
MASF (until fiscal year 1975, Laos is supplied under DOD budget	78.0
Total	120.1

CAMBODIA

FY 1975 NOA requested:	
Postwar Reconstruction Assistance	$110.0
PL 480	NA
International Narcotics Control	0.0
Subtotal	110.0
MAP	390.0
Total	500.0
FY 1974 outlays:	
Postwar Reconstruction Assistance	95.0
PL 480	180.0
International Narcotics Control	0.0
Subtotal	275.0
MAP	342.3
Total	617.3

THAILAND

FY 1975 NOA requested:	
Food and nutrition sector [2]	2.4
Population and health sector [2]	2.0
Education and human resources sector	1.0
International Narcotics Control	5.4
Subtotal	10.8
MAP	60.0
Total	70.8
FY 1974 outlays:	
Security Supporting Assistance	7.4
Population and health	2.4
Subtotal	9.8
MAP	38.5
Total	48.3
Regional Support Costs—FY 1975	9.0
Inter-regional Support Costs—FY 1975	18.9
Total	27.9

FOOTNOTES

[1] Sources: The Budget of the United States Government—Fiscal Year 1975; Department of State; Agency for International Development (AID).

[2] NOA requests under the jurisdiction of the Committee on Foreign Affairs.

[3] PL 480 costs estimates for FY 1975 are not set at this date due to present state of price in the world food market, according to AID.

[4] The MASF FY 1975 figure for South Vietnam includes $475 million to be requested as a supplement to the FY 1974 budget.

11500 BANANAS ON PIKE'S PEAK

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1974

Mr. HOSMER. Mr. Speaker, H.R. 11500, the bill to abolish surface mining under the pretext of regulating it, provides that the mine operator, in using explosives, must prevent any change in the course, channel, or availability of ground or surface water.

Since explosives are used to break up rock so it can be removed from above the coal seam, and since their use will create cracks which extend to the surface, I would like to learn how surface water—rainwater, that is—could be kept out of them.

This is just another of those cases of legislative illogic in H.R. 11500, which literally will not hold water. It is as crazy as trying to grow bananas on Pike's Peak.

A SEMBLANCE OF CONTROL

HON. HOWARD W. ROBISON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1974

Mr. ROBISON of New York. Mr. Speaker, as one who made a commitment to himself—and to his constituency—several months ago, not to in any way prejudge the guilt or innocence of the President in the "Grand Inquest" now underway in this House to seek to determine whether or not there is probable cause indicating the President may have, himself, committed an "impeachable offense" or offenses, the following editorial from today's Wall Street Journal is a timely expression of opinion and a warning, as well, on the dimensions of responsibility we all bear in this regard. I commend its consideration by all my colleagues:

A CHANGE OF VENUE

We paid a visit to Washington, D.C., in the last few days and came away wondering if the President of the United States could get a fair trial in our nation's capital. The city seems so totally in the grip of Watergate fever that those elected representatives who will soon be sitting in solemn judgment of the President appear to have lost control of events, and are in danger of being swept along by an impeachment machine that could turn the proceedings into a lurid Roman circus.

What seems to be happening is that Congress is demonstrating how difficult it is to suspend judgment, to presume the innocence of the accused before the taking of evidence, testimony and cross-examination. By its example it reveals why the law courts of the Western democracies for centuries have deemed the formalities and rituals of a criminal proceeding to be of such paramount importance. There is now no one in Congress, Democrat or Republican, urging even minimal rules of conduct for the juries and the judge, and the system of justice that the people provide the lowest and the highest is being suspended because Richard M. Nixon is in the dock.

We see members of Congress routinely predicting the President will quit sooner than face the music. We see them openly announcing their intention to impeach, even before they know what the charges will be, if indeed there are charges. Senate Majority Leader Mansfield and Wilbur Mills of the House blithely predict there are enough votes in the House to impeach, which can only be described as bandwagon politics. Jimmy the Greek, the Las Vegas oddsmaker, conducts a private poll to detect which way members are leaning and, incredibly, gets responses. The franking privilege is being used to promote grass-roots impeachment petitions. And all over Capitol Hill there are lists being drawn up of Senators "likely" to convict and "likely" to acquit.

It's as if, during the trial of the "Chicago Seven," the jurors were premitted to pop up

periodically to excoriate the defendants, Jimmy the Greek allowed in the jury box to conduct a running poll of sentiment that he could flash back to Vegas, and Judge Julius Hoffman allowed to collect petitions for conviction that he could lay before the court.

In a criminal proceeding, there is good reason why the defense is allowed to participate in jury selection, challenging prospective jurors it believes would be prejudiced. There's good reason, in a sensational case involving a heinous crime, for the judge to order a change of venue when his court is overwhelmed by passion. And there's good reason, when an untarnished jury can be found in such a case, to sequester it from outside influence during the trial.

Of course, all these precautions are impossible in an impeachment proceeding. The President can't help pick his jury. Congress can't be sequestered from the influences of the press. And Capitol Hill can't be moved to Cedar Rapids or Salt Lake City. Nor should any of these things be done even if it were possible.

But this makes it all the more important that Congress get a grip on itself and agree on formalities and rituals appropriate to a Grand Inquest, to require rules of conduct that will have the effect of changing venue from a court ruled by passion to one composed.

The Mansfields, Scotts and Alberts cannot simply wash their hands of responsibility, arguing they have no authority to impede the free speech or activities of freely elected Congressmen. If Congress would agree to rules of conduct, its leaders would per force have the power to at least verbally censure transgressors. The mere existence of a code, where there is none now, would provide a sobering frame of reference for the great majority in Congress who would otherwise say or do anything because of the provocative climate that prevails.

And if the leaders of Congress can't bring themselves to regain a semblance of control over these events, at least individual members of the House and Senate can make personal commitments to contribute nothing to the carnival that encroaches. Those who have already allowed themselves to slide can begin by straining mightily to suspend judgment, elbowing aside the oddsmakers and pollsters and asking their staffs to do the same. They can begin too by resisting the outrage or resentment they might feel over the way the accused insists on his rights and loudly proclaims his innocence.

If this be done, it will be possible for the President of the United States to get a fair trial in Washington, D.C., and however he is ultimately judged the American people will be able to say that justice was done.

NEXT ECONOMIC PHASE: PHASE-OUT

HON. ALBERT H. QUIE

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1974

Mr. QUIE. Mr. Speaker, I commend the editors of Farm Journal in their April issue for joining the ranks of those calling for expiration of the Economic Stabilization Act on April 30. Calling the wage and price control program a debacle, Farm Journal lucidly describes the disastrous effects the program has had upon agriculture and how controls led us down a path of soaring shortages and higher prices.

Although the decision is 4 weeks away, I hope the Congress will be wise enough to allow the authority for wage and price controls to expire.

The article follows:

GOODBYE AND GOOD RIDDANCE—TO CONTROLS

Unless Congress performs last-minute artificial respiration, price and wage controls will expire April 30.

The attitude at their passing stands in sharp contrast to the fanfare with which controls were greeted in August, 1971. Many of the same businessmen, labor leaders and consumers who welcomed them then are more than ready to see them go now.

Why such disillusionment? And what have we learned, if anything, from this experience?

Controls may delay, but they cannot prevent, price and wage increases. That's the main thing we've learned once again. Because controls treat symptoms—not root causes—of inflation.

You saw that first-hand a year ago when they slapped controls on food. In quick-turn businesses like broilers, producer reaction was immediate: They killed baby chicks rather than incur losses by feeding uncontrolled feed to price-controlled broilers. Cattle feeders still suffering from that policy error today, wish they could have done likewise.

Even after that debacle, many people still believed that controls had been helpful overall. Now, as businessmen and consumers watch the inflation rate climb toward 10%, they're not so sure. Price controls in 1971 and '72 are directly responsible for many of the shortages and high prices troubling us today.

Fertilizer is a classic example. As we point out on page 17, an over-expanded fertilizer industry lost $68 million in 1968, $160 million in 1969, another $45 million in 1970. The industry probably would have resumed expansion when grain prices turned up in 1972—if prices hadn't been frozen at loss levels.

CONTROLS DAMAGED THE ECONOMY IN MANY WAYS

Writing in a recent issue of the *Harvard Business Review*, C. Jackson Grayson, Jr., former head of the Price Commission, gives these examples:

1. Controls distorted international trade by encouraging export and discouraging import of the very products needed to relieve our shortages.

2. Controls disrupted necessary market signals by stopping *all* increases, including ones telling business to "Make more" or consumers to "Use less."

3. Controls froze prices at low profit levels at the very time we needed capital to get the economy moving again. Profits declined from 6.2% in 1966 to 3.6% in 1970; controls kept them there.

4. Controls became "a security blanket." They caused business and labor to depend on controllers rather than their own actions.

5. Most dangerous of all . . . "Controls misguided the public by drawing attention away from the real causes of inflation—fiscal policies, currency devaluations, tax rates, trade policies, productivity, etc."

We brought controls upon ourselves through a long series of self deceptions:

We thought we could fight the Viet Nam war without paying for it—and started a roaring inflation.

During the 1960s, we thought we had discovered the secret to uninterrupted expansion. We went too long without a correction in our economy—expanded too much then cut back too sharply in 1969–70.

After debasing our currency overseas with war and the gush of foreign aid, we delayed devaluation too long. Our steel industry, on its knees at the mercy of imports in 1971, is operating flat out today.

We kidded ourselves that we were paying for it all by circulating ever more money.

Grayson was alarmed by the readiness of businessmen to accept more and more central direction. He quotes historian Edward Gibbon to illustrate his fears:

"In the end, more than the Athenians wanted freedom, they wanted security. They wanted a comfortable life and they lost it all—security, comfort and freedom. When the Athenians finally wanted not to give to society but for society to give to them; when the freedom they wished for most was freedom from responsibility; then Athens ceased to be free."

WHERE TV REALIZES ITS POTENTIAL

HON. DONALD D. CLANCY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1974

Mr. CLANCY. Mr. Speaker, television often has been referred to, and with some reason, as a vast wasteland. Therefore, it is always gratifying to watch a fine program, or programs, which sensibly and wholesomely educate, inform, or entertain.

One of the best examples of television living up to its potential has been demonstrated by WCET–TV in Cincinnati, Ohio. In an elementary school in Lincoln Heights, WCET programing proved to be a great aid in inspiring and improving reading abilities in students.

I direct my colleagues' attention to the following article which appeared in the March issue of Children's Television Workshop Newsletter:

TEC TURNS SCHOOL ON TO READING

The Electric Company was credited by elementary school teachers and officials in the Cincinnati suburb of Lincoln Heights with playing a major role in revitalizing reading interest and skills among students who watched the series daily on an experimental multi-channel closed circuit videotape system installed in the Fall of 1972.

The impressive results of two sets of standardized achievement tests were cited by Ernest Ector, principal of the 780-pupil Lincoln Heights Elementary School where the TV system was installed, to show that second and third graders exposed to the system and to the Electric Company for a school year were five and six months more advanced in acquisition of reading skills than previous second and third grades not exposed to the system. These results were in marked contrast to the situation three years earlier when 75 per cent of Lincoln Heights School District students tested well below appropriate achievement levels for their ages and grades and some elementary school students were trailing contemporaries in other schools in reading achievement by as much as two and three years.

Ector credited the gains to his school's intensified reading program that was built mainly around use by teachers of the videotape system and the Electric Company. The series was the program most frequently used in the first year of the system's operation. It was the only program shown almost continuously all day long and was available to teachers any time during the day. The Electric Company and Sesame Street, which was shown to Early Start, kindergarten and first grade classes, were assigned two of six in-school channels that feed, along with the on-air broadcasting of Cincinnati's educational station, WCET–TV, educational material to monitors in every classroom.

The WCET–TV staff, including Charles

Vaughan, president and general manager, and Mrs. Marjorie McKinney, director of instructional television services first conceived of the idea of tackling a no-progress-in-reading-achievement trend with a highly flexible closed-circuit system tailored to meet teachers' needs.

With a population of 7,000, Lincoln Heights is the largest all-black city in Ohio and possibly the nation. Severe reading and math deficiencies among its 1,800 students were revealed in testing in 1970 when the local school district was merged with its larger more affluent and primarily white neighbor, the Princeton City School District.

A crash remedial reading and math program instituted by school officials resulted in some gains but, according to Ector, the conclusive improvements in reading began with the installation of the videotape system suggested by WCET-TV. The first indications that Lincoln Heights students were indeed closing the gap in reading achievement came in the form of results from Gates-MacGinitie standardized tests administered in May 1972 and again in May 1973 after the new system had been in operation for eight months.

The tests, according to Ector, showed that second graders in 1973 were five months more advanced in acquisition of vocabulary and six months more advanced in reading comprehension than their non-viewing counterparts a year earlier. Third graders, the test showed, were five months ahead in vocabulary and three months ahead in comprehension of the previous third grade, said Ector, who also reported that the Gates-MacGinitie results were substantiated by Stanford Achievement Tests administered in May 1972 and October 1973. "We finally reversed a no-progress trend that is still evident in other area schools," the principal said. "We were finally making progress in reading achievement."

FLEXIBLE SYSTEM

The WCET-TV staff—which not only originated the idea for the system but also designed it, obtained funding, oversaw its installation and maintains it—recognized the need for a totally flexible system that would put maximum control in the hands of the teachers. This meant equipping each classroom (40 in all) with a 23-inch color TV monitor and six sets of earphones. Teachers have found the earphones especially handy when singling out individuals and small groups for special attention. The educational material seen on the in-school system is taped from Channel 48 (WCET) and commercial stations by the system's operator using a videotape recorder (VTR). Six other VTR's broadcast previously taped material to the school's channels. THE ELECTRIC COMPANY and SESAME STREET are taped automatically each day by the control room operator, while other educational TV programs are taped and used only when requested by teachers who are kept apprised of upcoming educational programs by WCET.

The entire cost of the system, underwritten by the General Electric Aircraft Engine Group, the Ford Motor Company Fund (separate from the Ford Foundation) and the Andrew Jergens Foundation, was $42,250. The outlay included expenditures for the 40 monitors, 240 sets of earphones, seven VTR's, 50 videotapes, peripheral control room equipment and two years of servicing.

Teachers like Tom Hinkle feel that having the videotape system is, in his words, "Like having another arm." About THE ELECTRIC COMPANY, Hinkle said, "That show stays With the kids. Weeks later they remember segments with material I'm trying to teach." He's noticed that even though his second graders are exposed to THE ELECTRIC COMPANY in school they go home and watch it again. "This type of thing is great reinforcement. It's kind of like bringing the home and school together," he said.

Mrs. Anzola MacMullen, head of the school's resource center where the videotape system's control room is located, said that THE ELECTRIC COMPANY has had a definite impact on students. "It's most obvious in the way the kids are using the library. Circulation is up and there is much greater interest in using the center especially on the part of third-to-sixth graders," she explained, and then added that teachers and students come clamoring down to the control room to find out what's wrong when a system malfunction interrupts THE ELECTRIC COMPANY.

JANE FONDA AND THE HOUSE COMMITTEE ON INTERNAL SECURITY

HON. ROBERT J. HUBER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1974

Mr. HUBER. Mr. Speaker, on Monday, April 1, 1974, the House considered funding for the nine standing committees. Circumstances did not permit me to make the remarks that I had prepared to deliver at that time in support of the work of the House Committee on Internal Security, so today I would like to include these comments for the record. A massive propoganda campaign has been undertaken, Mr. Speaker, to obtain amnesty for the draft dodgers and deserters from the Vietnam war. Many decent people, including some of our colleagues, have urged amnesty, some for humanitarian reasons. But the prime movers in the amnesty campaign are the same Jane Fondas and Tom Haydens that encouraged the draft dodging and desertions in the first place.

Hayden and Fonda have even used congressional space to organize a group of 75 staff members to promote their propaganda. Mr. Dickinson and a number of our other colleagues have called attention to this.

The House Committee on Internal Security has provided much information on Hayden, Fonda, and their supporters. The committee's travel bill hearings covered the pro-North Vietnamese propaganda activities of this group. The committee's hearings on attempts to subvert our military provided further evidence of the disruptive tactics of persons like Fonda and Hayden, who seem to express Hanoi's point of view.

One of the arguments raised by the supporters of this campaign is that there was an amnesty after the Civil War. What they neglect to mention is the fact that this covered only the defeated enemy who agreed to lay down his arms. It did not cover the cowards, draft dodgers, and deserters who refused to serve their country during the war.

President Abraham Lincoln, who has gone down in history as a great humanitarian, made this comment on the Fondas and Haydens of his day, "the Copperheads":

Long experience has shown that armies cannot be maintained unless desertions shall be punished by the severe penalty of death. The case requires, and the law and the Constitution sanction, this punishment. Must I shoot a simpleminded soldier-boy who deserts, while I must not touch a hair of a wily agitator who induces him to desert? This is none the less injurious when effected by getting a father, or brother, or friend, into a public meeting, and there working upon his feelings till he is persuaded to write the soldier-boy that he is fighting in a bad cause, for a wicked administration of a contemptible Government, too weak to arrest and punish him if he shall desert. I think that in such a case to silence the agitator and save the boy is not only constitutional, but withal a great mercy.

No one today recommends the death penalty for desertion. Particularly since we did not silence the agitators, but allowed them to induce the young people to desert or dodge the draft.

The problems that our Government faced when Abraham Lincoln wrote the above quoted letter on June 12, 1863, are being faced by our Government now. The "Copperheads" of today, the enemy sympathizers and propagandists, are not only still vocal but now have access to mass communications media which did not exist in Lincoln's day.

By all means punish those who violated our laws. But punishment by law must be tempered with mercy, based on the facts of each individual case. But we should have no mercy for those who continue to propagandize on behalf of our country's enemy—an enemy that continues to murder innocent civilians in Vietnam. Nor should we pay attention to the shrill cries of the Fondas and Haydens that the law should not punish those that they induced to commit crimes.

The Internal Security travel bill (H.R. 16742, 92d) was supported by a majority of this House in the last Congress. During the last session the committee reported out a similar bill, H.R. 8023. This bill would provide punishment for unauthorized travel to areas in which U.S. forces are in combat. Such travel had been used by the present-day "Copperheads" to aid the enemy and disrupt our Armed Forces. I urge support for H.R. 8023 when it comes to the floor and support for the Internal Security Committee's Appropriation.

POSTPONING ACTION ON FEDERAL LAND-USE PLANNING LEGISLATION IN 1974

HON. DICK SHOUP

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1974

Mr. SHOUP. Mr. Speaker, I would like to insert the following resolution, which was adopted by the Montana State Legislature, into the CONGRESSIONAL RECORD to show the strong feelings of my State against Federal controls in the land-use planning area.

A RESOLUTION OF THE SENATE OF THE STATE OF MONTANA URGING THE U.S. HOUSE OF REPRESENTATIVES TO POSTPONE ANY ACTION ON FEDERAL LAND-USE PLANNING LEGISLATION IN 1974

Whereas, the people of Montana value the right to own and use property with minimum government regulation and prefer such regulation at the local government level where prompt appeal and review are possible, and

Whereas, legislation pending before the Congress in bill number H.R. 10294 would turn upside down this long-cherished right of property owners by requiring state governments to control land-use decisions in accordance with federal guidelines, and

Whereas, the Congress should not enact H.R. 10294 or any legislation with a similar formula for federal control, but should consider alternatives for improving local government planning and state planning without infringing on the rights of private property.

Now, therefore, be it resolved by the Senate of the State of Montana:

That the House of Representatives of the Congress is urged to take no further action on H.R. 10294 for the duration of the 1974 session of Congress.

Be it further resolved, that the Secretary of the Senate send copies of this resolution to the Honorable John Melcher and the Honorable Richard Shoup, Representatives from the State of Montana.

FOR A STRONG NATIONAL DEFENSE, WE MUST HAVE STRONG RESERVE COMPONENTS

HON. CHARLES THONE

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1974

Mr. THONE. Mr. Speaker, General Lucius D. Clay, Jr., USAF, Commander in Chief of the North American Air Defense Command, spoke to the Nebraska State National Guard Association on March 30, 1974, in response to my invitation to him. He gave an important message there which I want to share with my colleagues.

First, may I also summarize my views which I expressed at this Lincoln, Nebr. meeting.

I believe the present Department of Defense policy to reduce Reserve strength is a terrible mistake.

Since the Soviet Union can support a member of its armed forces for perhaps 25 percent of our cost, the United States ought to use part-time military personnel wherever we can. This would allow for a larger percentage of our defense budget to be used for modern equipment, research and development.

The Department of Defense has proposed lowering Reserve and National Guard strength by 40,000 people and eliminating 15 of the 92 flying units of the Air National Guard in the next 3 years. The Department of Defense is also hindering recruitment and retention in Reserve Forces by not supporting extension of fringe benefits available to full-time military personnel to part-time armed services men and women.

Between 1968 and 1975, the average annual pay and benefits of a full-time member of the U.S. Armed Forces will have risen from $5,500 to $11,000. In this time of greatly escalating costs for full-time military personnel, it makes great good sense to rely upon part-time personnel for every assignment they can handle.

And Reserve Forces can perform many missions in superior fashion, as General Clay testified in his remarks which follow:

ADDRESS BY GEN. L. D. CLAY, JR. USAF CINC NORAD/CONAD, COMMANDER ADC

As Comander in Chief of NORAD, I have a vested interest in our whole Guard concept. Guard units have been a part of the air defense mission for 20 years.

Army Guard firing batteries have comprised over half of our NIKE-HERCULES force. Nearly 20 percent of the entire Air National Guard is assigned the ADC fighter interceptor mission. In fact, Air Guard fighter squadrons make up almost 75 percent of my interceptor forces today, and last year alone they flew 41,000 intercepts and 948 practice scrambles.

So the National Guard means a great deal to me. I have seen, firsthand in NORAD, as well as in Vietnam—when I was the Air Force Commander there—that the Guard can handle the active mission, and handle it well, indeed.

Guardsmen have racked up some outstanding performances through the years, including Korea, Vietnam, and the recent Middle East alert. In the air defense business, the only NIKE battery ever to achieve back-to-back perfect scores in annual service practice was an Army Guard outfit in San Franciso. In the 1973 annual service practice, the Army Guard rate was 94.6%—better than the active forces.

The only unit to achieve a perfect score in the Williiam Tell fighter interceptor weapons competition was an air Guard entry from Jacksonville.

And last year, the Spokane Air Guard Squadron won the ADC Weapons Loading Competition at Tyndall AFB. This was the first year the Air Guard was invited to participate, and the Spokane Air Guard pilots beat 15 other active and Guard entries hands down. In 39 Air Guard operational readiness inspections over the last two years, only one unit turned up a failure. Two were rated outstanding. All the rest met satisfactory ADC standards.

I think these are impressive records! There are many, many more I could cite from peacetime and war-time service.

Throughout the years, Guardsmen have proven they are not second best to their active force counterparts.

In recent times, the Guard has been asked to take on a larger portion of the air defense burden. And, we are giving you the machinery to do it with.

Your own Lincoln Air National Guard Squadron is a good example. Some 10 years ago, the unit was flying F-86's and the old RF84F's. Today they have RF-4C Phantoms—one of our latest reconnaissance aircraft.

There have been many changes since the early 1960's, both in and out of the Guard.

Change has been a constant trademark in military concepts and structure.

NORAD is a good example.

In 1960, NORAD was at the peak of air defense with systems to counter an air attack.

The Command had approximately 1400 fighter interceptors, 210 air defense artillery batteries protecting our cities and strategic centers, 460 long-range search radars, 22 semiautomatic ground environment direction centers with 24 command and control backup sites.

Almost a quarter of a million men and women of the Canadian and U.S. forces were assigned to NORAD. They were engaged in air defense activities at more than 300 bases.

The 1200 Soviet bombers . . . about 200 of which were intercontinental in range . . . comprised the predominant threat against us.

In a few short years after Sputnik I was launched in 1957, it became apparent that Soviet Intercontinental Ballistic Missile capability—(ICBM)—was developing. Limited numbers of ICBMs were observed in their operational force. Although they had no submarine launched ballistic missiles at that time—the SLBMs—we were aware of their active research and development in that field too.

As the size of the Soviet ICBM force grew, it was joined by SLBMs—both programs were given major emphasis. Meanwhile, the bomber threat remained relatively constant.

Soviet developments in space were also moving at a similar rapid pace following Sputnik I.

In 1961, our records show they had 35 satellites in orbit. More important, they had the know-how to expand both thru scientific and military space technology. By the mid-60s it became increasingly obvious that the main threat of Soviet strategic nuclear bombers was being superseded by ICBMs against which there was no defense—further, it was apparent that the Soviets had the potential to put weapons in space.

For NORAD it meant a shifting of the gears and a re-tooling of our concepts and our defensive apparatus to meet a changing threat to our national security.

New missile warning and sophisticated space surveillance systems came into the Command. The first, completed in 1964, was the Ballistic Missile Early Warning System (BMEWS), consisting of three huge radars in Alaska, Greenland and England. These new generation radars produced an electronic warning fan covering the polar approaches to the continent and gave us early warning of a missile attack. Today, this system is still one of our most reliable sources for missile detection and tracking.

As the decade of the 1960's wore on, NORAD's job continued to change with the threat, and reductions began on the Command's anti-bomber defenses, specifically the fighter interceptor force, its supporting systems and bases, personnel, the complex of long-range conventional radars, and anti-aircraft artillery weapons. Annual trimming of conventional air defense forces came around as regular as birthdays.

From the 1400 aircraft peak of the early 1960's, NORAD's fighter interceptor force today is down to around 530 aircraft in 27 U.S. squadrons and three Canadian Forces squadrons—the latter guarding the northern approaches to Canada. Of the 27 U.S. squadrons, seven are regular force units, 20 are Air National Guard.

The U.S. forces of NORAD will be further cut to 336 aircraft in 20 U.S. squadrons—6 Regular and 14 Air National Guard—by 1 July 1976. And by mid-1975 we will be down to around 70,000 personnel from a high of nearly 250,000 in 1961.

By the end of this year our present 48-battery surface-to-air missile force, provided by the U.S. Army, will be completely eliminated.

During the reductions in conventional defense forces, new missile warning systems and hardware were integrated into the command such as Over-the-Horizon Forward Scatter Radar, geosynchronous early warning satellites, and new generation phased array radar facing our southern approaches. These new systems—combined with BMEWS, and DEW Line and our network of SLBM warning radars give us a global air and space surveillance capability that guarantees against surprise attack of any kind.

To me it says that over the years NORAD is a command with a changing mission. What does this mean? Since 1961 the relatively simple task of defending against a bomber attack has evolved into the more complicated mission of controlling sovereign airspace of the U.S. and Canada—providing limited defense against bomber attack—and perhaps most important of all—providing global surveillance, warning and assessment of ballistic missile attack.

The Secretary of Defense, James Schlesinger, in presenting the fiscal year 1975 budget to Congress, recognizing the changing air defense mission, said, Because it is not possible to mount an antiballistic missile defense in the face of the Strategic Arms Limitation Treaty, it does not seem practical to maintain a full defense against the manned bomber.

In his reasoning he said—we must recognize at the present time the Soviet Union can hit any city in the United States that it desires: that there is no protection in nuclear war provided by air defenses so long as the Soviets depend primarily upon ballistic missiles; therefore, we are eliminating those components of the air defense systems which are designed to protect American cities against bomber attack in nuclear warfare.

How then, will NORAD pursue its job today?

First, in the manned aircraft we are retaining a limited fighter interceptor capability to control our sovereign airspace in peacetime and have the wherewithal for limited defense in the event of manned bomber attack. Our small regular and Air Guard fighter force which is spotted around the periphery of our nation could be augmented if the need arises by the fighters of the Tactical Air Command stationed in the United States, as well as Navy and Marine Corps fighters assigned to U.S. bases or in port at any given time.

While the complex of long-range search radars for bomber defense is being reduced, we will maintain the Distant Early Warning Line across our northern perimeter in the Arctic, and peripheral radar coverage for the continental United States and southern Canada.

For better radar detection of aircraft we are well along in the development of the Over-the-Horizon Backscatter system. Four of these radars would give us 360° coverage of our entire landmass from the ground up out to distances far in excess of present coverage.

Our present radar network can only be described as aging. It is expensive to maintain. The OTHB system would permit us to have a more effective screen of coverage at small costs in dollars and people.

Also, we are currently sharing some radars with the Federal Aviation Administration and future plans call for us to go into a full joint use program with FAA.

All these will provide us early warning of air attack, give us an ability to detect an intrusion of our sovereign airspace and the capability to determine the identity and purpose of the intruder.

Looking ahead, advanced fighter interceptors could be useful to continental defense to replace our aging F–106s whose normal life span has been extended by modifications. Two advance fighters are earmarked for the U.S. Air Force and the Navy. They are the AF F–15 Eagle and the USN F–14 Tomcat.

Extremely important to control of our air sovereignty is an Airborne Warning and Control system—the AWACS. It is a modified version of the Boeing 707–320 that would enhance our peacetime control of national airspace. In wartime AWACS would give tactical and air defense forces a truly survivable command, control and surveillance capability. It would in effect put our ground radar stations and our command and control in the air, making it practically invulnerable to attack and extend our air defense perimeters far beyond our current limits.

More than five hundred million dollars has been requested in the FY 75 budget for procurement of 12 AWACS aircraft.

Second, on Ballistic Missile Warning we have deployed a number of sensing systems that are involved in detection and tracking functions. These will give us knowledge of weapons passing through space or originating in it . . . wehre they have come from and where they will impact.

NORAD's worldwide missile warning network is good and getting better.

In the past six years, BMEWS, our first missile warning radar, has been joined by a forward scatter over-the-horizon radar missile detection system.

The name is confusing but the job it does is good. The tail fire of any missile rising from the Eurasian landmass is detected immediately after launch and reported to our Cheyenne Mountain computers.

An eight-site submarine launched ballistic missile warning system is also in place on our Pacific and Atlantic coasts . . . including the Gulf area.

We have early warning satellites in synchronous orbits. They give us instant warning of sub-launched missiles as well as land launches.

These four systems, working together, give us greater reliability and capability to meet a diversified threat . . . they also provide us a highly accurate confidence factor in assessing any missile launch.

What about the future in this area? Upgrading of the SLBM warning network is needed.

Funds have been requested in the Fiscal Year 75 budget to replace it with phased array radars similar to those incorporated in detection elements of the Safeguard antiballistic missile system. These new radars, one on each coast, would replace the eight conventional radar sites we now have on the coasts.

We must rely on redundancy in our systems. The more different ways you can detect something as speedy as ballistic missiles, the less chance there is of either missing it or mistaking something else for a missile . . . when it may be a phenomenon of nature. There is no place for false alarms in the missile warning business.

The presence of more than 2000 ICBMs and submarine launched missiles in the Soviet operational arsenal make it imperative that our surveillance and warning capability preclude anyone from launching a missile without our National Command Authorities having almost instantaneous real time knowledge of the event.

Third, in space surveillance, the NORAD Space Detection and Tracking system is doing a herculean job. More than 20,000 units of sighting data from worldwide sensors are fed each day to our 16 computer systems inside Cheyenne Mountain.

NORAD's computer catalog has grown from 35 orbiting objects in 1961 to more than three thousand today.

Since the Soviet Sputnik was launched, over seven thousand orbiting objects have been detected and cataloged. Incidentally, of those, 7,000 objects in orbit—many of which are space debris—over four thousand have re-entered the earth's atmosphere and burned out. They come down about one a day. The time and location of each object's re-entry and decay in the earth's atmosphere is predicted to insure that a decaying object is not mistaken for an incoming missile.

We must know where every orbiting object is in space at any given time and what's going to happen to it, so that we are not taken by any surprises. And we do know.

As of today, 257 of the current orbiting objects in space are Soviet satellites with payloads. The United States has 351 payload satellites in space.

Although we have no active defense against ballistic missiles at this time, we will realize a limited capability in early 1975 with the operational deployment of the Safeguard system site near Grand Forks, North Dakota. It will protect the Minuteman missile field in that area.

A second site at Washington, D.C., is permitted under the SALT agreement, but there are no plans to procure the system for that area.

We are finishing facilities in Cheyenne Mountain for command and control of the Safeguard antiballistic missile system.

I have pointed out many of the changes that have evolved in NORAD over the past years, outlined where we are today and tried to peek into the future.

I would like to finish by tying it into the broad concept on which it is based.

The recently concluded Strategic Arms Limitation Treaty—called SALT I—fixed the total number of missile launchers that the Soviet Union and the United States may possess.

The concept behind SALT I was that if relatively equal forces for destruction were available to both the Soviet Union and the United States, there would be no incentive for either country to initiate nuclear war. We are both constrained to abide by the rules because of the power represented in the other nation's offensive weapons.

If that is true, it seems to me one of the things that insures detente is the certainty the offensive force will survive if we are attacked. And it also seems to me if our offensive force is to survive, one of the critical elements of survivability is advance warning.

This warning has thus assumed an entirely new position in our national defense strategy.

For the past twenty years we have subscribed to an equation that deterrence is the sum of strategic offense and strategic defense.

Perhaps that equation has been adjusted by the ICBM and man's ability to orbit all sorts of packages around the earth.

Perhaps the equation should now read deterrence is the sum of strategic offense plus strategic warning. I think it should.

Warning enhances the survival of our strategic offensive forces by furnishing sufficient time to launch out from under a surprise attack. It provides credibility to our retaliatory forces.

NORAD has moved from a primary role of defense against air attack to one of providing timely and accurate warning of an attack of any kind. Simultaneously, we will continue to carry out the job of policing continental airspace and preparing for actual bomber defense if that need arises.

Here is where the present and future role of the Guard grows more important in the defense of the continent.

I foresee an increasing reliance on Guardsmen to police U.S. air approaches and to maintain our air sovereignty.

I think you can look forward to continual updating of weapons systems. For example, many of our Air Guard interceptor units, now flying the aging F–102, are being equipped with the F–106, the best interceptor we have. And I've already cited the example of the unit here at Lincoln.

As one of many active duty commanders who rely heavily on the National Guard for mission accomplishment, I can say without qualification: You've proven equal to the task.

Keep up the good work. Never in our history has a close relationship between Guard and active forces been so important to our Nation's security.

MONTANA'S COMPREHENSIVE PLANNING FOR THE DEVELOPMENT OF ENERGY AND OTHER RESOURCES

HON. DICK SHOUP

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1974

Mr. SHOUP. Mr. Speaker, as an indication of the concern of the people of the State of Montana, the Montana Legislature has introduced Resolution H.R. 88 on the long-range comprehensive planing for the development of energy and other resources, which I submit into the RECORD:

MONTANA RESOLUTION H.R. 88

A resolution of the House of Representatives of the State of Montana informing the Montana congressional delegation and appropriate Federal agencies, of the interest of Montana in long-range comprehensive planning for the development of energy and other resources.

Whereas, Montana is entering into a period of unprecedented development of its natural resources, which will have a far reaching influence upon the quality of life in the state, and in the surrounding region, and

Whereas, there is a need to develop and maintain mechanisms to assure the development of coal and other natural resources in a proper, environmentally sound, and socially compatible manner, and

Whereas, the gathering and coordination of social, economic, and environmental information, on a regional basis, is essential for intelligent planning and development, and must be undertaken, immediately in advance of large scale development. Now, therefore, be it

Resolved by the House of Representatives of the State of Montana:

That the Federal Energy Commission be requested and urged to initiate regional planning programs which will determine and identify the social, economic, and environmental impact of energy and resources development in Montana and adjacent states.

Be it further resolved, that a copy of this resolution be sent to the Montana Congressional delegation soliciting their support for such research proposals.

PRELIMINARY RETURNS FROM LAMAR BAKER'S FOURTH ANNUAL OPINION POLL QUESTIONNAIRE

HON. LAMAR BAKER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1974

Mr. BAKER. Mr. Speaker, the returns to my Fourth Annual Opinion Poll Questionnaire have been coming back in sizeable numbers. My staff and I are engaged in the task of tabulating these returns and although it will be several weeks before we are able to complete this tabulation, we do have the results from a weighted sample in which each of the 11 counties in the Third District is represented on a proportionate basis according to the number of households in each county.

The trends established on the basis of this sample are most interesting. I am finding that an overwhelming percentage, 84 percent of those responding want President Nixon to fill out his term. The others who seek either impeachment or resignation are evenly divided, but combined, they represent only 16 percent of the total.

Some 70 percent of those responding are against any form of national health insurance which is financed out of tax revenues, and 82 percent are against the proposal to finance Federal political campaigns out of tax revenue, but 55 percent of the respondents feel that candidates for public office should make full disclosure of their personal finances.

It is interesting to note that only 32 percent of those responding favor the continuation of wage and price controls beyond the April 30 expiration date.

On energy-related questions, my poll shows that people in the Third District are evenly divided on where to place the responsibility for the petroleum shortage. The major oil companies are blamed by 36 percent while the wasteful practices of society in general are blamed by another 36 percent. The remainder feel that Government is responsible. Only 7 percent of those responding are for gas rationing as a means of conserving energy, while a majority, 67 percent favors the 55 miles per hour speed limit on our highways as the best means. A total of 26 percent favor year-round daylight savings time. Only 20 percent vote for the complete abolition of stripmining.

Other questions in the questionnaire deal with the sources of information and advice for making consumer decisions, TVA hiring practices and foodstamps for strikers. On the latter, I find it interesting to note that 83 percent of those responding, feel that Congress should reconsider its action of last year and vote to ban foodstamps for strikers. My poll also carries a question which asked about neighborhood needs where my assistance might be required. I have not compiled percentages on the replies to this question because the people who answered "yes" have written separate letters to amplify the dimensions of the problems.

My questionnaire provided space for husband and wife to record individual votes. For the purposes of this representative sample, I have combined all of the responses and figured the percentages irrespective of these separate breakdowns. I am able to make this observation, however; in most instances, husband and wife share the same viewpoint on the questions.

The questions and the percentages in each case are as follows:

QUESTIONNAIRE

1. Considering the President of the United States, do you favor:
   a. Impeachment, 8 percent.
   b. Resignation, 8 percent.
   c. Filling out his term, 84 percent.
2. In making consumer decisions, do you rely mostly on:
   a. Ralph Nader, 4 percent.
   b. Consumer Reports, 36 percent.
   c. Other, 60 percent.
3. To conserve energy, do you favor:
   a. Year-round daylight savings time, 26 percent.
   b. Federal gas rationing, 7 percent.
   c. A 55 mph speed limit, 67 percent.
4. Do you favor the TVA arrangement with organized labor that Union members should receive preference over non-union members in employment?
   Yes, 16 percent; No, 84 percent.
5. Whom do you consider responsible for the petroleum shortage?
   a. Government, 28 percent.
   b. Major oil companies, 36 percent.
   c. Wasteful practices of society in general, 36 percent.
6. Do you favor a national health insurance program for everyone financed by tax revenues?
   Yes, 30 percent; No, 70 percent.
7. Do you favor the continuation of wage and price controls after the April 30 expiration of the present law?
   Yes, 32 percent; No, 68 percent.
8. Do you favor financing Federal political campaigns out of tax revenue?
   Yes, 18 percent; No, 82 percent.
9. Do you think all candidates for public office should make full disclosure of their personal finances?
   Yes, 55 percent; No, 45 percent.
10. Would you favor the complete abolition of stripmining?
   Yes, 20 percent; No, 80 percent.
11. Should Congress reconsider and vote to ban foodstamps for strikers?
   Yes, 83 percent; No, 17 percent.

PENSION REFORM: REAL OR SHAM?

HON. BELLA S. ABZUG

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1974

Ms. ABZUG. Mr. Speaker, in yesterday's New York Times was a letter to the editor from Prof. Merton C. Bernstein of Ohio State University, one of the Nation's leading pension experts. In his letter Professor Bernstein takes the media to task for not adequately informing the public about what was really contained in the House- and Senate-passed pension reform bills.

Professor Bernstein notes some of the glaring inadequacies and omissions in the two versions of the bill that that have passed the respective bodies and which now are awaiting appointment of the House conferees.

I commend the letter to the attention of all my colleagues:

PENSION "REFORM" BILL: CLAIMS AND SAD FACTS

To the EDITOR:

The March 6 Times editorial hailing House passage of the pension "reform" bill represents a basic failure to inform the public, echoed by Newsweek's "Pensions: Reform, at Last," (March 11).

The news columns of neither ever reported the sad, not-so-simple facts of what the Senate- and House-passed bills provided. The few news stories that appeared in print or over the air essentially parroted the claims of bill sponsors (with one recent exception in The Times which was very circumspect, as you will see).

Chief among private-pension shortcomings are the small percentages of benefits achieved. So, a Senate subcommittee study of plans covering some 6.9 million participants (a very large sample, indeed) over a nineteen-year period (1951–69) found that only 4 per cent obtained benefits. Among those separated under plans requiring fifteen years of service for vesting, 92 per cent went away empty-handed; for plans requiring ten years for vesting, the losers came to 72 per cent.

The hailed House bill gives employers and unions three choices for vesting: 25 per cent after five years' credited service, increasing to 50 percent after ten years and 100 per cent after fifteen or 100 per cent after ten years or 50 per cent when age and service (minimum of five years) equals 45—growing to 100 per cent when the combination is fifty. Under this formula, employer and union (if there is one) where these criteria are not met will, naturally enough, pick the least costly, hence least protective, formula. (To oversimplify, unions do this because ex-employees are ex-members.) Under this scheme, a canny employer with a young work force can completely avoid vesting—which means no pension improvement and worsened employment for older persons.

But there's more. Under the House-passed bill, unless an employee has five full years of employment after Jan. 1, 1969, all service before that date can be ignored. With extensive

layoffs and many plans which give part-year credit for less than a full year's work, many can be caught by this sleeper inserted at the last minute.

But there's more yet. None of the vesting requirements need take effect before 1976 (two years hence). For collectively bargained plans, they do not take effect until the last bargained plan expires or 1981, whichever is first. Only recently, I stumbled onto a major industry where the regular bargaining agreement is for a term of three years but the pension plan for six. There may be a lot of this going on behind closed doors.

But there's even more yet. The vesting provisions—which would be pathetically weak if they went into effect tomorrow—will be phased in after the effective date. So, starting in the late 1970's, or as late as 1981, the 25 per cent vesting provision will be 12½ per cent—worth about $3.12 a month under a typical blue-collar plan.

If that's private pension reform, make mine Social Security. What's so dreadfully disappointing is the utter failure of the press at least to report that some pension experts consider the "reform" as fraudulent as the plans it purports to improve.

MERTON C. BERNSTEIN,
Professor of Law,
Ohio State University.

COLUMBUS, OHIO, *March 19, 1974.*

VIRGINIA'S EIGHTH DISTRICT VOICES ITS OPINION

HON. STANFORD E. PARRIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1974

Mr. PARRIS. Mr. Speaker, recently my office received and tabulated 32,308 responses to a questionnaire which was mailed out to 155,000 Eighth District households. This poll gives my constituents the opportunity to express to me their opinions on prominent national and local issues.

Concerning the present impeachment dilemma, results indicate that residents of the Eighth District are substantially divided over whether President Nixon should be impeached and compelled to leave office. They are generally concerned over what should be done to restore public confidence in the Office of the Presidency. These results are very similar to those obtained in a February nationwide Gallup poll. This, in fact, supports what was recently presented in a U.S. News and World Report article, in which it was maintained that the Eighth District of Virginia essentially is composed of "national citizens"—that is—residents of the area range "from farmers and smalltowners to suburbanites and people who live under typical urban conditions. Thousands of them are Government workers from every section of the country." This is the reason why, in my estimation, the results of my poll are particularly significant. I urge my fellow colleagues to take notice of the Eighth District responses as I believe they mirror the feelings of the Nation as a whole.

On other matters surveyed, poll results indicate that the majority of Eighth District residents oppose mandatory gas rationing, favor retaining daylight savings time, believe that wage and price controls have been ineffective, and are opposed to a "right to life" amendment prohibiting abortion. Poll results further showed an almost even division on the questions of whether President Nixon has been fairly treated by the news media, whether environmental restrictions should be relaxed because of the energy crisis, and over the issue of election campaign financing.

Locally, my constituents overwhelmingly believe that the Lorton Reformatory is not being properly administered by the District of Columbia Department of Corrections, and a clear majority favors completion of Interstate Route 66.

At this time I would like to insert into the RECORD a copy of the recent questionnaire and the exact statistical responses:

RESULTS OF EIGHTH DISTRICT QUESTIONNAIRE DISTRIBUTED BY U.S. REPRESENTATIVE STAN PARRIS

GAS RATIONING

1. Would you favor the mandatory rationing of gasoline? Yes, 36.0. No, 60.7. Undecided, 3.3.

DAYLIGHT SAVINGS TIME

2. Do you favor retaining Daylight Savings on a year-round basis? Yes, 62.8. No. 35.1. Undecided, 2.1.

ENVIRONMENT

3. Do you favor relaxing environmental requirements and standards in an effort to ease the fuel crisis? Yes, 47.1. No. 49.7.

WAGE AND PRICE CONTROLS

4. Do you believe the present wage and price controls have been effective and should be continued? Yes, 17.8. No. 74.8. Undecided, 7.4.

ABORTION

5. Do you support changing the Constitution by adoption of a "right-to-life" amendment which prohibits abortions? Yes, 27.7. No. 70.3. Undecided, 3.0.

WATERGATE

6. Do you feel President Nixon has been fairly treated by the media in its coverage of Watergate? Yes, 50.4. No, 45.8. Undecided, 3.8.

IMPEACHMENT

7. Do you think President Nixon should be impeached and compelled to leave the Presidency? Yes, 39.8. No, 46.3. Undecided, 13.9.

Impeachment Results by Area: Alexandria: Yes, 42.7; No, 44.7; Undecided, 12.6. Fairfax County: Yes, 35.4; No. 48.8; Undecided, 15.8. Prince William County: Yes, 41.3; No. 45.7; Undecided, 13.0.

ELECTION REFORM

8. Do you favor complete Federal financing of election campaigns and the prohibition of all private contributions? Yes, 51.3. No, 46.3. Undecided, 2.4.

TRANSPORTATION

9. Do you favor completion of Interstate Highway 66 from the Beltway (I–495) to Washington, D.C., to help solve Northern Virginia's transportation problem? Yes, 66.2. No, 26.4. Undecided, 7.4.

LORTON REFORMATORY

10. Do you believe that the Lorton Reformatory is being properly administered by the D.C. Department of Corrections? Yes, 6.3. No, 79.5. Undecided, 14.2.

VOTING

11. Are you registered to vote in the 8th Congressional District of Virginia? Yes, 80.0. No, 19.3. Undecided, 0.7.

ISSUES AND COMMENTS

12. What do you believe are the most important issues facing the U.S. today?

Inflation, 86.1.
Energy, 73.2.
Lack of Confidence in Officials, 71.1.
Leniency in Courts, 53.5.
Need for Mass Transit, 50.4.
Total number of responses: 32,308.

VOICE OF REASON ON IMPEACHMENT

HON. TRENT LOTT

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1974

Mr. LOTT. Mr. Speaker, as a member of the House Judiciary Committee currently investigating the validity of serious accusations against the President, I am daily reminded of the awesome responsibility associated with such an impeachment inquiry. I am also very mindful of the fact that the nonpartisan forces of reason and justice must ultimately prevail if we are to serve the best interests of this country.

To be sure, these are hard and difficult times for all Americans. For that very reason, I find it particularly reassuring to know that the calm voice of reason can still be found at the grassroots level of America. I point with pride to an editorial published recently in one of the Nation's newest daily newspapers, the South Mississippi Sun of Biloxi-Gulfport, Miss., whose editors have approached the question of impeachment with an impressive sense of fairplay.

Accordingly, I submit the following editorial for inclusion in today's RECORD and encourage my colleagues to endorse its refreshing call for clarity on the question of impeachment:

LET US CLARIFY "IMPEACHMENT"

There are hard times ahead for the House Judiciary Committee and President Nixon's White House legal team as the move toward an impeachment trial gains steam.

The U.S. Constitution says a president may be impeached for "treason, bribery, or other high crimes and misdemeanors."

There is no trouble about interpreting treason or bribery, and neither will figure in Mr. Nixon's impeachment trial, should one be held. But an argument rages over how to define "high crimes and misdemeanors."

It should not be lost upon any of us that this argument is the basic issue. The President's lawyers have narrowed the constitsutional definition down to this: a high crime or misdemeanor must be not only "a criminal offense, but one of a very serious nature committed in one's governmental capacity."

This means, for example, that if Mr. Nixon's tax returns are found to have been fraudulent, that can't be grounds for an impeachment trial because the wrong-doing had nothing to do with his "governmental capacity."

There is also something disturbing about the White House insistence that the crime must be "of a very serious nature." Mr. Nixon's lawyers seem to be saying it would be proper enough for a president to commit a crime that isn't "very serious in nature" and still escape impeachment. If that's what they mean, that won't wash with the American public who have a right to expect their chief executive to display exemplary conduct.

On the other hand, the House Judiciary Committee lawyers are saying a president could be brought to trial for acts "undermining the integrity of office, disregard of constitutional duties and oath of office, arrogation of power, and abuse of the governmental process."

That sounds too broad. A House and Senate determined to get rid of a president could easily interpret presidential acts and decisions that were proper and sound as being impeachable offenses under the vague and broad definition Judiciary Committee lawyers have proposed.

The Congress faces a very serious responsibility in this matter. And after it has been brought to a conclusion, one way or another, a committee of the best legal minds in the Congress should consider a constitutional amendment to spell out more clearly the definition of an impeachable offense.

The processes for impeachment have existed as originally written without clarification for 187 years. It's time to clarify that important constitutional matter once and for all.

JOHN ROCHE URGES SEATO BE ABANDONED

HON. ROBERT L. LEGGETT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1974

Mr. LEGGETT. Mr. Speaker, some time ago I delivered a speech on the floor of the House entitled "SEATO is Dead; Let's Bury It Before It Stinks." I am, therefore, pleased to see that Mr. John Roche has followed my lead, although no doubt by pure coincidence. His article entitled "SEATO Deserves Quiet Burial as Fake, Letterhead Alliance" is, I believe, largely on target. It appeared in the AFL–CIO News of March 30, 1974.

Mr. Roche, as we all remember, was the White House "resident intellectual" during the latter part of the Johnson administration. He was chiefly noted for his rather enthusiastic derogation of the intellectual powers of those who disagreed with President Johnson's Vietnam policy.

Now he appears to have changed his views. He points out, correctly, that the SEATO treaty was meaningless from the beginning, in that it did not obligate anybody to do anything. It had meaning only in the dream world of John Foster Dulles. Our military action in Vietnam acquired a semblance of legality only in 1964 when Members of Congress, including this Member, were so gullible as to grant President Johnson the approval he requested in the Tonkin Gulf resolution.

Mr. Roche is also correct in pointing out that repeal of SEATO will not preclude future foreign misadventures. Nevertheless, SEATO does provide one of the props by which the administration attempts to maintain a military presence in Southeast Asia even though that presence serves no national interest. It should be repealed.

I insert Mr. Roche's article at this point in the RECORD:

SEATO DESERVES QUIET BURIAL AS FAKE, LETTERHEAD ALLIANCE

(By John P. Roche)

The Southeast Asian Treaty Organization (SEATO), established by that indefatigable pact-monger, Sec. of State John Foster Dulles, at Manila in September 1954, is currently under critical scrutiny by the Senate Foreign Relations Committee. As one who opposed the Manila Treaty in the first place (on the ground that it was a fake, a letterhead alliance), I will be delighted to see the organization given a decent burial. (The corpse has been in the international morgue now for almost 20 years.)

I am, however, bemused on the ground on which eliminating SEATO is justified. Dulles proclaimed it an "Asiatic Monroe Doctrine," and the critics seems to take this assertion at face value, blaming SEATO for our intervention in Vietnam and launching a parade of horribles in which we find ourselves enmeshed in the defense of Thailand and the Philippines.

There was a wacky quality about SEATO from the outset. The charter members were the United States, Britain, France, Australia, New Zealand, Pakistan and the Philippines. Notably excluded were the Chinese Nationalist government on Taiwan and Korea. (Moreover, Australia and New Zealand were separately linked to the United States by another treaty: ANZUS.)

When the Indian government began to howl, the United States provided an "understanding" that the alliance was only directed against Communist agression; it could not be invoked by Pakistan against India.

Dulles was nonetheless overjoyed: he had a passion for treaties. In February 1955, he told the Foreign Policy Association that "the total of these treaties is a mutual security system which, starting from the Aleutian Islands in the north, runs in a great arc to the South Pacific. This constitutes a defensive bulwark for freedom in that part of the world."

One would like to think he did not believe it—he was a man of considerable intelligence—but the evidence indicates a singular capacity for autohypnosis.

Vietnam got into the SEATO act by a back door: a protocol extended the provisions of the alliance to Cambodia, Laos and South Vietnam. (Cambodia pulled out, and the 1962 Geneva agreement on Laos theoretically removed that "nation.") When in the 1960s the crunch came in Vietnam, SEATO was used as a justification for American intervention, but in fact the only states that contributed armed forces were Thailand, Australia and New Zealand. The largest Asian contingent came from Korea which was a nonmember. The British, Pakistanis and French pretended SEATO did not exist, and the Philippines sent a contingent of noncombatants.

Yet those who blame SEATO for our Vietnam intervention, and who see it as a source of future "adventures," have never read the small print. Dulles, extremely sensitive to Senate opinion (Senators Mike Mansfield and Alexander Smith of New Jersey accompanied him to Manila and signed the treaty), insisted on the inclusion in the pact of a statement that each nation would act to meet a threat "in accordance with its constitutional processes."

In other words, a Chinese attack on, say, Pakistan would not automatically trigger an American response. If the United States reacted, it would be according to its constitutional process, i.e., a declaration of hostilities by Congress.

Or, and here we come to the dicey issue, a delegation by Congress to the President to exercise the war power at his discretion. In January 1954, for example, Congress passed the so-called "Formosa Resolution" authorizing President Eisenhower to use American forces "if necessary to assure the security of Formosa and the Pescadores."

Sen. Wayne Morse denounced this as a "predated authorization" to go to war. He was absolutely correct—which brings us to the Southeast Asia (Tonkin Gulf) Resolution in August 1964. Section 2 of this document states explicitly that "in accordance with its obligations under (SEATO), the United States is, therefore, prepared, as the President determines, to take all necessary steps, including the use of armed force, to assist (Vietnam)."

The SEATO guarantee to Vietnam would thus have been meaningless had the United States not acted according to its "constitutional processes." To revert to the theme, SEATO was a horse dead at the post and should be quietly buried. But the burial would not necessarily keep us from intervening in, say, the Philippines. The decision would rest, as always, in the wisdom of Congress.

THIEU'S POLITICAL PRISONERS: THE PLIGHT OF THE BUDDHIST MONKS

HON. RONALD V. DELLUMS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1974

Mr. DELLUMS. Mr. Speaker, any South Vietnamese citizen who dares either to proclaim neutralist feelings or is supportive of the Paris Peace Agreement runs the risk of being jailed—without trial—as a political prisoner.

Independent estimates have said that Thieu has jailed as many as 200,000 political prisoners—and most of the funds used to support this vast prison system are supplied by American taxpayers.

Recently, Thieu jailed a large group of Buddhist monks who were protesting some of Thieu's policies. The following news articles describe the situation:

[From the Washington Post, Mar. 12, 1974]

SAIGON BUDDHISTS IN PROTEST

SAIGON, March 11.—Several hundred Buddhist monks are reportedly holding a hunger strike inside Saigon's main prison to protest their confinement on charges of draft-dodging.

A well-known government critic, Mrs. Ngo Ba Thanh, went to the prison with a group of Western reporters this morning to talk to the protesting inmates.

Her group was turned away by prison officials and some film taken by the reporters was confiscated.

Mrs. Thanh called the monks political prisoners and said she plans to protest their imprisonment to the International Commission of Control and Supervision charged with overseeing the cease-fire here.

Government spokesman Nguyen Quoc Cuong said he had no official comment on the incident, which came just after the government and Vietcong completed a major round of prisoner exchanges last week.

In that exchange, Saigon received about 700 prisoners and turned over about 3,500 prisoners to the Vietcong. Several of these reportedly declined to go to the other side and have been returned to Saigon, where they are being kept in prison.

These include student leader Huynh Tan Mam, charged with threatening national security during student demonstrations in 1971, Huynh Van Trong, a former assistant to President Nguyen Van Thieu charged with contacting Communists agents, and former National Assembly deputy Tran Ngoc Chau, also charged with contacting Communists agents.

A government spokesman said the three will be released after going through the training program of the "Open Arms" agency for defectors from the Communist side.

The three are said to consider themselves members of a third political force here, neither pro-government nor pro-Communist. Mrs. Thanh is considered a third force leader.

President Thieu has taken the position that the activities of these and other third force members have benefited the Communist side, so the three prisoners have been officially treated as Communists.

Mrs. Thanh was freed several months ago from a prison where she had been held on charges of threatening national security.

She is now free in Saigon and although policemen apparently follow her and she has been prevented from talking with large groups of reporters on some occasions, she freely sees reporters on an individual basis.

With U.S. aid essential to South Vietnam's economy and army, the government is particularly sensitive on the prisoner issue, which is carefully watched on Capitol Hill.

The government recently released a booklet containing photographs of the prisoner exchanges and stating that most of the government prisoners returning from Vietcong prisons were ill, malnourished and had endured "cruel physical and mental torture."

On the other hand, the booklet said, prisoners returned to the Communists had been well-treated and cared for.

Reporters did not view the prisoner exchanges because procedures for allowing them to do so were never agreed upon by the two sides.

The booklet also said that, since the January 1973 ceasefire, the Saigon government has returned 26,750 prisoners to the Vietcong side and received in return only 5,428.

The government charged that it should have received a total of 31,818 military prisoners.

In a recent regular weekly press briefing, a Vietcong spokesman charged that the government "is still detaining 200,000 civilian prisoners belonging to the Provisionary Revolutionary Government and to other forces in South Vietnam."

The government contends that there are only somewhat more than 30,000 civilian prisoners in its entire prison system now.

The U.S. embassy here has studied the prison statistics and controversy here and officially agrees with the government figure.

[From the New York Times, March 12, 1974]

BUDDHIST DELEGATION IS HALTED IN EFFORT TO VISIT SAIGON JAIL

SAIGON, SOUTH VIETNAM, March 11.—A delegation of Buddhist leaders and opponents of the Government was turned away from the gate of a Saigon prison today when its members tried to visit 200 to 300 inmates reportedly on a hunger strike inside.

After rejecting the group's request for entrance to the walled compound, Chi Hoa prison officials confiscated film and tape recordings belonging to newsmen from the Columbia Broadcasting System, the National Broadcasting Company and several other organizations that were covering the event.

REFUSED THE DRAFT

The director of the prison, Lieut. Col. Phan Van Hai—who served tea in his office to the newsmen while he was confiscating their film—explained somewhat apologetically that the seizure had been ordered by top National Police officials. He said there was a standing rule against taking photographs of the prison, although he held out the possibility that the films might eventually be returned.

The hunger strike, said to have begun on Feb. 27, reportedly involves Buddhists and members of the Cao Dai sect who have been imprisoned for refusing induction into the army. They have said they had religious objections to military service, but Colonel Hai said today that they were not monks, merely young men trying to avoid the draft.

The delegation of about 20, led by the Venerable Phap Lan of An Quang Pagoda, termed the men "religious prisoners."

Mr. Lan said he was concerned about the health of the prisoners, 10 or 20 of whom he had heard were very sick.

Colonel Hai said that the inmates had stored food in their cells and were all in good health. He refused to allow newsmen inside to see for themselves, saying that only the Minister of the Interior could permit such a visit. The South Vietnamese Government has rarely allowed press tours of its prisons.

While the newsmen were inside the prison the delegation returned, and witnesses said later that the members tried to force their way through the gate but were warned off by a policeman who fired a single shot into the air.

[From the Philadelphia Inquirer, March 13, 1974]

MONKS SEIZED IN SOUTH VIETNAM

SAIGON.—A Buddhist leader said Tuesday that South Vietnamese police arrested 142 Buddhist monks from his pagoda in the town of Can Giuoc, 12 miles south of Saigon.

The leader, Thich Thien An, 34, of the militant An Quang Buddhist faction, said he did not know why the arrests were made, but speculated that they might be linked to an antigovernment demonstration he and about 20 other Buddhists held Monday in front of the Chi Hoa prison in Saigon.

In a letter to President Nguyen Van Thieu made available to newsmen, An said policemen "infiltrated" into the Khanh Ninh pagoda Tuesday morning and "herded" the monks away.

STATE OF WEST VIRGINIA RESOLUTION

HON. LAWRENCE J. HOGAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1974

Mr. HOGAN. Mr. Speaker, I am pleased to see that the senate of the State of West Virginia has passed Senate Resolution 10, memorializing the Congress of the United States to approve House Joint Resolution 261, an amendment to the Constitution guaranteeing the right to life to all unborn.

I wish to commend Senator H. Darrel Darby for his sponsorship of this resolution and the Senate of West Virginia for its support for human life.

I wish to insert in the RECORD the text of the resolution at this point:

SENATE RESOLUTION No. 10

Memorializing the Congress of the United States to approve House Joint Resolution No. 261, introduced on January 30, 1973, proposing an amendment to the Constitution of the United States guaranteeing the right to life to the unborn, the ill, the aged or the incapacitated.

Resolved by the Senate:

That the Congress of the United States be urged and requested to approve the amendment to the United States Constitution introduced in House Joint Resolution No. 261, which reads as follows:

"Proposing an amendment to the Constitution of the United States guaranteeing the right to life to the unborn, the ill, the aged or the incapacitated. To be ratified by the states within seven years of Congressional approval.

ARTICLE

Section 1. Neither the United States nor any state shall deprive any human being, from the moment of conception, of life without due process of law; nor deny to any human being, from the moment of conception, within its jurisdiction, the equal protection of the laws.

Section 2. Neither the United States nor any state shall deprive any human being of life on account of illness, age, or incapacity.

Section 3. Congress and the several states shall have the power to enforce this article by appropriate legislation and, be it

Resolved further, That the Clerk of the Senate notify the Congress of the United States of this action by forwarding to the appropriate officers of each House of Congress a certified copy of this Resolution.

DEFICIENCIES IN THE FAIR CREDIT REPORTING ACT

HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1974

Mrs. SULLIVAN. Mr. Speaker, in the special order of Mr. GOLDWATER and others on invasion of privacy, beginning at page 9337 of yesterday's RECORD, my remarks beginning at page 9393 and concluding near the bottom of column 1 of page 9394 refer to the deficiencies of the Fair Credit Reporting Act and to testimony before my subcommittee on this matter. The material which should have followed was not included.

The testimony of Sheldon Feldman, Assistant Director of the Federal Trade Commission for Special Statutes before the Subcommittee on Consumer Affairs last year is the best critique I have seen of the shortcomings of the Fair Credit Reporting Act. Mr. Feldman has been in charge of the enforcement of this statute for the FTC since the law went into effect in April 1971. His proposals for amendments to the act will be incorporated in an omnibus bill now being prepared to expand the scope of consumer safeguards in the Consumer Credit Protection Act of 1968 of which the Fair Credit Reporting Act is now title VI.

The material referred to is as follows:

STATEMENT OF SHELDON FELDMAN, ASSISTANT DIRECTOR FOR SPECIAL STATUTES, FEDERAL TRADE COMMISSION, ON THE FAIR CREDIT REPORTING ACT BEFORE THE SUBCOMMITTEE ON CONSUMER AFFAIRS, COMMITTEE ON BANKING AND CURRENCY, HOUSE OF REPRESENTATIVES, JULY 24, 1973

Good morning, Madam Chairman. On behalf of the Federal Trade Commission, I welcome the opportunity to present the Commission's views on the Fair Credit Reporting Act.

It is common knowledge that the economy of this country is a credit economy. While there are various reasons for this phenomenon, the fact is that the utilization of and reliance upon consumer credit, which today exceeds 150 billion dollars, is the American way of life.

Serving this credit economy is a vast and, until recently, unnoticed network of companies collecting, storing and selling information that is used in making business decisions about consumers. The FCRA represents an attempt at balancing two crucial and often competing interests—the need of creditors, as well as insurers and employers, to have quick and inexpensive access to information about applicants, and the need—in fact the right—of consumers to know and be able to challenge and correct what is reported about them for commercial purposes. As we near the twenty-first century, the mobility and consumption of our citizenry, and the needs of commerce, converge to demand a special concern about consumer reporting. While all segments of the industry are legitimately concerned about unreasonable restraints and increased costs in connection with the conduct of their business, others are, or should be, concerned about insuring that the fundamental principles of fairness and "due process" for consumers are not being gradually eroded to satisfy the expediencies of our commercial society.

As you know, the Fair Credit Reporting Act is the first Federal regulation of the vast consumer reporting industry. Its basic purpose is to insure that consumer reporting agencies exercise their responsibilities with fairness, impartiality, and a respect for the

consumer's right to privacy. The law seeks to require consumer reporting agencies to adopt reasonable procedures for providing information to credit grantors, insurers, employers and others in a manner that is fair and equitable to the consumer with regard to confidentiality, accuracy, and the proper use of such information.

The Commission's enforcement efforts under the Act have included the wide dissemination of a 46 page booklet explaining the industry's compliance obligations, with illustrative forms for certain disclosures; production of a consumer education pamphlet and buyer's guide on the Act to aid consumers in understanding their rights; and the publication of six formal Interpretations after conducting public hearings and considering over 1000 written comments. These Interpretations, which are advisory in nature:

Prohibit publication and distribution, by credit bureaus of books containing consumers' credit ratings, called "credit guides", unless encoded to insure consumers' anonymity;

Allow the use of certain kinds of "protective bulletins" which identify check forgers, swindlers and the like—provided no information in them is used in establishing the subjects' eligibility for credit, insurance or employment;

Require that consumers be informed by prospective lenders when they are denied credit on the basis of information furnished by loan exchanges;

Require that when an insurance company uses a state motor vehicle report to deny or increase the cost of a consumer's insurance, it inform him of that fact and of the state agency's identity;

Permit consumer reporting agencies to prescreen prospects' names for credit worthiness for direct mail solicitations, provided the user certifies that every person on the list furnished by the credit bureau will receive the solicitation; and

Conclude that reporting activities of federal agencies such as the Civil Service Commission are not currently included within the scope of the FCRA.

The staff's FCRA enforcement program included several surveys to ascertain compliance, one of which covered all major life insurance companies, since they are the nation's primary users of investigative-type consumer reports. The Commission concluded two FCRA investigations by issuing final orders covering six credit bureaus for alleged violations of the FCRA (*The Credit Bureau of Columbus, et al.*, Docket C-2333 and *Credit Bureau of Lorain, et al.*, Docket C-2287).

The surveys and investigations proved to be extremely valuable in determining the impact of this new law and in providing a basis for the development of recommendations for legislative improvements in the Act.

Our experience in attempting to administer the FCRA during the last two years persuades us that while the basic approach of the legislation is sound, Congress should reconsider and recast certain provisions which have proved to be inadequate. Equally important, we are convinced that the specific changes which we recommend today will not create major compliance problems for the industry, or impose any significant increase in the cost of doing business for reporters or users. Therefore, we deem it appropriate at this time to make specific recommendations for strengthening this law, because we have concluded that, as enacted, the Fair Credit Reporting Act has not fulfilled its stated goals.

The major shortcomings of the FCRA will be discussed in six categories. We have also taken the liberty of appending to this statement the language which we recommend to effectuate the proposed changes.

1. CONSUMER REPORTING AGENCY DISCLOSURE

There are two principal problems here. First, the consumer is not entitled to see, copy, or physically possess his file when he goes to a credit bureau to determine what information the credit bureau has on him (Sec. 609(a)). The contents of the file are read to the consumer, who must take the interviewer's word that all information, recipients and sources are disclosed. Consumers complain that this manner of disclosure is most unsatisfactory, and that as the proportion of "sensitive" (personal) or adverse information in the file increases, the extent of full disclosure diminishes.

It is consideerd essential that Secs. 609 and 610 be rewritten to provide for actual, personal inspection by the consumer, with the opportunity to copy (write down) the contents of the file or, at nominal cost to the consumer (not to exceed 10¢ per page), to make copies of the file. Because the "file" will often consist of numerous sheets of paper placed in an envelope, some of which are incomprehensible or insignificant, the choice of inspection and/or a copy of the file should be left to the consumer. Personal inspection is considered absolutely necessary. Further, provision should be made requiring the interviewer to translate the "common language" code used by the reporting industry into layman's terms. This can be accomplished during the interview and is a valid reason why merely providing a copy of the file often would not constitute adequate disclosure.

Second, although the consumer is entitled to a free-of-cost in person interview when adverse action is taken, he must pay the long distance toll charges when a consumer report is furnished by a consumer reporting agency that is geographically distant (Sec. 610(b)(2)). With increasing regularity, computerization permits companies to furnish consumer reports on a nationwide basis. This situation occurs in hundreds of instances daily, and telephone toll charges are a major deterrent to receiving disclosure. We believe that such charges are in the nature of normal operating business expenses and should be absorbed by the Consumer Reporting Agency when the call is prompted by adverse action based upon that agency's report.

2. INVESTIGATE REPORTING AUTHORIZATION AND DISCLOSURE

The adequacy of the disclosure to the consumer that an investigative consumer report will be made (Sec. 606) is open to serious question. We find the obscure, two-stage disclosure that such a personal investigation "may be made" wholly unsatisfactory.

The statutory approach of Sec. 606 must be reversed. Consumers do not notice or comprehend the Sec. 606(a) disclosure, and the approach of Sec. 606(b) is equally inadequate. The only remedy for this unfortunate situation is requiring an *authorization*, without which an investigative report may not be prepared. The user has a realistic and reasonable option: order a noninvestigative consumer report at once and with no advance notice to or authorization from the consumer (such a routine business inquiry may be deemed authorized by implication when a consumer applies for a benefit) *or* obtain specific, express authorization to delve into the consumer's private affairs (such a personal third party investigation is *not* authorized by implication when one applies for a benefit such as credit, insurance or employment).

3. USER DISCLOSURE

There are four aspects of Section 615 that should be improved. First, concerning the scope of the user's disclosure, the consumer is not entitled to a copy of the information that was furnished to a third party, irrespective of whether that information resulted in adverse action against him (Sec. 615(a)). It is important to broaden the user's disclosure requirement to include the name, telephone number, and street address of the credit bureau, as well as the specific *reason* for the denial of credit, *identifying the information responsible* for the adverse action. Currently, only the reporter (name and address of the credit bureau) is disclosed.

Second, imposing the requirement upon a user of a consumer report to provide *a copy* of the report, along with its more explanatory Sec. 615(a) notification, is considered necessary so that the consumer will be armed with the exact information on which the user based his adverse decision. This requirement would not be unduly burdensome to a user, whereas it might be if *all* reports had to be furnished, irrespective of whether the user subsequently took adverse action. In the event that the credit bureau's report were oral, which happens with regularity, an adequate substitute for a copy of the report would be furnishing a brief summarization of the user's notation of the information that was taken over the telephone.

Third, the notification requirement in Sec. 615(a) applies to a denial of credit, insurance, or employment, but is entirely inapplicable when other adverse action is taken, such as refusal to rent an apartment, denial of a license, and so on. Since the aim of the act is to promote accurate reporting, any adverse action should trigger the user's disclosure.

Finally, it is necessary to expand the requirement that users notify consumers of adverse action taken on the basis of third party information (*i.e.*, from a source *other* than a consumer reporting agency), since the current notification requirement applies only to a denial of *credit* (Sec. 615(b)). For example, when insurance is denied or the cost increased because of third party information (*e.g.*, direct inquiry to neighbors, employers, etc.), no disclosure of any kind is required. Moreover, the two-stage Sec. 615(b) disclosure must be eliminated. It is time-consuming, obscure, and unsatisfactory to user and consumer alike.

4. SCOPE OF THE FCRA

Application of the protections afforded by the FCRA depends entirely upon the triggering term "consumer reporting agency". That is, unless the "person" collecting or reporting information comes within the narrow framework of that definition, the information furnished by that person cannot be construed as a "consumer report" and none of the objectives or concomitant benefits of the Act apply (Sec. 603(f)).

We recommend amending the Fair Credit Reporting Act to include within the definition of "consumer reporting agency" the Civil Service Commission and other governmental agencies performing similar employment reporting functions. Thus, such agencies would be subject to the same restrictions placed upon others who provide pre-employment investigations and guarantee the same safeguards to subjects of their reports as are provided to those on whom pre-employment reports are prepared in the private sector.

The question of whether the Civil Service Commission (hereinafter sometimes CSC) and other government agencies which prepare pre-employment reports are "consumer reporting agencies" subject to the FCRA arose in the Spring of 1971 when an informal interpretation was requested. A request for a formal interpretation subjecting the CSC to the provisions of the FCRA came in December 1971 from private counsel representing a government employee who had been refused access to his Civil Service employment file.

In early 1972 we made informal responses to the parties requesting a statement of our

position, stating that the CSC is not a "consumer reporting agency" within the meaning of Sec. 603(f) of the FCRA. A formal interpretation to this effect was published in the Federal Register on October 7, 1972.

The Commission reasoned that the language of Sec. 603(f), "cooperative nonprofit basis" and "third parties", could not reasonably be construed to apply to CSC reporting activity in the absence of any legislative history to indicate that such a result was intended. It was reasoned that, had Congress intended to subject Federal Government agencies to compliance with the FCRA, it would first have obtained testimony and other information concerning the probable effects on the agencies being considered for inclusion in the Act's coverage.

Prior to the proposed formal interpretation's effective date, comments urging that it be withdrawn or amended to subject the CSC to the Act were received from five sources: Senator William Proxmire, the author of the Act; the Consumer Federation of America; Consumers Union; American Postal Workers Union; and the Institute for Public Interest Representation, Georgetown University Law Center. In addition to discussing statutory construction, the comments made the following contentions:

1. The information collected and disseminated to other agencies by the CSC is exactly the same as that sought to be regulated under the FCRA. As the October 7 Interpretation states: "In the course of its operations, the U.S. Civil Service Commission collects and files data concerning current and potential employees of the Federal Government. This data may include commentary on such matters as the subject's character, general reputation, personal characteristics, or mode of living, and the information is routinely transmitted to various branches of the Government." Thus, the reasons for regulating CSC conduct in the collection and handling of data for pre-employment reports are the same as those which led to the passage of the FCRA. The employee's need for privacy and accuracy is the same regardless of whether his employer is the Federal Government or a private business.

2. If the Act is not amended to include the CSC in its coverage, potential and present Federal employees will be denied the same rights guaranteed to persons employed or seeking employment in the private sector. The number of nonmilitary Federal employees is currently estimated at 2.7 to 2.8 million. The number of persons who fall into the category of "potential employees" may be estimated from the statistic that in fiscal 1971 the CSC processed 2.3 million applications.

3. The Federal Government should set an example of fairness for the private sector, rather than being exempt from the constraints placed upon other employers.

4. The exclusion of the CSC is inconsistent with the purposes of the Act, one of which was the protection of citizens from investigations by the Federal Government. Section 608 prohibits governmental agencies from obtaining any information (except name and address) from consumer reporting agencies for "nonpermissible" purposes, including law enforcement purposes. However, government agencies receiving CSC reports, which may include data obtained from consumer reporting agencies, can make whatever use of it they wish, without restraint.

The legislative history and anomalous results lead one to conclude that the exclusion of the CSC from the FCRA may have been a Congressional oversight. What few references in the legislative history there are to the problem are inconclusive. The exclusion of the Civil Service Commission, however, is inconsistent with the basic purposes of the Act. On the one hand, we know of no circumstances which would make application of the Act to the CSC unduly burdensome. That some inconvenience to Federal agencies is acceptable to Congress is demonstrated by the inclusion of Section 608, as just mentioned, despite protests of officials of governmental agencies whose law enforcement activities would be hampered by that limitation (see *Hearings*,* at 603–607 (letters from Hugo A. Ranta, Acting General Counsel of the Treasury; Richard G. Kleindienst, Deputy Attorney General; and Winton M. Blount, Postmaster General)). On the other hand, since the kind of reports prepared by the Civil Service Commission do not differ materially from those prepared by consumer reporting agencies, the need of present and potential Federal employees for privacy and accurate reporting is no less, and the number of individuals left unprotected is huge.

We conclude that, in the absence of evidence that compliance with the FCRA would constitute a crippling burden for the CSC, there is no reason to maintain the defect in the Act which is caused by its exclusion. We therefore recommend that Congress consider amending the Fair Credit Reporting Act to include the Civil Service Commission and any agencies performing similar functions within the definition of "consumer reporting agency".

5. ADMINISTRATIVE ENFORCEMENT OF FCRA

There is an apparent inconsistency between two provisions of the Act which has been seized upon by some consumer reporting agencies to deny FTC investigators access to their files. This is typified by the matter of *FTC v. Retail Credit Co.* (Civil Action No. 1508–72, D.D.C., decided April 23, 1973), an administrative subpoena enforcement action precipitated by RCC's refusal to grant access to or provide copies of consumer files, except within the framework of the provisions of Sec. 604. The District Court held that the Commission's authority under FCRA Sec. 621 and FTC Act Sec. 9 was inadequate to authorize FTC access to consumer reports, in view of the proscription in Sec. 604 against furnishing a "consumer report" unless there is a court order (Sec. 604(1)), or written instructions from each consumer whose file is involved (Sec. 604(2)). The Commission's request for an order granting access was treated as a request for a "court order" pursuant to Section 604, which was granted subject to certain notice procedures.

While the Commission maintains that Sec. 621 does supersede or at least can be reconciled with Sec. 604, and is appealing the *Retail Credit* decision, the Act should be clarified to permit the orderly process of administrative enforcement.

6. CIVIL ENFORCEMENT OF FCRA

The civil liability sections of the FCRA (Sec. 606(c), Sec. 610(e), Sec. 616, and Sec. 617) do not appear to be effective to deter noncompliance. The chances of recovery of damages under the Act are sufficiently remote, and the amount of recovery so insignificant that private legal redress is virtually nonexistent (see *Miller v. Credit Bureau of Washington, D.C.*, where plaintiff was vindicated on the facts but recovered no damages; Civil Action No. SC–29451–71, D.C. Superior Ct. decided June 22, 1972). Except when plaintiff is a lawyer, as was the case in *Miller*, it is unlikely that a disinterested attorney would take an FCRA case as the statute is presently constituted. To our knowledge, not one dollar of damages has ever been judicially awarded to a plaintiff in a civil suit brought under the FCRA.

While the awarding of liquidated damages in civil suits seeking redress for violations of consumer protection statutes is considered harsh by some, the resultant degree of compliance is measurably enhanced when such damages are available. The obvious example is the Truth in Lending Act, where the minimum $100 civil liability for non-compliance has resulted in a high degree of compliance (see FTC National Survey of Truth in Lending Compliance, published April 1971) and a substantial amount of private civil activity (in addition to over 75 private actions enumerated in Senator Magnuson's recently published survey dealing with class actions, the scope of civil Truth in Lending litigation is by now common knowledge among the private bar). A similar approach is deemed essential to insure a correspondingly high degree of compliance with the FCRA. The recommended $100 minimum recovery for negligent non-compliance would be limited to individual as distinguished from class actions.

OTHER CONSIDERATIONS

Finally, the Commission has considered two additional problem areas under FCRA that have been the subject of much debate, and some proposed legislation. In both instances, an attempt was made to balance the cost and adverse impact on affected businesses against the benefits to be derived by consumers. In each area, the consumer-oriented goal will be accomplished indirectly, by incorporation of the other above-discussed proposals, without imposing major burdens upon the consumer reporting industry.

First, since most consumers are completely uninformed on the subject of consumer reporting (*i.e.*, what is a "credit bureau", what are its functions and purposes, what kind of information is on file, etc.), some critics of FCRA have argued that it is essential that the consumer be notified by each consumer reporting agency, *at some stage in the collecting and/or reporting process*, about the existence of a file maintained on the consumer. Currently, of course, there is no provision for such notification.

Before enactment of FCRA there was considerable debate about an original proposal to require consumer reporting agencies to notify consumers about the existence of a file on them. The practical problems of notifying all consumers who are the subject of an existing file are very real. The postage and related costs for such notification by a large bureau such as the one in Metropolitan Washington, D.C. could amount to well over $200,000.

Further, thousands of consumers who are so notified are likely to be unnecessarily concerned and seek disclosure of what is in their file. Since we are not recommending deletion of the current right to charge a nominal amount for consumr reporting agency disclosure when it is not prompted by adverse action taken on the basis of a consumer report (specified in Sec. 612), the unnecessary inconvenience and cost to the consumer (most large metropolitan bureaus charge at least a $4.00 fee) are also factors which militate against adding an across-the-board notice requirement. The other amendments which are proposed, if adopted, are designed to insure the degree of compliance and full disclosure that should more than compensate for absence of a broad notice requirement.

The second problem area is the issue of relevancy in consumer reporting, particularly in investigative consumer reporting.

It is argued that investigative consumer reports often contain irrelevant information that has no place in a legitimate consumer report. While we share the consumers' concern about thhe scope and content of some investigative reports, we are convinced that imposing the limitation of collecting "relevant" information is neither feasible nor appropriate. What is irrelevant to an auto insurer may be relevant to a life insurer or employer. What is relevant to one life insurer (*e.g.* morals) may be irrelevant to another. The proposed changes that would require obtaining an express authorization,

Hearings on Fair Credit Reporting Before the Subcomm. on Consumer Affairs of the House Comm. on Banking and Currency, 91st Cong., 2d Sess., (1970).

and receipt of a copy of the report from both user and reporter, plus requiring disclosure of *investigative sources* (note revised Sec. 609(a)(2)) should provide ample protection to consumers in the area of investigative reporting. These changes should also constitute a built-in deterrent to collecting and reporting clearly irrelevant information.

In closing, an analogy may be illuminating. Possibly because of the success realized in enforcing compliance with the Truth in Lending Act, the problems incident to administering the Fair Credit Reporting Act appear to be particularly prominent. The former is a relevatively clear, effective law, implemented by equally cogent, and, for the most part, effective regulations. It was designed to achieve basically one purpose—to insure that all creditors disclose the cost of consumer credit in a uniform and meaningful way so that consumers can readily compare the cost of credit. In addition to reaching all types of consumer creditors and all forms of consumer credit, its provisions for multiple liability (civil, criminal and administrative) are effectively designed to insure compliance. The FCRA is clearly distinguishable on each of those grounds. It has become apparent to us that until the FCRA is strengthened from the standpoints of coverage, clarity and liability, its enforcement will remain difficult and unsatisfactory, and its goals largely unfulfilled.

Thank you for the opportunity to present the Commission's views on the Fair Credit Reporting Act.

THE THINGS WHICH MEN CAN DO

HON. MIKE McCORMACK

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1974

Mr. McCORMACK. Mr. Speaker, I commend to you a forward-looking speech given by Mr. Thornton F. Bradshaw, president of the Atlantic Richfield Co., at a dinner held by the California Institute of Technology on January 14, 1974. The speech follows:

THE THINGS WHICH MEN CAN DO

(By Thornton F. Bradshaw, president, Atlantic Richfield Co.)

For most Americans, I would guess, the energy crisis appeared at first to be just one more of those relatively minor but nonetheless deeply annoying personal trials that seem to be characteristic of our time. Lining up for gasoline, watching the TV picture shrink during a brownout, reading something in the paper about still another utilities rate hike—when were they going to solve these problems and get things back to normal?

But gradually the annoyance began to blend into an emerging reality that was neither small nor temporary. Something indeed had gone very wrong. Our economic-social game plan—in essence producing more of everything into the indefinite future—was clearly out of whack. The frantic rate of material growth that we had come to consider normal was not only exposed as anything but normal but also clearly not sustainable. In other words, the throw-away society expired of sheer overindulgence—A.D. 1973.

Thus we have entered, mostly unawares and surely unprepared, the new era of scarcity. And the question that faces all of us tonight, particularly those of us in the university world, is what our response to this challenge will be—because it is certainly the most profound challenge our generation and the next will be called upon to deal with.

The purely physical side of the problem is not difficult to perceive, though it wasn't widely understood until the Arab oil embargo—our economic Pearl Harbor—occurred in October. With or without the embargo, however, and whether or not you buy the oil-company-conspiracy theory, the United States is emphatically short of petroleum and all other useable forms of energy.

Energy is the cause celebre of the moment, of course, and the issue that has earned me and my colleagues in the industry a number of hard looks and harder words. I am afraid we are going to have to get used to that because the energy problem is going to be with us for a long, long time—even if the Arabs have a change of heart tomorrow and start pumping all out. I won't get into the reasons for saying that. If you read anything more current-events-oriented than the National Philatelic Review you know the specifics of the energy debate as well as I do. It's a well-covered story.

But energy is only one item on our vanishing commodities list. We seem to be running out of practically everything. Food is scarce and expensive. Arable land is low. And we're apparently heading for a host of raw material scarcities including bauxite, copper, lead, zinc, manganese, magnesium, and iron ore. The situation is producing a hoarding psychology. Johnny Carson talked about the paper shortage on his show recently and the Safeway stores in the Baltimore-Washington area reported that they were cleaned out of every piece of paper down to the last napkin the next day.

But amid all shortages, the crisis of scarcity is certain to generate at least one surplus. I am speaking of prophets, and not the financial kind, though in certain cases that may happen too. I refer to the emergence of men and women who, in the words of the poet Archibald MacLeish, are "familiar with the shape of the future and willing to share their familiarity with others."

The trouble is, they usually are prophets of doom. MacLeish was talking at a university commencement in 1941 and his concern was with those who believed that the tide of Nazism that had engulfed Europe was an irresistible movement of history that could not be usefully opposed. "Such prophecies," MacLeish said, "are prophecies of defeat, prophecies of negation, prophecies not of the things which men can do but of the things which men cannot do."

I think we may take encouragement from the fact that those particular gloom theorists were wrong. In fact, thus far at least, the prophets of doom have always been wrong. And some of them, most perhaps, have been quite sincere. Robert Malthus, for example, the English economist and demographer, predicted an unpleasant end to the species in an essay published in 1798. Since population must always increase faster than production, Malthus reasoned, people would always exist on the edge of starvation. While all the results aren't in, it does seem clear that Malthus was wrong because he failed to foresee the new and more productive methods of agriculture that men would invent.

Much more recently the Club of Rome made its well-known judgment that the world had reached the limts of growth because each potential road to expansion was in some way effectively barred, either by a shortage of raw material, environmental problems, or some other factor. I believe that the Club of Rome's theory will turn out to be as erroneous as the Malthusian theory because it, too, ignores the great x-factor—mankind's remarkable ability to cope with his condition.

The historian Barbara Tuchman has this to say about the human factor: "As our century enters into its final quarter I am not persuaded despite the signs that the end is necessarily doom. The doomsayers work by extrapolation. They take a trend and extend it, forgetting that the doom factor sooner or later generates a coping mechanism.

I have a rule for this situation, too, which is absolute. You cannot extrapolate any series in which the human element intrudes. History—that is, the human narrative—never follows and will always fool the scientific curve."

Well, I don't know how the crisis of scarcity is going to resolve itself but, relying on the Tuchman theory, I do believe that there are many things which men—and women—can do, indeed must do, to convert what could very well be an impending disaster into an opportunity of a very real kind. But to do this we must not only examine the economic and social implications of shortage, but the moral implications as well. We must not only plan to live with less than we have had, but we must also closely examine the assumptions underlying our living patterns. In the process we may discover, or perhaps rediscover, a philosophy of life that we had lost amid the discarded wrappings of the throw-away society.

It is quite clear that an era of energy and raw material shortage will change the present status of nations—the haves, the have-nots, and the dispossessed—and will change ways of life within those nations.

In a world of energy shortages and raw materials shortages the highly developed, highly interdependent societies clearly have the most to lose. The United States is entering into a period of economic pause due to the energy cutback. We don't know how severe it will be.

We are short somewhere between 2.5 million and 3.5 million barrels of oil a day and the impact of that shortage will translate inevitably into personal inconvenience and in some cases real hardship. And yet given time, given a whole-hearted adoption of the conservation ethic, given a government energy policy transcending in intelligence and flexibility anything we have had in the past, and given a vigorous energy industry, we *can* cope. We can make it through the next three to four decades by developing fully and using carefully the fossil fuel deposits that exist within our borders. And when they are gone, perhaps in 40 years or so, we hope that we will then be ready to turn to the essentially inexhaustible resources of solar and nuclear power.

Europe and Japan are far more vulnerable to the oil weapon as their recent behavior toward the Arab nations—with the conspicuous exception of the Netherlands—has emphasized. The United States needs Arab oil to sustain a reasonable rate of growth during the next decade or so, or until our alternate sources of energy such as oil shale and tar sands and liquefied and gasified coal can begin to power our cars and light our houses and drive our factories. But Europe and Japan have *no* alternate energy sources. For them it is Arab oil or economic paralysis.

And so the first large implication of the crisis of scarcity is an inevitable realignment of traditional have and have-not nations and a redefinition of their economic powers. The U.S. with six percent of the world's population will no longer have the freedom to use 35 percent of the world's energy.

We may find something of a comedown but one with rich compensations. A more prudent use of energy can produce a controlled but reasonable rate of growth that will sustain our economic strength but do so with a greater degree of attention to the human factor. If uninhibited growth means a Los Angeles that is twice as big and twice as crowded and twice as polluted as it is now, then I don't want any part of it or of any other motorized megalopolis of the future.

But other industrialized societies will have more severe adjustments to make in this approaching realignment of the haves and have-

nots. I do not expect the advanced nations of Western Europe to be suddenly reduced to a poverty-stricken impotence. Such a fate is unthinkable. But France, Germany, Italy and the rest of Europe, as well as Japan, must nevertheless begin to address the problems of employment, transportation, leisure, and so forth in ways consistent with a reduced level of material prosperity vis-a-vis the rest of the world. The only industrialized nations that I can think of which will avoid the effects of this kind of economic realignment are the U.S.S.R. and Canada because of the balance that exists in those nations between industrial capacity and raw material availability. But the rest of the industrialized nations—the U.S. included—must plan ways in which to provide a quid pro quo to the countries which have raw materials to export. If Britain wants Arab oil, for example, she must give in return not a currency which is easily debased but a service of some kind, probably technological assistance.

If she wants copper from Zambia, she must be prepared to do the same, acutely conscious that the exchange is no longer between a superior and an inferior culture but between two increasingly equal parties bargaining with each other in the world marketplace on even terms and against a background of mutual respect.

Maintaining an economic balance between consuming and producing nations will obviously require considerable restraint on the part of the consumers and particularly on the part of the United States. Whatever balloons may have been floated to the contrary, the hard fact is that there is no conceivable way other than a full-scale depression for this country to achieve energy independence by 1980. Even if we are able to limit our growth to an annual average of 3.5 percent instead of the 4.5 percent of recent years, we can expect to do little more than slightly depress the rising curve of demand and thereby lessen to some degree the amount of oil we will have to import from the Middle East.

Finally, the industrialized nations must change the thrust of science in order to, first, provide new energy and raw material forms and, second to provide the basis for the new lifestyle. Much of the burden for this shift will necessarily fall on centers of research such as Caltech. I will have more to say about that development in a moment.

In underdeveloped countries that are rich in raw materials—primarily in the Middle East and in Africa, though to a degree in the Far East and South America—other problems are beginning to surface in the realignment process. One of them, not surprisingly, is money. They literally have too much of it, at least in terms of their own internal investment needs. We have developed figures showing that if the Arab nations produce oil according to our projected requirements, by 1976—two years hence—they will have built up a floating balance of about $150 billion. By 1980, again assuming that they produce all the petroleum we ask, monetary reserves in Arab hands will amount to more than $300 billion.

Since loose investment capital in such incredible volume would wreak havoc in the strongest of the world's monetary systems, we must take what measures we can to limit oil imports. Excessive reliance on Arab oil also poses security threats that we are only too aware of. But whatever limitations we attempt to impose, the Arabs will be selling us oil and a lot of it for years to come, though probably not in the amount we would like.

They will also be selling it to Europe and Japan and developing nations that can afford it. And so the question arises as to how countries such as Saudi Arabia will handle their new affluence. And the political power that comes with it.

Will the raw materials rich countries make the same mistakes we have made, falling into the "more is better" trap? Or will they make more responsible and more livable decisions, particularly with regard to the needs of their third world neighbors? The feeling is growing, even within the Middle East itself, that the oil-rich countries should be using their wealth to provide development capital for countries such as Egypt, Syria, Jordan, and so forth rather than giving them weapons of war. An Arab Marshall Plan—perhaps a Faisal Plan—would siphon off funds which could not be profitably invested in the industrialized nations anyway and could take over some of the aid to developing countries which the industrialized nations, burdened by ever higher energy costs, could no longer shoulder.

Indeed it is the third world, where the deprived scratch out marginal existences in places such as India, Southeast Asia, and Central America, that is most gravely menaced by the crisis of scarcity. For the third world the problem may be very simply stated: in a developing shortage of materials and a developing scarcity of energy resources, how can poor nations avoid losing all hope for further advancement?

With the international market pressuring the price of fuel ever higher, how can nations with neither resources nor industrial capacity obtain energy sufficient for their basic needs? These countries have no leverage to exert, no bargaining pressures to apply. They can only hope that the balance of humanity will respond to their condition and act forthrightly to remedy it.

There you have the triple implication of the crisis of scarcity—industrialized nations abruptly and permanently losing the base of their prosperity, cheap raw material imports, while simultaneously having to cut back grossly wasteful lifestyles; emerging raw material rich nations swamped by an embarrassment of riches and power; third world nations threatened with the possibility of being priced out of the small percentage of the world market they are now able to control.

But, as we have been frequently reminded in recent days, the Chinese character for the word "crisis" is made up of two others—one meaning danger, the other meaning opportunity. The crisis of scarcity thus presents an opportunity as well as a danger to all of us. For those of us in the industrialized nations it can mean the development of a lifestyle more in tune with nature and with our basic needs as humans. If the fuel shortage means we can't go back to nature in a $15,000 recreational vehicle because it only gets five miles a gallon, we still can go back on foot, and undoubtedly find it more recreational in the bargain.

If the crisis forces us to pay more attention to our basic needs—needs such as clean air and water, reasonable material affluence, and an end to the throw-away society—then it will have proved to be an opportunity indeed.

If the crisis enables the raw materials producing countries to develop their full strengths and potential without aping the mistakes of the industrialized nations, it surely will help to correct the chronic material and political imbalance which is perhaps the single greatest threat to peaceful coexistence of the human family. Indeed, if the crisis awakens men to a fuller realization of their fundamental interdependence, then it can mean a renewal of hope for the third world peoples. Selfishness and overindulgence having failed, we can perhaps turn to the task of fashioning a more just distribution of the world's goods.

In fact, I strongly believe that while the adjustments we face will be far from simply decided or easily made, the shortages of energy and materials are in the final analysis more opportunity than danger—particularly for private institutions of higher education such as Caltech. The greatest raw material the world possesses is human talent. And the greatest hope we have for the creation of a better world is the profitable use of that talent—through individuals and through human institutions.

Caltech is one of the institutions that has done great service in the past. With the proper level of support and continued encouragement, that record of service will prove, I am sure, only a prologue to far greater contributions to the scientific, social, and moral orders. I will always be grateful that I was here to share in the initiation of a new era of growth not only for Caltech but for the broad cause of human progress in which it serves.

IN OPPOSITION TO ADDITIONAL MILITARY AID FOR SOUTH VIETNAM

HON. CHARLES W. WHALEN, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1974

Mr. WHALEN. Mr. Speaker, earlier this week 75 of my colleagues and I advised the House membership of our opposition to raising the $1.126 billion ceiling which Congress has placed on military aid to South Vietnam in fiscal year 1974. The Department of Defense now wants to augment that ceiling by $474 million, a 42-percent increase.

Innumerable organizations throughout the country have written of their support for our efforts to defeat DOD's request. For the information of all Members, I am inserting several of these communications in light of the upcoming debate on the issue:

LAWYERS COMMITTEE ON AMERICAN POLICY TOWARDS VIETNAM,
New York, N.Y.

STATEMENT ON AID TO SOUTH VIETNAM

Congress is presently considering an Administration request that the ceiling for the present fiscal year, which began last July 1, be raised from $1.26 billion (approved by Congress late last year) to $1.6 billion. The arrogance of this request for an additional $474 million in supplemental military aid for South Vietnam is particularly startling because it corresponds almost exactly to the amount of money Congress cut during the regular appropriation processed last fall.

The Department of Defense witnesses have told Congress that unless a quick $474 million is sent off to Saigon, Thieu's military operations would have to be sharply curtailed. And for the coming year, the Administration seeks $2.4 billion for Vietnam aid, plus another $463 million to support American military forces based in Southeast Asia. In the first year of so-called peace, the United States expense for weapons and ammunition in Vietnam was only 25 per cent under the level of corresponding programs in the heavy war year of 1972.

What is ominous is the unstated assumption that the United States is committed to keep the war going on Thieu's terms. Having successfully barred direct combat in Southeast Asia, Congress should not be lured into action which would permit a continued drift into war by proxy. The Congress, having called a halt to U.S. involvement in military operations in Southeast Asia, must resist the efforts by the Executive Branch to subvert this Congressional directive.

Moreover, it must be noted that the Administration's request, if granted, would constitute a violation of Article 7 of the Paris Cease-Fire Accord which allows replacement of arms only "on the basis of piece-for-piece, on the same characteristics and properties." Instead of solemnly observ-

ing the terms of an Accord to which the United States is a signatory, the Administration is flagrantly violating the explicit provisions of that Accord.

The hard fact is that the Nixon Administration is providing the Thieu regime with weapons and ammunition to carry on a "cease fire war" that has claimed 85,000 casualties and turned some 800,000 Vietnamese into refugees since the Paris Agreements were signed in January 1973.

The extent of present US involvement in Vietnam was described by New York Times correspondent David K. Shipler (February 25, 1974) in a detailed account of the current military aid program to the Saigon government. American civilian technicians were supposed to have been phased out by the end of last year, but, Shipler reports, 2,800 remain in Vietnam to keep. Thieu's aircraft, communications and other sophisticated military systems in operation. According to Shipler Americans employed by the Defense Department and the Central Intelligence Agency are covertly serving as military and police advisers. In violation of the Paris agreement, and this, he says, has given Thieu "the muscle to forestall a political settlement" as called for in the accords. Indeed Shipler points out, it actually "breaks the spirit of the accords."

Shipler's dispatch detailed the irreplaceable role played by U.S. military men in the daily functioning of Thieu's air force and army—and the continued role of the CIA in Thieu's police activities—in clear violation of the Paris Agreement.

It is shocking to observe that in the second year of "peace with honor," the Nixon Administration is continuing to fuel the conflict to the tune of over $2 billion in aid each year. In the light of our pressing domestic needs here at home, this massive cost is indefensible.

America's real remaining obligations in Indo-China today are not to the Thieu regime but to the Indo-Chinese people—the millions of war victims, political prisoners and refugees, suffering under the Thieu regime. The worst thing we can possibly do for the peoples of Indo-China is to continue funding the arms of war.

To what end should America provide funds to fuel Thieu's war machine?

A poignant answer was offered last month by Robert C. Ransom, a New York corporation lawyer whose son was killed in Vietnam six years ago. Early this year Ransom went to Vietnam in the hope, as he later wrote in The New York Times, that he "might find some consolation for his loss if there was evidence that his sacrifice had somehow served the Vietnamese people." What he found was "a total police state" of corrupt officials, impoverished refugees and neglected invalids. "The Paris peace agreement," he wrote, "was supposed to guarantee the right of self-determination to the Vietnamese people through democratic liberties and elections. It was supposed to provide the honor in my son's death. It is doing neither."

NATIONAL COUNCIL OF THE CHURCHES OF CHRIST,
Washington, D.C., March 27, 1974.

DEAR CONGRESSMAN: On behalf of the National Council of Churches, I want to communicate to you our opposition to any increase in the ceiling on military assistance for South Vietnam. Last December Congress reduced the ceiling requested for military assistance to South Vietnam for fiscal 1974 from $1.6 billion to $1.126 billion. Now, in seeming contempt of that action, the Pentagon is seeking to restore by means of a supplemental bill (H.R. 12565) the full amount of that reduction—$474 million. This precedes a further request for fiscal 1975 of another $1.6 billion.

Last year the Paris Peace Agreement on Ending the War and Restoring the Peace in Vietnam created a framework for transferring the conflict from the battlefield to the political arena. Yet in December, 1973, Thieu announced that no national elections would be held as called for by the Agreement, and that he was ordering offensive military operations against areas held by the other side. Meanwhile, he continues to hold thousands of Vietnamese in prison for offenses no greater than advocating a neutralist position. The Senate Subcommittee on Refugees has reported that during the first year of the peace agreements, more than 50,000 Vietnamese were killed and over 800,000 people were made refugees.

The killing and the violations of the Peace Agreement will not stop so long as we underwrite every request the Thieu government makes. If Congress ratifies this increase, it threatens to start us down the road once again of ever-deepening involvement. Surely our experience has taught us something about the folly of that course.

A month ago the Governing Board of the National Council of Churches adopted a resolution (enclosed) calling upon the Congress to "cease military assistance to the Republic of Vietnam as long as that nation fails to comply with the provisions of the Paris Peace Agreement, or fails to provide to its citizens freedom of speech, or of the press, or the right of the citizens peaceably to assemble or to petition the Government for a redress of grievances." I urge you, therefore, to support amendments that will be proposed on the House floor to eliminate from H.R. 12565 the $474 million increase in the ceiling for military aid to South Vietnam.

I have also taken the liberty of enclosing for your information another resolution adopted by the Governing Board last month, entitled "Resolution on Impeachment of the President of the United States."

Sincerely,

JAMES A. HAMILTON,
Assistant General Secretary,
Washington Office.

UNITED AUTO WORKERS,
Washington, D.C., March 29, 1974.

DEAR REPRESENTATIVE: As incredible as it may seem, the Administration is seeking an increase in the authorization for the current fiscal year for military aid to South Vietnam. The request is contained in a supplemental defense authorization bill (H.R. 12565) which is expected to be taken up soon by the full House.

You recently received a letter signed by Congressmen Pike, Esch, Nedzi, Addabbo, Giaimo, Conte and Whalen indicating their intention to offer an amendment to delete the additional authorization of $474 million. On behalf of the UAW, I urge most strongly that you support this amendment.

In our judgment, there is no way in which the Administration's request can be justified. The Congress dealt with this issue last year, and the supplemental request simply represents a terribly ill-advised attempt by the Pentagon to get this year what it was denied last year.

The people of America should not be asked to do more militarily than they already have for South Vietnam. The supplemental request is totally unjustified and should be overwhelmingly rejected by the Congress. We hope that you agree and that you will vote for the amendment to delete the $474 million for military aid to South Vietnam.

Sincerely,

JACK BEIDLER,
Legislative Director.

UNITED CHURCH OF CHRIST,
CENTER FOR SOCIAL ACTION,
Washington, D.C., April 1, 1974.

DEAR REPRESENTATIVE: We are writing to express our deep concern about continuing and increasing American military aid to South Vietnam. We believe that the Administration's present policy seriously threatens the prospects for success of the Paris Peace Agreement of January 27, 1973, and could lead to even deeper U.S. involvement in continued war.

As a nation we have expended the lives of tens of thousands of our young men and billions of dollars to arrive at a peace agreement. We believe that now America should support that agreement with increased diplomatic efforts rather than undermine it with a policy of continuing military support to only one of its two South Vietnamese signatories.

In the interest of fulfilling the hopes of the American and Vietnamese people for peace, we urge you to vote against the Administration's request for an additional $474 million of military aid to Saigon for Fiscal Year 1974. We also ask that the Congress eliminate or significantly reduce the $1.6 billion of military aid to the Thieu government for Fiscal Year 1975.

You have our hopes and prayers for success is the search for a lasting peace in Indochina.

Yours sincerely,

Most Rev. Thomas J. Gumbleton, Auxiliary Bishop, Roman Catholic Archdiocese of Detroit; Bishop John Wesley Lord, Executive Co-ordinator, Bishops Call for Peace and Self-development of Peoples, United Methodist Church; Robert V. Moss, President, United Church of Christ; Rabbi Alexander M. Schindler, President, Union of American Hebrew Congregations; Kenneth Teegarden, General Minister and President, Christian Church (Disciples of Christ); and William P. Thompson, Stated Clerk of the General Assembly, United Presbyterian Church, USA.

BAKERS CRY WOLF

HON. ALBERT H. QUIE

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1974

Mr. QUIE. Mr. Speaker, I was delighted to see the Farmer magazine in its March 16 issue do a bangup job on the bakers who recently predicted Americans would be paying $1 for a loaf of bread.

As the Farmer points out, the "$1-a-loaf ballyhoo" did not hurt wheat prices.

Yesterday, I checked with the Department of Agriculture for its present prediction for wheat production. The 1974 crop report appears to be healthy indeed. Farmers are expected to plant 70.7 million acres of wheat this year, 19.8 percent above last year's 59 million acres.

Clearly, consumers do not face a bread shortage and I happily commend the article to the attention of my colleagues:

THE $1-A-LOAF BALLYHOO FROM BAKERS DOES NOT HURT WHEAT PRICE

Bless those bakers: Wheatmen are offended by the miller and baker talk of $1 bread, but you can say this for it: Such scare talk does not hurt the price of wheat although iron-

ically that's just what the bakers and millers object to. What's really bugging them is the fact that they now have to shop around for wheat, just like those foreigners and everybody else. No more taxpayer-supported supply in the CCC at nicely-managed prices awaiting their beck and call. The bakers' talk of bread rationing, no hotdog buns at ballgames, etc., has made them look mildly ridiculous even here in Washington. As executive-VP Jerry Rees of the National Association of Wheat Growers put it, "The bakers seriously damaged their credibility with their wolf, wolf cry of a dollar-a-loaf." But Rees thinks a "growing number" of the bakers are finding out that the big problem is transportation, not shortage; that the cheap appeal to consumers "is a hoax."

A MOST PRECIOUS RIGHT

HON. BILL ALEXANDER

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1974

Mr. ALEXANDER. Mr. Speaker, yesterday, during the discussion in the House of one of our most precious rights we as citizens of this great Nation have—the right of privacy—I inserted into the RECORD a number of news stories by Alan Emory on congressional efforts to put an end to one threat to that right. The threat to which I refer was from the recently rescinded Presidential Executive orders allowing the Department of Agriculture to pry into the income tax returns of the Nation's 3 million farmers.

I believe this series of stories will be of particular interest to our colleagues and would like today and tomorrow to make additional articles and other material pertinent to this discussion a part of the CONGRESSIONAL RECORD.

The news article follow:

[From the Watertown (N.Y.) Daily Times, Mar. 7, 1974]

INVADING FARMERS' PRIVACY

More than a year ago, President Nixon issued an order, reportedly at the request of the Department of Agriculture, permitting the department to inspect the individual income tax returns of 3,000,000 farmers. Fortunately, reaction was so sharp that the department last fall temporarily abandoned its plan. Now into the picture enters Secretary Earl Butz. In his typically insensitive way, the Secretary says that whether or not his department's inspection of returns is an invasion of privacy is "essentially a matter of judgment."

Americans who have always assumed that their income tax returns were matters between them and the Internal Revenue Service, and no one else, are learning from this governmental effort that such is not the case. Indeed, conflicting reports on how the executive order came about raises questions of intent and purpose. Furthermore, by the time the final draft of the order was ready, the Departments of Treasury and Justice had also played a role.

Apparently the Agriculture Department's Statistical Reporting Service wanted the names, address and gross income or product sales of farmers from the Internal Revenue Service in order to obtain better data. The order, it turns out, was to serve as a model for other agencies. Puzzling, however, is the statement by an Agriculture Department official that the department had never sought the authority to inspect income tax returns.

The author of a bill to tighten procedures to safeguard the privacy of income tax returns is right when he says that the Nixon order leaves a farmer's return an open book.

Other peculiarities about this long episode relate to the way the order was presented and whose judgment was the more understanding and sympathetic.

Anything as important as the examination of 3,000,000 tax returns should be cause for complete and candid announcement where the public could see it. Official compliance came through publication in the Federal Register. But how many farmers have access to the Register? In fact, how many who are supposed to even read the Register?

As for genuine sensitivity, the one agency which has conducted itself with understanding has been the Internal Revenue Service. The Department has said it will not enforce the executive order. On the other hand, Secretary Butz insists on infuriating and alienating the farmers by refusing to comply with a congressional request that the orders be shelved until a House Government Operations subcommittee completes its inquiry into this issue.

Finally, why would not the Census Bureau be the more appropriate agency to approach in obtaining the data the Agriculture Department wants? And if the statistics are so terribly vital, why shouldn't the administration support funds for a special farm census from which the desired information could be derived?

From inspecting farmers' returns, it is a short step to inspecting the tax details of businessmen and anyone else, no matter how he earns a living. This executive order should be scrapped immediately and legislation passed assuring that income tax returns are as confidential as Americans have been led to believe.

[From the Washington Post, Mar. 11, 1974]

ADMINISTRATION ORDER PERILS PRIVACY OF TAX RETURNS

(By Alan Emory)

The Nixon administration has laid down a policy that could open the individual tax returns of almost every citizen to a broad range of federal departments. It runs contrary to the President's own policy of confidentiality of certain White House documents and conflicts with his new program designed to protect individual privacy.

The policy centers on an executive order, once modified, which President Nixon issued early in 1973, allowing the Agriculture Department to examine the tax returns of the country's 3 million farmers. At the time, there was no press announcement from the White House or the Agriculture Department. The order was published in the Federal Register, which, as one farm spokesman has observed, "is not everyday reading for the average farm family."

Don Paarlberg, director of agricultural economics for the department, says the order is "inoperative" but it is still in effect.

Mr. Nixon told a questioner at his Feb. 25 news conference that he thought the order should be considered by a new privacy committee headed by Vice President Ford.

Rep. Jerry Litton (D-Mo.), who discovered the order and held hearings on it, called it "strange" that Ford should be assigned to determine whether Mr. Nixon's action had been proper.

The real impact of the Nixon order is contained in an advisory opinion written by Assistant Attorney General Robert G. Dixon Jr., who says it was drawn up as a model so that tax returns could be used for statistical purposes by other federal agencies.

The order was "prepared by the Department of the Treasury . . . as a prototype for future tax-return inspection orders," Dixon said. This comment prompted Rep. Bill Alexander (D-Ark.) to observe that it constitutes a "frightening prospect that the administration is attempting to begin the process of making personal income information of whole classes of people available to various departments and agencies without regard to the private nature of the information."

Litton recalled that former Nixon aide John D. Ehrlichman had promoted a policy of making the Internal Revenue Service "more politically responsive" and wondered if the administration favored the order on farmers' returns because "if they could get away with that they could try another field later."

Actually, the IRS was dead set against the Nixon order all the way.

In a recent letter to Rep. William S. Moorhead (D-Pa.), chairman of a House Government Operations subcommittee that looked into the order, IRS Commissioner Donald C. Alexander declared that he insists his agency "guard the taxpayer's right of privacy."

He says he will not allow the Agriculture Department to obtain anything more than "a mailing list of names and addresses of farmers." The commissioner says he supports legislation to make tax returns "explicitly confidential" except for tax administration and enforcement.

Alexander says tax returns should be "confidential and private" unless Congress "clearly specifies" to the contrary.

The House Ways and Means Committee is preparing to hold hearings on legislation, sponsored by Reps. Litton, Alexander, Jack F. Kemp (R-N.Y.) and Barber B. Conable Jr., (R-N.Y.), and others, designed to tighten the rules of privacy on individual tax returns.

The stand of IRS' Alexander put him at odds with Agriculture Secretary Earl L. Butz, who twice rebuffed congressional requests to put the Nixon executive order in deep storage.

Butz says it is "essentially a matter of judgment" whether his department's inspection of individual farmers' tax returns amounts to an "invasion of privacy."

"The list development procedure we have in mind is clearly in the public interest," he told Moorhead.

Coincidentally, when former Agriculture Secretary Clifford M. Hardin originally requested, in 1970, certain farm data that could be matched with the names of farm operators obtained from sources outside the IRS he said he specifically was not seeking an examination of individual tax records.

Butz told Moorhead last year "no employee" of his department would examine an individual return under the Nixon order's authority, but he refused to ask that the order be scrapped. He said, instead, that the "effectiveness of the security handling of data" by the staff of his Statistical Reporting Service "has not been challenged."

Paarlberg maintains the department never sought the tax-return inspection authority, but that Treasury and Justice Department reviews had broadened it.

"We understand the first order was designed as a model to be used by other departments," he said.

When Rep. Charles Thone, (R-Neb.), asked why the Agriculture Department could not obtain its statistics from the Census Bureau as authorized by the White House, Paarlberg replied, "We do not care which department they come from."

"I do very much," Thone snapped back.

Paarlberg said he was not sure whether the decision not to announce the order publicly had come in a phone call from the Treasury Department "or whether it came from the President's staff men." He had been in touch with both, but he did say he had not talked to indicted Nixon aides Ehrlichman and H.R. Haldeman.

When John W. Dean III was Mr. Nixon's counsel he recommended that the IRS zero in on political targets by making a requested

audit "of a group of individuals having the same occupation."

Congressman Alexander says blanket authority to inspect individual tax returns of any group "clearly constitutes an invasion of the right of privacy of that group."

He raises the possibility that the Commerce Department might inspect returns of businessmen it deals with; those of homeowners getting Federal Housing Administration-insured loans; union members dealing with the Labor Department, and those of individuals receiving grants or aid from the Department of Health, Education, and Welfare.

In fact, in the first half of 1970 the IRS made available 14,000 tax returns to the Justice and Labor departments, Federal Communications and Securities and Exchange commissions, Federal Home Loan Bank, Renegotiation and National Labor Relations boards, Small Business and Social Security administrations and the old Post Office Department.

At one point Litton sponsored a bill to kill the Nixon order and allow the Agriculture Department just farmers' names and addresses. The department cold-shouldered the measure and refused comment.

After Litton introduced another bill to tighten IRS rules about who could see the returns, the department indicated an interest in the earlier legislation.

The congressman said he had asked why farm census funds were stricken from last year's budget and "I have yet to get an answer. The census form goes to every farmer. A tax return sampling would not be as complete. Either they need the information or they don't."

According to Litton, the question of farm information came up when George P. Shultz was budget director in 1970, but nothing happened. Three years later the order was drafted at the Treasury Department, where Shultz was secretary.

Former IRS disclosure staff chief Donald O. Virdin says there would be no problem giving Agriculture the names and addresses of farmers quickly "if that is all Agriculture wants."

Assistant Attorney General Dixon says the Justice Department was never asked to express a "policy judgment" on the Nixon order so it didn't.

IRS Commissioner Alexander says his agency is working toward a goal of "ensuring the confidentiality of federal tax return data."

Against a backdrop of IRS investigations of tax returns of White House "enemies" and the President's strong defense of confidentiality on White House documents and tapes, the continued existence of his 1973 executive order has Congress and the IRS worried.

The Paarlberg "inoperative" comment does not satisfy them.

Litton says he listened to President Nixon's State of the Union message and was surprised to hear "a man who proposed opening up 3 million tax returns talking about privacy."

[From the Watertown Daily Times, Mar. 13, 1974]

TAX ORDER CALLED "THREAT TO PRIVACY"

(By Alan Emory)

WASHINGTON.—Sen. James L. Buckley has asked President Nixon to "rescind immediately" the President's controversial executive order on income tax returns.

The New York Conservative-Republican's message to the White House, calling the order an implicit invasion of privacy, has not been made public. It was dated Monday.

The 1973 Nixon order, which is being widely interpreted as a threat to the privacy of almost all individual income tax returns, has started to alarm Republicans, including some of the President's staunchest backers in Congress.

The Nixon policy, laid down in the executive order last year, authorizes the Agriculture Department to examine the tax returns of individual farmers, but the Justice and Treasury Departments have broadened the interpretation so that it serves as a "Prototype" for all federal agencies.

Nixon told a press conference Feb. 25 he would turn the issue over to a new committee studying privacy headed by Vice President Ford.

In his letter to Nixon, Buckley wrote:

"If you believe the executive order in question is not an invasion of privacy, then I think it would be in the interest of all Americans if you explained why this is so.

"If, on the other hand, this is an invasion of privacy, then your immediate rescinding of the executive order would be the best possible way of undoing the damage that has been or might be done by implementation of the order."

The directness of the New York Conservative-Republican's language was considered significant.

Although Don Paarlberg, director of agricultural economics, maintains the Nixon order is "inoperative," there has been no attempt to withdraw it, and Agriculture Secretary Earl L. Butz has flatly rejected Congressional requests that it be shelved.

The Buckley comments were pointed up today by the reaction of Senate Republican Leader Hugh D. Scott of Pennsylvania, who sided with Internal Revenue Commissioner Donald C. Alexander's refusal to give the Agriculture Department anything more than farmers' names and addresses.

Alexander's position constitutes defiance of the Nixon order.

A top Scott aide said the Senator "was not pleased" with the Nixon executive order and predicted, "There will be a move to deny what they are attempting to do."

A spokesman for a high Republican Party official said it was "quite evident, with the mood today being what it is, that the executive branch will be the loser on this."

Buckley's letter cited this reporter's question to Nixon about the executive order Feb. 25 and the President's response.

"I would like to take this opportunity to request that you put an end to the invasion of privacy implicit in Executive Order 11709," Buckley told the President, "by rescinding it immediately, rather than awaiting the recommendations that may be issued by the commission.

[From the Watertown Daily Times, Mar. 14, 1974]

NIXON'S FARMERS TAX RETURN POLICY GIVEN

(By Alan Emory)

WASHINGTON.—President Nixon's controversial executive order opening up farmers' tax returns to the Agriculture Department applies to all returns going back to 1967.

The guidelines for the order can be changed at any time by the President without advance notice or publicity.

Don Paarlberg, the Agriculture Department's economics chief, says he "would not be willing" to ask that the order be rewritten specifically to apply only to gross income—the index the department considers the best measure of farm size.

At one point in last year's hearings of the House Agriculture Committee, Rep. Jerry Litton, D., Mo., asked Harry C. Trelogan, administrator of the department's Statistical Reporting Service, "what measure do you want?"

"I do not know at this stage what is the best measure." Trelogan replied.

"Do you not think you should before you ask us to open up the tax returns?" Litton came back.

Although the Nixon Administration refused to budget funds last year for the periodic farm census. Trelogan concedes that "we can come out with some accurate results at less cost with a sampling procedure" than by using tax returns.

Paarlberg explained his "reluctance" to ask for a further refinement of the Nixon order by saying it might block the department from a sampling that might appear necessary later.

"So instead you sought such a broad authorization that you would be able to obtain any information from any farmer's tax return that would indicate any measure of size," Litton declared.

"No." Paarlberg said.

"That is what it says." Litton came back. "One or more measures."

"When I tell my secretary she can have (one or more) days off, that is not very restrictive," he added.

Paarlberg says gross income or gross sales are usually the best measure of size and "there may be particular cases in which we would want, as a measure of size, say for a cattle feeding operation, the number of animals fed or a dairy operation, the number of cows."

"Does the tax return tell you how many cattle I fed last year?" Litton asked.

"The direct answer to your question is no," admitted William J. Smith, chief of the Internal Revenue Service's business statistics staff.

"It does not?" persisted Litton. "No, sir," said Smith.

Litton said if gross sales were all the department wanted the order could have said that.

Paarlberg said when initial farm organization and civil liberties protests started resounding over the first Nixon order, which was broader, he went to Agriculture Secretary Earl L. Butz, who told him "See if you can get that order rewritten and get it rewritten just as tight as can be done so that there will not be a danger of breach of confidentiality.

Paarlberg said he worked with the Treasury Department and "with the people at the White House, and they were most cooperative."

"Everybody is a winner in this thing and there are no losers," he argued.

House Agriculture Committee records include a March 8, 1967, letter from Undersecretary of the Treasury Joseph W. Barr to Agriculture Secretary Orville L. Freeman, advising Freeman to make sure that when he signed a tax return inspection request he make sure "personally that all other avenues of information are foreclosed and that information on the return is essential."

Paarlberg was quoted last year as saying, "We do not want to see their profit or loss statements or how they figured their taxes. If any one violates that, I am going to see he gets fired and you can quote me."

INVASION OF PRIVACY

HON. LAMAR BAKER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1974

Mr. BAKER. Mr. Speaker, much concern has been voiced over the extent to which the privacy of the American citizen is being invaded. We see this in the accumulation of personal data in computer banks, and this constitutes a threat to the privacy of every American citizen. For many years, Members of the House of Representatives have been concerned about the invasion of privacy of Americans.

Privacy is control over knowledge about oneself; it is not just the absence of information, but also the feeling of security of controlling the information available about ourselves. Americans must be assured that their private and personal lives will not be invaded through Government regulation. In the past, the spotlight has been focused on such issues as a proposal to create a Federal Statistical Data Center, lengthy debate over enactment of the Fair Credit Reporting Act, and the number, size, and pervasiveness of Federal data banks.

I want to express to my colleagues, Mr. Speaker, my very deep concern about privacy. This is a fundamental individual right recognized by everybody. We must be extremely careful to prevent individual liberties from slipping through our fingers and into the pot of Federal regulation.

MONTANA SUPPORTS THE CONCEPT OF FEDERAL LEGISLATION FOR IMPROVED REFORESTATION AND BALANCED MANAGEMENT PRACTICES ON FOREST LANDS

HON. DICK SHOUP

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1974

Mr. SHOUP. Mr. Speaker, I wish to submit into the RECORD Senate Joint Resolution 0044 which states the support of the Montana Legislature for reforestation of national forest lands.

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA SUPPORTING THE CONCEPT OF FEDERAL LEGISLATION FOR IMPROVED REFORESTATION AND BALANCED MANAGEMENT PRACTICES ON FOREST LANDS

Whereas, demands upon the nation's forest resource base have spiraled upward and shortages of goods and services from the forest now threaten the public health and welfare; and

Whereas, the two greatest opportunities to increase timber supplies to meet the nation's growing necessities lie in:

(1) improving the level and intensity of sustained yield management on federal lands, particularly the national forest, where inadequate reforestation has gone from bad to worse; and

(2) motivating over four million small non-industrial private woodland owners, who represent over three hundred million acres of some of the nation's finest forests producing land. A significant portion of this land lies idle or only partly productive. Now, therefore, be it

Resolved by the Senate and the House of Representtaives of the State of Montana: That the Congress should appropriate sufficient funds to the Secretary of Agriculture to immediately step up reforestation of national forest lands, within the context of a balanced management program for the national forests. Be it further

Resolved, That, in order to initiate a meaningful program to bring about reforestation of forest lands, Congress should significantly increase the appropriation under PL 93-86, the Agriculture and Consumer Act of 1973, above the 10 million dollars currently earmarked for a forestry incentive program on non-federal lands, and that the Secretary of Agriculture immediately increase the 5% allocation of this amount to the Western States to a level more commensurate with the value of our timber resources and need. Be it further

Resolved, That copies of this joint resolution be sent to the Honorable Mike Mansfield and the Honorable Lee Metcalf, United States Senators; the Honorable John Melcher and the Honorable Richard Shoup, United States Representatives; to the Secretary of the United States Department of Agriculture; and to the Chief Forester in the United States Department of Agriculture soliciting their support.

THIEU'S POLITICAL PRISONERS: WHO IS HUYNH TAN MAM?

HON. RONALD V. DELLUMS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1974

Mr. DELLUMS. Mr. Speaker, as Congress debates Nixon administration requests that billions in tax dollars be handed over to the Thieu regime, I think it is important for us to know how those funds are utilized. And, unfortunately, too many of our tax dollars are used to support one of the world's largest police states and by far the largest political prisoner system in the world.

The following document tells the story of just one of the estimated 200,000 political prisoners—but I am sure that the story is very typical. Magnify this picture by a factor of 200-thousand, and the concept that our tax dollars are going for support of such a system is nauseating.

The document follows:

WHO IS HUYNH TAN MAM? AND WHY ARE YOU PAYING TAXES TO KEEP HIM IN JAIL?

Huynh Tan Mam is the former President of the Vietnam National Student Union, President of the General Association of Saigon Students and, prior to his arrest, was studying at the University of Saigon Medical School. Mam's last arrest was on May 1, 1972. He was recently moved to an unknown location in south Vietnam's prison system.

Mam is one of the most popular and charismatic student leaders in Vietnam and has spent most of the last five years in jail. He has been tortured frequently. Although physically disabled by his beatings, Mam continues to organize within the prisons. The following article is excerpted from a letter written last summer from jail by Mam to his friend, Don Luce, an organizer for the Indochina Mobile Education Project. Luce was the individual who revealed the existence of the infamous "Tiger Cages" on Con Son island.

The drawings accompanying the article are by Buu Chi, a former law student at the University of Hue. Buu Chi is presently being held in Chi Hoa prison awaiting trial before a military court. The sketches were done by Buu Chi while in prison.

Both Muynh Tan Mam and Buu Chi were arrested for their political activities, not for criminal acts. They are prisoners of conscience. One of Mam's arrests was so transparently fraudulent that the south Vietnamese Supreme Court ordered his immediate release.

From the time you returned home, I have had no opportunity to write you. First, before being arrested in January, 1972, I and also my friends, were constantly searched out by the police force and had to be hidden from place to place. But I could not escape from their net. On January 5, I was caught by plainclothes police before the Medical University Building. After three months of "investigation" at Saigon Municipal Police Station and one month at Police General Headquarters where I was locked in a dark cell, beaten up with truncheons and lighted by three 500-watt bulbs, I was handcuffed and at gun point, transferred to Chi Hoa Prison. By now, after more than 1½ years in Saigon prisons I have something to show you and the American people. To you, a dedicated American friend to whom the Vietnamese people must be grateful for your help, and to the American people, a people with a tradition of freedom and democracy which I always deeply admired and those people now directly involved in the political realities of Vietnam.

It is, I think, the responsibility of individuals to speak the truth and expose lies. The truth that I encountered on every side is relating to the situation of political prisoners in South Vietnam, and their welfare, especially to those who are part of the Thieu opposition, which commits the only crime of asking for peace and the means of democracy that had been promised them.

A Police State with torture—South Vietnam has around 40,000 university students, while the police force contains around 200,000 members, from plainclothes police to heavy armed units and more than a dozen main military and civilian agencies. The repression machinery operates at and spreads to every district, every village with the absolute power of arrest, confinement, and liquidation of all citizens. As a South Vietnamese Senator observed: "anyone in Vietnam with a gun can pick people up."

In the cities, the police network, notably the Special Branch of the Police, the plainclothes police, and the Combat Police are considered the most brutal instruments of repression of political opponents, and students, rounded up at peace demonstrations and rallies: that is, the fringes of anti-government activities. By night these plainclothes men with American guns could swoop down houses and arrest yau and only God knows where they dragged you.

At police stations, during "investigation periods" all means of torture and physical abuse are the interrogation method to set up the files which are used to convict people. My schoolmate, Nguyen Huy Diem, head of Student Representative Body of the Medical Faculty, after many days of pervasive beating by truncheons and wooden sticks, has been forced to sign a "confession" accepting "adherence to the Communist Organization." "You must choose between liberation Student Union and Municipal Corps of Liberation," the torturer-interrogator-policeman told him. But my friend, though in agony, was determined to neglect the accusation by not signing any false dossiers. At the end, the police had made his file into a very vague accusation: "the accused had relations with elements considered dangerous to the national security."

Other barbaric tortures are also applied to the students. Two of the most painful and lasting forms are: "submarine trip" and "airplane trip." The first is that the student is plunged into a barrel filled with water, his hands and feet have been bound. The police used rubber-covered truncheons, beat against the sides of the barrel with all their force. The water conducts these blows to the internal organs of student's body. First, it makes the victim feel terrible pain in the neck and the abdomen, then he vomits blood and falls unconscious. If you have been tortured in this way three times, you have to take to your bed for three months and you will never recover. The "airplane trip" is hanging the victim by the arms behind the back with a rope hung from the ceiling. After five to ten minutes he immediately loses consciousness. This manner of torture is repeated several times in a night, until you say what they want you to.

There is more. The history of crimes that these police have committed could be described in thousands of pages—with all manner of torture and physical abuse. A friend of mine named Le Cong Giau, from science faculty, was beaten up at Saigon Municipal Police Station, from early August, to the end of October of last year. He was so badly tortured that he was paralyzed below the waist and his left arm and was unable to wake up by himself. In these three months he endured beatings routinely during "administrative time" as the police explained. It means eight hours per day. Although I lack proper instruments, I diagnosed his physical state and am surprised that he remained alive after being tortured in this way. The deaths are not, I think, in dark interrogation rooms in the police agencies. Recently, after the Paris Agreement, Mr. Pham van-Hi, Chairman of trade union of bank employees in Saigon, has been tortured to death which was disguised as suicide by Thieu's cannibals. We should not be surprised if we learn that their policies are briefly summed up in a popular saying among them: "If you are innocent, they beat you until you repent." If you don't repent, they beat you until you die." I also know that Americans existed at these agencies and that Saigon's police called them "Thoi tri mein Hoa Ky" (American collaborators).

Because Thieu, with American backing, has not a just cause and thus no popular loyalty, he must use the tools of police and military forces to suppress anti-government activities. The torturing is a means to menace the people's spirit and strengthen his dictatorship over the cities in the south. The more he is in power, the more the people struggle against him. . . .

One of the most revealing violations of the Agreement, on a political basis, of Thieu, concerns the confinement and treatment of political prisoners. Confinement and treatment—while American POWs have come home and military personnel of both sides have been released, a hundred thousand at least of political prisoners are still locked in Saigon's various places from the Island to the mainland, from central to obscure provincial jails. . . .

In a letter smuggled to me last week from Con-Son Island, one of my friends has described today's "tiger cages" built by the American company RMK–BRJ with a fund of $400,000 in 1971, from the U.S. government after the disclosure by your hands and two U.S. congressmen of the infamous "tiger cages" in 1970. A part of the letter reads "after the discovery of the tiger cages at camp 2 in 1970, and because of the anger of public opinion at home and abroad, the Saigon government cannot maintain the old type of tiger cages, but their pervasive, slowly destroying policies toward country-loving people still existed and continued. To this end, they built a new camp numbered 7 and officially named "Discipline Camp," but prisoners preferred to call it "the disguised tiger cages". . . .

Late in March, the Field Military Court was going directly to Con-Son prison and sentenced by night more than 4500 people who were held without trial for years and turned them into regular prisoners with crimes such as robbery and draft-dodging in order to avoid releasing them. . . .

"Although there were still a lot of empty cells," continued the letter, "they had put three or four people in each one. It was so hot inside, the oxygen quantity was very limited, no mats and plenty of mosquitos and gnats, a great majority of us suffered yaws. In five months, we had not been given soap and we were only allowed washing ourselves one time in three or four days, each for five minutes. If we were late, we were beaten up by the trusties. The food ration, always insufficient and rotten, was decreased to the point that prisoners could not sleep at night because of constant hunger. Water was scarce, dirty and unboiled. Medical care was practically nonexistent.

"In a series of repressions occuring from early April to the end of May, the Island authorities used combat police to attack Camp 4, where women prisoners were detained. They used tear and nausea gas grenades into rooms and picked up more than 20 women and separated them at Sectors A and B; seven of them have babies from two to five years old. . . ."

On the other hand, through the treatment by which they behaved prison authorities used to regard prisoners as beasts, not as human beings. That is the reason they would beat us to death or let diseases discharge our lives. Warden Nguyen-van-Ve, who was director of Con-Son prison in 1970, and called the 'father of the tiger cages', recently reappointed head of the Island, had declared by mid-April, before a political prisoners' group: "now it is needless for us to kill you. We will let you die of malady." He spoke truly. Being underfed and living under sordid conditions, prisoners suffer severe diseases; from 30 to 40% of all prisoners on the Island are infected with, according to medical approval, tuberculosis. Intestinal diseases, Beriberi, peptic ulcers, hemorrhoids, dysentary, nervous breakdowns are also common among prisoners. Pictures that appeared in the *Los Angeles Times* of March 4th, 1973, showed the paralyzed and atrophied people freed from Con-Son. But they are the survivors. How many people have been unable to endure savage conditions and have given up and left their lives on the Pine-clad hillside cemeteries on the Island? I think it is not fewer than tens of thousands between 1954 and this day. "The death rate at Con-Son prison was about ten percent of the total prisoners per year. This number has increased in recent years," said my friend, a student from Catholic worker and youth organization in May, as he was unconditionally released. . . .

It is hardly surprising that the physical welfare of prisoners had deteriorated since we learn that the food ration is being cut from 80 grams to 20 grams per day and other necessities are neglected. In each meal, there is a fish equal to a finger and a string of vegetables.

The darkness of intentions—evident proofs of inhumane treatment of political prisoners by Thieu's regime have revealed the responsibility of the U.S. government. Thieu, with the recalcitrance of a militaristic puppet, has refused to release political prisoners and, due to cynicism, he publicly pretends they do not exist. His claim challenges world opinion. In Chi Hoa now, political prisoners have an insignia attached to their shirt. For example, my prisoner name and number insignia is Huynh Tan Mam, no: 227MTCT. The MTCT stand for Mat Tran Chinh Tri which means 'political front'. . . .

For these reasons, I think the U.S. Government directly bears the responsibility for the plight of political prisoners still in Thieu's hands. For example, the plight of more than half of the 75 people who are still locked in Room 3, Camp 6B of Con Son prison. These people are being paralyzed and gradually forced to die. All of them have been detained from 10 to 15 years.

I am however, of the belief that the American people will not keep silent before the agony of these victims. After all, they, and also the Vietnamese people, will see the rays of sunshine and go on to build a peaceful future. Because we have been, and are, struggling by blood and years spent in the darkness and terror of prisons, for peace and independence.

With love and friendship.

HYUNH TAN MAM.

COST OF THE UNITED STATES RISING

(By Don Luce)

During the past 6 years the U.S. has spent at least $131,700,000 on the South Vietnamese police and prison systems. Repression has increased steadily since 1967, the year General Nguyen Van Thieu won the presidential election and promptly jailed the runner-up for five years.

In 1964, there were only 10,000 National Police in south Viet Nam; by 1973, American funding had allowed that force to grow to over 120,000.

A close inspection of the facts shows that, contrary to the provisions of the Peace Accords, the U.S. is still supplying tremendous amounts of police aid. Senator Edward Kennedy asserted, in a June 4, 1973 speech before the Senate that "The administration is covering up its true intentions and deceiving Congress and the American people."

Senator Kennedy then documented the following funds going to "public safety" programs.

Item	Charged to—	Amount
Police computer training.	Technical support	$869,000
Direct police training	Public administration	256,000
Police Telecommunications.	Public works	1,505,000
Public safety	Unliquidated obligation.	1,285,000
National police support.	do	2,472,000
Corrections system support.	do	30,000
Public safety supplies	Budget request, Department of Defense.	8,800,000
Total		15,217,000

"And presumably there is more buried elsewhere!" Senator Kennedy added.

And there is indeed more aid buried elsewhere. The piasters generated by the sale of goods donated to the Saigon government under the Food for Peace and Commodity Import Programs are used to support the police and prison systems of the Saigon government. The amounts provided in calendar years 1972 and 1973 alone total $4,000,000. The piaster aid to the south Vietnamese repressive police and prison system increased by more than a million dollars in 1973 over 1972.

Item	1972 (in piasters)	1973 (in piasters)
Police	533,000,000	1,000,000,000
Prisons	69,000,000	50,000,000
Telecommunications	133,000,000	264,300,000
Total	735,000,000	1,314,300,000
Total in dollars	$1,500,000	$2,600,000

NO FURTHER RENEWAL OF ECONOMIC CONTROLS

HON. ROBIN L. BEARD

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1974

Mr. BEARD. Mr. Speaker, I am pleased to be able to rise in the House today to voice my strong opposition to the continuation of any economic controls after the last day of April.

As one of the handful of Members who voted against these artificial, dangerous controls, I fervently hope that they will be allowed to pass into well-deserved oblivion at the end of this month.

Mr. Speaker, I believe in the free enterprise system. I have received literally hundreds of letters and telegrams from small businessmen and working people from all walks of life in my district, urging that the controls be lifted. These people realize, as I do, that the free market can take care of itself. They believe, as I do, that it is best to leave it alone, save to promote competition and prevent monopolies.

These controls have been like a poorly built dam: They have caused shortages in the natural stream of our economic life by diverting our commodities away from the domestic consumer, downstream, so to speak. Mr. Speaker, to allow these controls to expire will let our free enterprise system flow forward, straight, and strong, delivering badly needed goods and services to our people here at home and allowing all to make a decent living.

STUDY WOULD REDUCE WHITE HOUSE POWER

HON. BELLA S. ABZUG

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1974

Ms. ABZUG. Mr. Speaker, in a study requested by the Senate Watergate Committee, a panel of 12 members of the National Academy of Public Administration has concluded that many of the fundamental and disturbing questions surfaced by Watergate stemmed "from centralization of power in the White House." Further, the panel stated that the responsibility for agency management properly resides in agency heads—not in the White House staff nor in the Executive Office of the President.

The report makes a number of proposals which deserve our serious consideration. I agree with a number of them.

The report recommends "a strict numerical limit on the number of political aides available to the President, with the balance of the White House staff subject to the political activity limitations of the Hatch Act."

In the panel's review of the "public service," it said there was an important distinction to be drawn between political officers and careerists. It concluded that, insofar as Watergate disclosures are concerned, the political officers displayed "little appreciation or understanding of the special ethical responsibilities of public service," and appeared to have little "prior experience in—government, or indeed, in the administration of any large organization."

The report said, on the other hand:

Over 90 years produced incontrovertible evidence that the career services will discharge assigned duties responsively and capably when they are responsibly and capably led.

The panel emphasized to the select committee that—

This report is not directed to the identification of individual misdeeds or culprits. Rather it is an effort to identify underlying sources and pitfalls and to suggest changes in American government and administration which will help make future Watergates less likely and will improve the effectiveness and credibility of democratic government.

Other recommendations included:

First. Complete depoliticization of the Department of Justice with all personnel "from top to bottom" placed under the Hatch Act. All attorneys in the Department to be covered under a tenured career system and the Attorney General precluded from advising the President on political or personal matters.

Second. Until the Justice Department is depoliticized, the creation of a Permanent Special Prosecutor with a fixed term of office and independent authority to prosecute malfeasance in high office and in the conduct of political campaigns.

Third. Joint public and private funding of congressional and Presidential elections with a $25,000 limit per year, per family on all political contributions; not more than $10 of such donations could be in cash. All left-over campaign funds not transferred to the party organization would revert to the general fund of the U.S. Treasury. A new Electoral Commission of distinguished citizens would be created to oversee Federal election practices. Violators would be prosecuted by the Permanent Special Prosecutor.

Fourth. Rejection of proposals for a single 6-year term for the President and for any change toward a parliamentary system of government. The report said "both a strong, single Chief Executive and a strong Congress" were necessary.

Fifth. Provision for a number of temporary "Secretaries without portfolio" to take on special assignments which cut across the functional lines of established agencies and departments.

Sixth. An educational campaign, or if necessary statutory or constitutional change, designed to show that the framers of the Constitution intended "a President or other official may properly be impeached and removed from office for major offenses to the society and the State without being beheaded, jailed, fined, indicted, or even indictable." The panel concludes that impeachable acts properly include "major crimes, misconduct in office, or neglect of duty."

Seventh. Review and improvement of the Freedom of Information Act and continued vigilance on the part of Congress, the courts, and the citizenry to deal with Executive misuse of "National security" classifications and claims of "Executive privilege."

Eighth. Strict enforcement of the laws and regulations forbidding political considerations in career personnel actions.

A list of the members of the panel, selected for their extensive background as practitioners, scholars, or both, in Federal public administration are:

Frederick C. Mosher (Chairman), Doherty Professor of Government and Foreign Affairs—University of Virginia;

Alan K. Campbell, Dean, Maxwell School of Citizenship and Public Affairs—Syracuse University;

Frederic N. Cleaveland, Provost—Duke University;

Thomas W. Fletcher, President, National Training and Development Service;

Bernard L. Gladieux, Director—Knight, Gladieux & Smith, Inc.;

Roger W. Jones, Board Member—National Civil Service League;

Harvey C. Mansfield, Sr., Professor of Public Law and Government—Columbia University;

John D. Millett, Vice President and Director of the Management Division—Academy for Educational Development;

James M. Mitchell, Director, Advanced Study Program—The Brookings Institution;

Harold Seidman, Professor of Political Science, University of Connecticut;

Robert F. Steadman, Consultant—Committee for Improvement of Management in Government (CED); and

Richard E. Stewart, Senior Vice President—Chubb & Son, Inc.

Bertrand M. Harding, an academy member recently retired from the Federal service, served as the panel's staff director. Richard L. Chapman and Erasmus H. Kloman, senior research associates on the academy staff, also assisted the panel.

VETERANS' CREDIT CARD

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1974

Mr. BROYHILL of Virginia. Mr. Speaker, there is a crisis in communication today between the Veterans' Administration and many of our deserving veterans, their widows, and dependents.

In comparison to the millions taking advantage of veterans benefits the number we are not taking care of may be comparatively small, but if it is only a "baker's dozen" it is too many.

The trouble comes on payday and largely for veterans trying to further their education. I have asked the Administrator of the VA and the President's Veterans Task Force to consider my proposal to establish a nationwide credit card eligibility and computer system to help veterans to receive rapid service on their claims to obtain their rights. My letter to the VA Administrator contains the details of my Veterans' Credit Card proposal to speed up VA's disbursement of veterans benefits.

My letter of April 1 follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., April 1, 1974.

Mr. DONALD E. JOHNSON,
Administrator of Veterans Affairs, Veterans Administration Building, Washington, D.C.

DEAR MR. JOHNSON: As you are well aware my Congressional office receives a large number of calls, visits and letters from Veterans having difficulty communicating with your agency, or who are perplexed over the paperwork required in obtaining their rights.

It is my understanding that under the President's direction you are setting up a task force for the purpose of alleviating this and other situations troubling and disappointing Veterans in obtaining benefits voted them by Congress.

I commend to your task force's attention the suggestion of setting up a credit-card sized identification and computer system for all eligible Veterans and their widows and dependents. It is my understanding that a similar system is already in use by your Department of Medicine and Surgery and is working successfully. I believe this could be expanded to include all Veterans eligible for education benefits, home-buying and job assistance.

Much of the difficulty encountered by Veterans is the lateness of VA checks due to lost paperwork, delayed paperwork, failure to inform VA of changes in address and misunderstandings in respect to duration and primacy of school or on-the-job training rights.

A Veteran's eligibility credit card, setting forth the "C" number, Social Security Number, eligibility rating and the expiration dates thereof, seems to me to be a practicable solution to many of your problems. In conjunction with a computer card imprint system for the Veteran's credit card, tied in with local Post Offices, Veterans who move or are otherwise delinquent in notifying VA of changes in status or who fail to fill out proper forms would have a central place for short-term action in obtaining checks. There is a Post office in almost every community in America, certainly in every college community, but such is not the case with VA installations. A veteran presenting his credit card to a local Post Office, with leased computer or telephone connections to authorized check-writing facilities of the Federal government, seems to me to be a 21st Century recognition of the facts of life concerning today's communication needs.

The VA can be proud of its services to Veterans in most areas under your jurisdiction. The one area of seemingly constant grief to Veterans and your agency, as well, lies in the apparent lack of up-to-date communication facilities. I urge your serious consideration of the proposals set forth above. With your concurrence in this matter, I will be happy to present to the Congress of the United States whatever legislation is needed to implement this proposal.

With best wishes, I am.

Sincerely,

JOEL T. BROYHILL,
Member of Congress.

WILLIAM BUCKLEY'S COMMENTS ON HISC'S "ABOLITION"

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1974

Mr. ASHBROOK. Mr. Speaker, Nikita Khrushchev, former head honcho of the Comunist Party of the Soviet Union—and therefore of the U.S.S.R.—once remarked at a conference that he would bury the U.S.A. Where better place to begin the interment process than with the Federal Government's security agencies, including the House Internal Security Committee?

William F. Buckley, Jr., charter member of the postwar conservative cadre and eloquent spokesmen and defender of legitimate establishment endeavors, asked rhetorically in his news column, "Why Bury Security Committee Now?" He observed:

It always has been faddish to wish to eliminate the internal security committee, mostly because its targets speak reliably through echo chambers that reach us all; and because it is chic to treat Communists and such as decorative creatures that enliven dull parties, such as at Leonard Bernstein's house.

It struck Mr. Buckley as extraordinary—as indeed it must also the majority of the House Members who voted overwhelmingly on Monday in favor of HISC's 1974 operational funds that:

The only committee of the House of Representatives charged with concerning itself ongoingly with the problem of internal security should be redundant.

On Monday, April 1, the committee's opponents in the House—who numbered only 86 when all the runs were tallied, had selected the gentleman from Massachusetts (Mr. ROBERT DRINAN) as their leadoff batter against HISC's 1974 appropriations. In principle, this was a sound game plan because the distinguished gentleman was after all, an ostensible player on the home team. However, as Billy Buckley indicated, the gentleman had gone "down to Washington, consented to—indeed sought out—membership" on the committee, because "he wanted to bore from within. About this he is utterly candid."

True, the New England Representative had been openly frank about his intentions having conceded publicly that he would "collapse the committee from within." But, by the same token, can one not hope that, having done so, he would again, in 3 days rebuilt it?

Mr. Buckley's article of March 17, 1974, in the Washington Star News, follows:

WHY BURY SECURITY COMMITTEE NOW?

(By William F. Buckley, Jr.)

The annual report of the House Committee on Internal Security is interesting in several respects; not least for an exchange way back near the end between the committee's chairman, Mr. Richard Ichord of Missouri, and a fellow Democratic member, the Reverend Robert F. Drinan of Massachusetts.

Fr. Drinan's interest in internal security is to be compared to, oh, Richard Nixon's interest in lepidoptera. Though that is not actually correct: Fr. Drinan, like a few other congressmen and senators, is interested in internal security in the sense of wishing to do away with those who are interested in internal security. It is as if Richard Nixon, indifferent to butterflies, wished to extinguish all butterfly activities.

That is why the Jesuit from Boston, when he went down to Washington, consented to—indeed sought out—membership in what used to be called the House Committee on Un-American Activities. He wanted to bore from within. About this he is utterly candid. He begins his Additional Views, in the annual report, with the sentence: "Born of a reflexive fear of communism now outmoded, the House Internal Security Committee, a shadow of its evil past, continues to exist out of congressional inertia."

Well, a lot of things continue to exist out of congressional inertia, and a lot of things don't exist that should exist on account of congressional inertia, and a lot of people are in Congress on account of citizens' inertia, but the notion that it is "outmoded" to fear a country that possesses hydrogen bombs and a lust for world domination, and a second country that is developing its hydrogen bombs and shares that lust for world domination, is hardly outmoded.

In my case, save only the fear of Hell, which I presumably share with Fr. Drinan, I can't think of anything one could reasonably fear more than communism-cum-hydrogen bombs. As for the committee's "evil" past, I recommend the book, *The Committee and Its Critics*, Putnam, 1962, edited by myself.

It always has been fadish to wish to eliminate the internal security committee, mostly because its targets speak reliably through echo chambers that reach us all; and because it is chic to treat Communists and such as decorative creatures that enliven dull parties, such as at Leonard Bernstein's house. Accordingly, Congressman Bolling has proposed that the House committee be abolished and made, instead, a casual part of the Judiciary Committee.

These shifts tend to have a symbolic rather than a purely administrative meaning, as such as Fr. Drinan realize: He is very enthusiastic about the idea, confident that it would mean, in effect, an end to the committee.

It seems to me extraordinary that in a season when so very much criticism, much of it correctly, has been made against Richard Nixon's invocation of national security, that the only committee of the House of Representatives charged with concerning itself ongoingly with the problem of internal security should be thought redundant. Is it really exclusively up to the President to worry about these things? If the President is going to wiretap people in order to stop leaks of vital information, what laws should he consult? Who is better equipped to make intelligent recommendations on the matter than a congressional committee charged to look after the requirements of the internal security?

Tom Charles Huston has been widely pilloried for his secret plan to guard the security of the White House, and of the political parties at Miami. Why is it unreasonable to expect congressional guidance on such matters, and, again, who is better equipped to give it than those who study the problem, seeking a judicious balance between individual freedom and the demands of internal security? You would think that Fr. Drinan was for once in his life concerned to save money. Yet we are talking about a miserable budget of a half million dollars.

The latest publication of the committee is on the Symbionese Liberation Army. Unlike the press, the committee is armed with subpoena power, and can get answers to questions which can serve as the foundation for useful legislation. What's wrong with that?

Let Fr. Drinan go back to Cambridge and confess there that he finally voted to urge Congress to continue to concern itself with the internal security. Surely he can find a law that would protect his freedom publicly to express his repentance? Who knows, such a law might have been drafted from recommendations made by the old, evil House Committee on Un-American Activities.

TAX REFORM LEGISLATION FOR THE OIL INDUSTRY

HON. AL ULLMAN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1974

Mr. ULLMAN. Mr. Speaker, I would like to bring to the attention of all the

Members a letter from one of my constituents, Mr. John Daniel of Klamath Falls, Oreg. As you know, the Ways and Means Committee has been considering the question of oil taxation for some weeks now, and Mr. Daniel's letter goes to the heart of the issues before the committee. Since the decision the Congress must eventually make in this matter will have a profound impact on energy production and consumption in our country for many, many years, I would like to include Mr. Daniel's letter at this point in the Record:

DEAR MR. ULLMAN: I understand that your committee is now considering tax reform legislation for the oil industry. I urge you to support elimination of the percentage depletion allowance, the crediting of foreign royalty payments against federal income taxes, and the write-off of intangible expenses. Though oil industry profits are much higher than the corporate average, I support these changes largely for a different reason. The effect of these present tax favors to the oil industry is to artificially lower the prices of petroleum products on the market, thus nurturing demand and consumption. Individuals, and especially business, that consume greater than average quantities of petroleum products are therefore receiving a *de facto* federal subsidy—which means that ultimately the general taxpayer is footing the bill.

Clearly, our new priorities must call for a tax structure that will discourage the profligate consumption of oil (and all energy resources) rather than continue to encourage such consumption. Removing the present oil industry subsidies will allow the free market place to operate in setting oil product prices at what they actually *cost*, instead of at an artificially low level. Oil companies assert that they need these subsidies to develop new reserves, but it seems to me the current escalated market price of petroleum eliminates the need for the subsidies, if a need ever existed.

For Americans—individual consumers and business alike—to be able to deal with our energy problems, the price of energy must reflect its scarcity. We have become energy gluttons, conditioned to believe our resources are illimitable. It is an oversimplification to assume that the problem is merely to develop new energy resources; we must at the same time strive to curb our enormous appetite for energy—an appetite that has grown too huge for the earth to sustain. Peripheral measures such as the 55 mph speed limit help, but tax reform legislation is of far more fundamental importance.

Sincerely,

JOHN DANIEL.

THE AMERICAN RIGHT TO PRIVACY

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1974

Mr. STOKES. Mr. Speaker, President Nixon has belatedly recognized that privacy exists. Nixon's deeds more than his radio statement make a strong case for increased protection for the right to privacy. Privacy is a vital national concern which must receive increased attention if it is to be preserved against the onslaught of technology and bureaucracy. An excellent response to Nixon's radio statement on privacy was made by Aryeh Neier, executive director of the American Civil Liberties Union:

RESPONSE BY ARYEH NEIER, EXECUTIVE DIRECTOR, AMERICAN CIVIL LIBERTIES UNION, TO THE ADDRESS BY PRESIDENT RICHARD NIXON DELIVERED ON FEBRUARY 23, 1974, "THE AMERICAN RIGHT OF PRIVACY"

Last Saturday, President Richard Nixon said that if government "fails to respect its citizens' right to privacy, [it] fails to respect the citizens themselves." Most Americans would agree with that statement. It is good to see President Nixon expressing such sentiments. While there is a certain irony in the fact that this President made that statement, anyone devoted to the right of privacy can only welcome the President's profession of concern.

Unfortunately, there was a glaring omission from the President's statement. It is so significant and remarkable an omission that it is difficult to believe it was accidental. The President rightly noted that, "Careers have been ruined, marriages have been wrecked, reputations built up over a lifetime have been destroyed by misuse or abuse of data." However, he discussed these problems entirely in the context of data-banks created for the collection and dissemination of information for consumer credit, social welfare, insurance and criminal justice purposes. At no time did President Nixon so much as mention the problems of political surveillance. Furthermore, there was no hint of concern with political surveillance in the detailed background paper that was issued in conjunction with President Nixon's speech by the Office of the White House Press Secretary.

The problem of political surveillance has been highlighted by the Watergate disclosures of the past year. However, it is not a new problem. For more than a half century, the Federal Bureau of Investigation has been collecting data on persons engaging in lawful political activity. The F.B.I. infiltrates peaceful political organizations, photographs participants in lawful demonstrations, peruses the bank records and tax returns of political dissenters, records their names and exchanges intelligence data with many other governmental agencies. A deliberate purpose of this activity, as an internal Bureau memorandum has instructed agents, is "to get the point across that there is an F.B.I. agent behind every mailbox." Such other federal government agencies as the Immigration and Naturalization Service, the Department of Health, Education and Welfare, the Passport Division of the State Department, the Secret Service and the intelligence divisions of the various military services have all compiled banks of dossiers on political dissenters. In addition, most urban police departments have had their own political surveillance systems. In a recent court case, the New York City Police Department admitted that it alone had maintained files on the peaceful and lawful political activities of about a million persons. Political data banks are also maintained by Congressional committees and by private agencies which make a business out of selling this information to employers.

Surveillance of lawful political activities is often justified by the claim that its purpose is to protect our national security. The shibboleth of national security is also invoked as the reason for keeping secret from the American public many of the activities of its government. It is high time to abandon these claims of national security. We cannot achieve security by methods which destroy the basic freedoms of the society we seek to protect. A functioning democratic society cannot endure unless its citizens can engage in political activities free from an all encompassing sense of being observed and recorded. The tone of life and spontaneity of spirit which should characterize a free society cannot survive in an atmosphere in which a person's every deviation from the political norm is noted by government snoopers and stored for future reference. The consequence of such intensive monitoring of political activities and associations must inevitably be the drastic curtailment of any society's capacity for diversity and freedom.

For the most part, this country's political surveillance apparatus has grown up in the absence of any legal authority to support it. It has appeared to have a life of its own and our elected officials seem unable to control the snoopers in the F.B.I. and in the other agencies which gather domestic political intelligence. It hardly seems possible to engage in a serious effort to reestablish the right to privacy if the entire question of political surveillance is evaded, as it was evaded by President Nixon in his speech last Saturday.

In the areas that he did touch upon, the President made a number of commendable comments. He noted that credit is often withheld on the basis of inaccurate data; that jobs may be denied because of arrest records not updated to show that charges were dropped or the person found innocent; and that what a person gives to his church or his charity is his own personal business. To deal with these problems, President Nixon said, "We need more than just another investigation and just another series of reports." Quite right. However, the President failed to note that there are bills presently pending in Congress which effectively address all these problems and other pressing problems vitally affecting the right to privacy. Among these bills are:

Senate bill 2360—This bill which was introduced by Senator William Proxmire, would reform the practices of the credit industry by requiring agencies seeking a report on a person to obtain his or her consent. It would also give the person about whom a credit report was compiled the right to inspect and obtain a copy of his or her file; require expungment or correction of incomplete information; limit dissemination to those authorized by the subject of a report; and ban the collection of data about political views, race, religion, and of uncorroborated hearsay.

Senate bills 2963 and 2964 which were introduced by Senators Ervin and Hruska and House Bill 9873 introduced by Representative Edwards would severely restrict the dissemination of arrest records not followed by convictions and would limit the wholly promiscuous dissemination of conviction records.

Senate bill 2200 introduced by Senator Cranston and House bill 9424 introduced by Representative Stark would require formal legal process or customer permission when the government tries to examine an individual's bank records.

Senate bill 2810 introduced by Senator Goldwater and House bill 10042 introduced by Representative Barry Goldwater, Jr. would place important controls on government data banks returning control over personal information to the individual to whom it relates.

Senate bill 2820 introduced by Senator Nelson would eliminate all wiretapping that is not, at the very least, authorized by a warrant granted by a court.

Senate bill 2318 introduced by Senator Ervin would prohibit the military from spying on civilian citizens.

A number of these bills have wide support in the Congress. For example, Senator Ervin's bill to ban political surveillance over civilians by the military has 34 co-sponsors in the Senate. Support for such specific measures from the President could help greatly in getting them adopted. If President Nixon means what he says when he states, "We need action," he should lend his support now to such specific measures. Unfortunately, that is not what the President has yet done. While he stated that we need "more than just another investigation," he has set in motion just such an investigation. President Nixon has created a Committee of government officials chaired by Vice President Ford to tackle the problem of privacy. He has directed that Committee to begin to provide a series of measures to protect privacy within four months. If the Committee follows the President's directions, it should be ready to begin proposing measures by the end of June. That will be close to the time that the Congress will adjourn for the summer in this, an election year. In all likelihood, it would mean no Congressional action at all in 1974.

Despite shortcomings, President Nixon's expressions of concern about privacy are a very valuable contribution. I urge the President to make good on the concerns he has stated. He can do so by giving timely support to some of the specific measures to protect privacy now pending in Congress. And, perhaps even more significantly President Nixon can do so by enlarging his horizons to encompass the most serious of the many intrusions on the right to privacy: the problem of political surveillance. If we cannot keep our rights to speak and associate from being noted and recorded by Big Brother for possible use against us, then the right to privacy will not exist.

AMERICAN AGRICULTURE: AN ESSENTIAL PART OF OUR FOREIGN POLICY

HON. WILLIAM R. ROY

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1974

Mr. ROY. Mr. Speaker, recently, Far-Mar-Co., Inc., of Hutchinson, Kans., the Nation's largest grain cooperative, placed advertisements in several newspapers and magazines. Entitled "$9.3 Billion Will Buy a Lot of Oil," the advertisement pointed to the significant contribution of agricultural exports in this Nation's 1973 trade surplus.

I ask that the text of this advertisement be reprinted below, because it expresses in a few words the extraordinary importance of American agriculture:

[From the Washington Star-News, Mar. 24, 1974]

$9.3 BILLION WILL BUY A LOT OF OIL

American agricultural exports totaled $17.7 billion in 1973. With a $9.3 billion surplus.

That spectacular accomplishment wiped out the $7.6 billion non-agricultural deficit. Leaving this nation with a $1.7 billion trade surplus.

Our first favorable balance of trade since 1970.

Farm exports were a key factor in stabilizing the dollar. In strengthening our international trade posture. And in helping pay for much needed oil and consumer goods that help all Americans live better and more comfortably.

In fiscal 1973, on a gross basis, agricultural exports generated income of over $28 billion. And 60% of it was non-farm income. More than 450,000 non-farm jobs were directly or indirectly related to the assembling, processing, and distributing of agricultural commodities for export.

American agriculture. It's time to recognize it as an essential part of our foreign policy.

This ad is being sponsored by Far-Mar-Co., Inc., as part of its continuing efforts to speak out on behalf of agri-businessmen throughout the U.S. Far-Mar-Co. is the nation's largest grain cooperative representing over 300,000 farmers in an eight-state area: Nebraska, Missouri, Colorado, South Dakota, Iowa, Wyoming, Oklahoma, and Kansas.

Far-Mar-Co., Inc./Wiley Building/Hutchinson, Kansas 67501/(316) 663-3321.

ROZELLE RULE

Hon. Yvonne Brathwaite Burke

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1974

Mrs. BURKE of California. Mr. Speaker, no matter how much a professional athlete earns—and in some instances, it is substantial, although his athletic career is usually short lived, depending on the sport in which he is engaged—he cannot call himself a free man under present legal restrictions.

He or she is, in essence, a chattel of the professional club's ownership. Under present regulations, an athlete cannot contract with another athletic organization until he is given an unconditional release. He can be "blacklisted" for attempting to take independent action, and he cannot sign with a second team until he plays out his option and the first team is adequately compensated for his switch.

The Supreme Court, in the Curt Flood case, upheld baseball's exemption from antitrust prosecution, but the Court did indicate that Congress could remove this exemption.

I believe that it is now time to give professional athletes the same right enjoyed by any worker—the right to contract and work for anyone he wishes. An athlete should not be "owned" by his employer. And, since a professional athlete's career is so short, he must be free to negotiate for the best working conditions he can.

Therefore, to reverse this condition of servitude, I am happy to cosponsor H.R. 12397 and 12754 to prohibit enforcement of the reserve clause and practices, such as blacklisting and the so-called Rozelle rule. I trust that Congress will act promptly to help the men and women who provide such wholesome entertainment and diversion for the American public.

U.S. GOVERNMENT SOURCE SAYS: "NO MAJOR NORTH VIETNAMESE OFFENSIVE PLANNED"

HON. RONALD V. DELLUMS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1974

Mr. DELLUMS. Mr. Speaker, according to a recent article by Jack Foise of the Los Angeles Times, about 10,000 American troops will soon be withdrawn from Thailand because "both governments are satisfied that the North Vietnamese are planning no major offensive in neighboring Vietnam now that the 'dry season' is nearing its end."

This is an important revelation, because only this week we have received conflicting reports from both the State Department and the American Embassy in Saigon which warn of an impending North Vietnamese offensive.

And this sort of contrast poignantly indicates how supporters of our corrupt policies in Indochina attempt to manipulate situations to fit their daily needs.

As in the past, I am sure that when Congress finishes its debate on military aid to Thieu, we will once again have a change of viewpoint from Saigon, and that the impending offensive will have been stymied.

Plus ça change, plus c'est la même chose.

The Los Angeles Times article follows:

U.S. FORCE IN THAILAND TO BE SHARPLY REDUCED

(By Jack Foisie)

BANGKOK.—The U.S. and Thai governments Friday announced a sharp reduction in American military forces in Thailand—a cutback of about 10,000 men, mostly airmen, and a small reduction in B-52 bombers.

The move, slated to begin in mid-May and to be completed by the end of the year, comes about apparently because both governments are satisfied that the North Vietnamese are planning no major offensive in neighboring Vietnam now that the "dry season" is nearing its end.

This would leave about 27,000 Americans in Thailand as a "standby" retaliatory force with conventional air strike capacity.

The reduction, which the announcement said was formally agreed to only Friday by the Thai prime minister and the U.S. ambassador, reflects a general lessening of U.S. concern over Indochina developments, sources said.

In Friday's joint communique, Thai Prime Minister Sonya Thammasak was credited with determining that the "security situation" in Indochina was such that about one-fourth of the remaining Americans-in-uniform in Thailand could withdraw.

Authoritative sources said the communique reflected more than the belief that the threat of big enemy action in Indochina had subsided. It also indicated a desire by both Thais and Americans to reduce the "giant profile" of the U.S. Air Force units remaining in Thailand. The Thais are trying to improve their relations with the People's Republic of China, and the Pentagon is trying to cut overseas spending.

At peak, the U.S. armed forces in Thailand numbered about 48,000 men. Even after a year of "cease-fire agreements" in Vietnam

and Laos, and an end to American bombing of Cambodian rebels last August, the U.S. command here had only pared down by 10,000 men—in small unit departures. Six of seven American air bases in Thailand remain open.

The new cut of another 10,000 probably will result in the closing of another base, and a modest reduction in the B–52 force at Utapao, a complex designed for long-term use. The Utapao big bombers, which smashed at Hanoi near war's end, currently remain at full strength of more than 50.

SOUTH VIETNAM ATTACK ALLEGED IN VIOLATION OF CEASE-FIRE

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1974

Mr. BROWN of California. Mr. Speaker, President Nixon is never reluctant to take advantage of any opportunity to claim responsibility for achieving peace in Indochina, for ending the war in Southeast Asia. Indeed, in the State of the Union address, Mr. Nixon proudly announced,

The United States is at peace for the first time in a decade.

These remarks are not only premature, but misleading as well.

The fact is that the war continues to rage in Indochina, over a year after the Paris peace agreement was signed. The fact also remains that the United States continues to subsidize, at a rate of over 80 percent, the operation of the corrupt Thieu regime. It is particularly fitting, on this day preceding congressional consideration of the request by the Department of Defense of an additional $474 million for aid to South Vietnam, to again underscore that the United States is still funding a war effort in Indochina.

We hear of repeated direct violations of the cease-fire agreement; it is in this regard that I offer the following Washington Post article of March 25, 1974:

SOUTH VIETNAM ATTACK ALLEGED IN VIOLATION OF CEASE-FIRE

(By Philip McCombs)

TINHBIEN, VIETNAM.—South Vietnamese troops attacked Communist forces across the Cambodian border from this town last August in an apparent violation of the Paris cease-fire agreement, according to sources here.

The battalion-sized operation, including dozens of U.S. supplied armored vehicles, was launched in support of Lon Nol government troops under pressure following the Congressionally ordered bombing halt in Cambodia, the sources said.

"It was a secret operation because the ARVN [Army of the Republic of Vietnam] was afraid to be caught violating the cease-fire agreement," said one South Vientamese officer here.

Chapter seven of the January 1973 cease-fire agreement forbids the introduction into Cambodia by foreign countries of "troops, military advisers and military personnel, armaments, munitions and war material."

Saigon's military spokesman, Col. Le Trung Hien, denied in Saigon that there was any cross-border operation here.

"Before the cease-fire, ARVN conducted such operations from time to time in hot pursuit of the enemy, but there have been no cross-border operations since the cease-fire even in hot pursuit," he said.

Saigon is particularly sensitive on such questions now because the U.S. Congress is considering further military aid requests for South Vietnam and studying the use to which aid is put.

Despite Trung's denial, at least three reliable and independent sources here, one of them a high-ranking ARVN officer, confirmed that the cross-border operation took place and provided details.

It could not be learned whether Phnom Penh requested the intervention or Saigon undertook it unilaterally.

Until last Aug. 15, when the deadline for American bombing in Cambodia took effect, Cambodian troops occupied a wedge of territory across from this town 115 miles west of Saigon and 70 miles south of Phnom Penh.

The Vietnamese here used to sit on their porches and watch American jets dive-bombing the hills where Khmer Rouge and North Vietnamese army positions were located.

Every once in a while—at night—there would be a B–52 strike, too. People here say the earth would shake and the air would be filled with fire.

But all that changed with the bombing halt. The Communists moved toward this town and the Cambodian government troops retreated.

The South Vietnamese came to their aid, but in the end the Communists won, driving both forces back across the border and into South Vietnam.

In the course of the battle, the sources said, 20 South Vietnamese amphibious armored vehicles were destroyed and the communists captured seven others in good condition.

After the battle, the South Vietnamese took the battered Cambodian government battalion, about 400 troops, a few miles east of here to a branch of the Mekong River. The battalion then went by boat to Phnom Penh.

On the high ground near here, people point across a wide, flat valley to what they say are Khmer Rouge positions in the hills on the other side.

The "seven mountains," rocky hills that straddle the border, stand isolated on the vast Mekong rice plain. They are one of the few natural hiding places in the delta and formerly a key North Vietnamese infiltration route into South Vietnam.

The Communists have been shelling Tinhbien regularly from the other side of the border for the past several months, according to people here, and the South Vietnamese have been answering with artillery fire.

A man who lives on the edge of town closest to the Cambodian border, which is not clearly defined but which lies less than a mile northwest of here, said people in the town are always afraid of Communist attacks.

"The Khmer Rouge shot a shell in here the other morning and wounded a woman and a child," he said.

Cambodian refugees here from Khmer Rouge zones say that relations between the Khmer Rouge and the North Vietnamese continue to be strained over questions of sovereignty.

The Communists allies operate separately for the most part, according to these refugees, and the Khmer Rouge demand detailed itineraries before allowing North Vietnamese units to make any moves inside areas controlled by the Khmer Rouge.

Such strains seem to arise chiefly because of deep-seated racial and cultural animosities between Cambodians and Vietnamese. This makes the South Vietnamese aid to Cambodian government troops here all the more interesting.

RAIL SERVICE IN INDIANA

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1974

Mr. HAMILTON. Mr. Speaker, on February 1 the Department of Transportation issued a report, "Rail Service in the Midwest and Northeast Region," which contains proposals that would severely cut rail service in Indiana. The report, required by the Regional Rail Reorganization Act of 1973—Public Law 92–236—ignores major criteria for railroad planning set forth in the act. At the public hearing of the Interstate Commerce Commission's Rail Services Planning Office in Indianapolis, March 12, 1974, I presented a statement opposing the DOT report.

I include the statement at this point:

I am Lee H. Hamilton, U.S. Representative in Congress from the Ninth District, Southeastern Indiana. Thank you for this opportunity to testify at this public hearing of the Rail Services Planning Office concerning the impact of the Department of Transportation Report, *Rail Service in the Midwest and Northeast Region.*

The wholesale abandonment of rail trackage proposed by the DOT would create unwarranted hardship for the people of Southeastern Indiana. The Department of Transportation has elevated a narrow and questionable definition of profitability above other standards set by the Congress in the Regional Rail Reorganization Act.

A quarter of all trackage in the country—or over 15,000 miles of track—would be scrapped if the DOT proposal is approved, and Indiana would be especially hard hit. At a time when transportation policy ought to concentrate on ways to expand the use of railroads, which are by far the most energy-efficient means of moving people and freight, this proposal is unacceptable.

The DOT has doomed rail service for much of Indiana, and in the 9th Congressional District in Southeastern Indiana the Department's proposals would result in havoc to the regional economy and the needs of commerce. I want to strengthen rail service, not eliminate it.

In summary, the impact would be as follows:

Now, ninety-nine communities in Indiana's Ninth District have rail service. The Department of Transportation proposes service to only twelve communities. Instead of 125 freight stations, there would be only twelve.

Now, 17 of the 19 counties that lie wholly or partly within the District have rail service. The Report would limit service to only eight counties.

Now, 17 feeder lines serve District communities. The Report would abandon twelve lines, partially close two more, and leave only three completely open.

I trust the Members of the Rail Services Planning Office will listen attentively to the distressed pleas of economic hardships by state and local officials as they testify before you, and I also trust you will be sensitive to

the necessity of adequate rail service to all of Indiana's major industries.

May I also suggest that you explore systematically the relationship between increased traffic and improved service. Many 9th District constituents suggest to me that traffic would rise sharply if service were improved.

The fundamental error of the DOT Report is that it places total emphasis on the objective of creating a "financially self-sustaining" rail system, and is insensitive to the other criteria required by the Congress in developing the Final System Plan. These criteria include, among other things, the need for rail service, environmental impact, and minimization of job losses and associated unemployment.

I appreciate your attention to these remarks, and I am confident the RSPO will analyze rail service from the broader perspective of the criteria of the Regional Rail Reorganization Act.

LEGAL SERVICES: PUBLIC VERSUS PRIVATE

HON. EARL F. LANDGREBE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1974

Mr. LANDGREBE. Mr. Speaker, the debate surrounding the establishment of a national Legal Services Corporation has been conducted in terms of nonessentials—proceeding from the premise that such a corporation should exist, proponents and opponents alike argue only over—how much power it should have. The question they should be debating is: Should we even have a legal services program financed at public expense?

Aside from the moral issue of forcing taxpayers to finance the legal services of someone who may turn around and sue them, there is much evidence that private legal services organizations could provide much better service at less expense. In Indianapolis, Ind., for example, two organizations have been working side by side, both allegedly attempting to help those who cannot afford to pay with their legal problems. One is the OEO-funded Legal Services and the other is the independent, privately supported, Legal Aid Society. In 1972 the Government Legal Services organization was staffed by 19 attorneys with a budget of $526,000. They handled a total of 3,213 cases, an average of 169 cases per lawyer with an average cost of $163.70 per case. The private Legal Aid Society, on the other hand, was staffed by only 4 lawyers who managed to handle 5,455 cases, an average of 1,364 per lawyer at an average cost of $14.60 per case. The private group's overall budget was $80,000, less than 20 percent of the funds available to the Government operation.

Given evidence such as this, why are not those who profess concern with providing legal services to the poor advocating at least consideration of private instead of public legal services programs?

The answer to this question lies in the history of the OEO-funded legal services program, which is replete with evidence of political abuses. Specifically, with instances of the use of public funds for the promotion of a variety of liberal-left causes.

If their goal was to provide legal services to those who cannot afford to pay, the advocates of such services would be opting for private programs. Obviously, however, their goal is a legal services program that can be used for political advocacy. And for this purpose, a private organization would not work—people would not voluntarily donate funds to those who would promote a philosophy of destruction of liberty and freedom. Thus, they need a public legal services organization so that the Government will, by use of the power of taxation, collect their funds for them.

INCREASING THE QUOTA OF THE CAPE VERDE ISLANDS

HON. FERNAND J. ST GERMAIN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1974

Mr. ST GERMAIN. Mr. Speaker, the existing immigration quota from the Cape Verde Islands of Portugual is a mere 200 persons annually, and that figure has maintained for too many years. We Rhode Islanders value our citizens of Cape Verdean origin as a productive, hard-working segment of our State's population. They are represented and distinguished in every profession. They are teachers, public servants, merchants and laborers, and have made many valuable contributions to the quality of life in Rhode Island. The House of Representatives of the General Assembly of the State of Rhode Island, taking note of the low immigration quota, passed on the 15th day of March, 1974, the following house resolution memorializing the Congress of the United States to enact legislation to increase the immigraton quota for people from the Cape Verde Islands of Portugal from 200 to 600 annually.

STATE OF RHODE ISLAND HOUSE RESOLUTION

Resolution memorializing the Congress of the United States to enact legislation to increase the immigration quota for people from the Cape Verde Islands of Portugal from 200 to 600 annually

Resolved, That the general assembly of the state of Rhode Island hereby respectfully memorializes the congress of the United States to enact legislation to increase the immigration quota for people from the Cape Verde Islands of Portugal from 200 to 600 annually; and be it further

Resolved, That the secretary of state be and he hereby is authorized and directed to transmit duly certified copies of this resolution to the senators and representatives from Rhode Island in the congress.

WNBC–TV CAMP TENT SAFETY SERIES CONTINUES

HON. PETER A. PEYSER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1974

Mr. PEYSER. Mr. Speaker, WNBC–TV in New York continues to run its excellent series on the flammability of camp tents. This series has already gained nationwide acclaim, and for this reason, I would like to make the third installment in the series available to my colleagues:

[From WNBC–TV Sixth Hour News, Mar. 25, 1974]

FLAMMABLE TENTS

JIM HARTZ. Earlier this month we had a report on the hazards of pup tent fires. Like most people, we were startled by the flammability of the material used in the manufacture of most of the tents on the market these days; today we have a follow-up report on a fabric that could make tents completely safe.

As the result of a recent story we did on the intense flammability of pup tents, we've received a number of inquiries from viewers, both by telephone and by letter, on what they can do to flameproof existing tents. Well, we've checked with a number of sources and found out that it can be done, but it's very unreliable. What happens is, the flameproofing washes off in the rain.

We've set up two tents here at the Fire Department Training Center on Welfare Island to demonstrate to you the problems with existing tents; and also we'll show you what can be done with new fabrics to make tents safer.

In case you missed our earlier report, here's what happens when a flame is touched to an ordinary pup tent. (Film Clip.)

As we reported in our first story, most of the tents people now have are made of canvas and paraffin; those are the tents which are real fire hazards. In the last few years there have been at least seven deaths and twenty-five gross disfigurements in such tent fires. We have no idea how many minor injuries have been suffered, very largely because people just aren't aware of the danger. But since our report two new laws have been proposed for New York.

Okay, now we're going to try to do the same thing with this tent.

First of all, take a cigarette, put it directly on the material and hold it. And nothing happens. In fact, it put out the cigarette.

ALVORD. Even if the Scouts do engage in an aggressive campaign, how far can they really go in making sure that standards are met and also the people buy the tents? (Background voices.)

DIRECTOR. Well, I think this is the thing that we need to get to. At the present time, there are three states that have minimum standards for tents in regard to flame retardancy. And we feel that this thing should be carried out in terms of the government urging that all tent manufacturers clear across the country—because three states is not enough.

ALVORD. Isn't the real key to this the industry, the people who make the tents in the first place?

DIRECTOR. Yes it is. And the industry has adopted a flame-retardant finish that is approved and will work. The problem is that they've got to go to the Federal Government, they've got to convince the Federal Government that they are doing something about it, that they will be willing to patrol their own

industry. But they've got to be more aggressive about it.

ALVORD. So, efforts to promote flame-resistent tents are beginning, but nevertheless, millions of American campers will go into the field this spring and summer, camping in tents whose canvas will burn quickly and tragically, and whose labels don't tell them so.

Ken Alvord, WNBC/TV News.

HARTZ. There is an indication now that the industry may take action and a move is underway to get some effective federal standards as to labeling and fire retardancy. We will be watching those developments.

YOUNG TESTIFIES ON VETERANS BILLS

HON. C. W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1974

Mr. YOUNG of Florida. Mr. Speaker, recently I had the privilege of testifying before the House Veterans' Affairs Committee's Subcommittee on Compensation and Pension, on behalf of three bills which I introduced last year. I feel these bills are of special importance to certain groups of veterans, and would therefore like to present my testimony to my colleagues and urge them to support these bills when they come before the House:

TESTIMONY OF HON. C. W. BILL YOUNG BEFORE THE SUBCOMMITTEE ON COMPENSATION AND PENSION, HOUSE VETERANS' AFFAIRS COMMITTEE ON H.R. 3623, H.R. 6290, AND H.R. 6427

Mr. Chairman, I want to thank the members of the Subcommittee for providing me with this opportunity to testify on behalf of three bills which I have introduced to aid our veterans, especially our disabled veterans. As one who has testified on several occasions before this subcommittee, I know that it shares my continued concern over the veterans of this country and their special needs.

H.R. 3623 provides for adjustment assistance to prisoners of war of the Vietnam era because of the inhumane circumstances of their incarceration; a former POW may receive, under this bill, $30 per month for each year or portion of a year that he was detained as a prisoner of war, up to a maximum of $150 per month.

Mr. Chairman, I watched, along with millions of other Americans, as our returning POWs disembarked and were greeted by their families. The physical marks of their long captivity were apparent even then, and as their tales of torture, deprivation, and mistreatment were told, I realized that these men had suffered as much or more than men who were wounded in battle. My bill recognizes this suffering and provides payment as if our POWs had suffered a disability.

The Congress has done very little thus far to provide compensation to our POWs for the long years of suffering which they have undergone on behalf of their country. Even less has been done for their families. I trust in the judgment of this subcommittee to remedy this defect and provide to our POWs this form of disability compensation for the sufferings which they have endured.

H.R. 6290 would amend title 38 of the United States Code to stabilize and "freeze" as of January 1, 1973, the Veterans Administration Schedule for Rating Disabilities, 1945 edition, and extensions thereto. I am sure my colleagues on the subcommittee are aware of the background of this legislation, so I will touch on it only briefly. The Veterans Administration had proposed in late 1973 sweeping changes in VA disability compensation schedules which, by drastically reducing disability ratings and thereby pensions, would have saved $160 million. I shared the shock and dismay of the millions of veterans who found themselves faced with imminent cuts as the nature of their disabilities were downgraded as an economy move. And I shared their pleasure in learning that President Nixon himself ordered the VA to rescind its proposals.

However, there is nothing now in the law to prevent the VA from trying these high-handed tactics once again. Unless the Congress resumes formal responsibility for managing the rating schedule, our veterans remain under constant threat of having their pensions reduced at the whim of the VA. H.R. 6290 would remove that threat by freezing the rating schedule as it now stands and requiring that any future changes be approved by the Congress before being implemented.

Finally, H.R. 6427 provides additional monthly compensation to those veterans who are totally disabled as a result of combat injuries. Such veterans are a very special group of men—they have made an enormous physical sacrifice for their country, and have done so on the field of battle. It is in recognition of this special sacrifice that I propose we give these men—many of whom are permanently confined to wheelchairs and restricted in the scope of life they can enjoy—a small additional sum monthly. They have difficult adjustments to make and special expenses to meet because of their total disability. Extra monthly compensation is one thing that a grateful Nation can provide to those so severely injured on the field of battle.

In conclusion, Mr. Chairman, I urge the subcommittee's favorable consideration of the foregoing three bills, and its continued attention to the problems and needs of America's veterans.

ANNOUNCEMENT OF HEARINGS ON FEDERAL EMPLOYMENT PROBLEMS OF THE SPANISH SPEAKING

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1974

Mr. EDWARDS of California. Mr. Speaker, the Civil Rights and Constitutional Rights Subcommittee of the House Committee on the Judiciary will conduct a series of hearings on the Federal employment problems of the Spanish speaking. On Monday, April 8, 1974, the Civil Service Commission will present the most recent statistics on Spanish speaking employment in the Federal government agencywide. On Wednesday, April 10, 1974, Mr. Edward Valenzuela will testify on behalf of IMAGE, a Spanish speaking employees' group.

Hearings on April 8 and 10 will commence at 10 a.m. in room 2226 Rayburn House Office Building, Washington, D.C. Persons wishing to submit statements for the record may write to the Judiciary Committee, 2137 Rayburn House Office Building, Washington, D.C. 20515.

NEW FRONTIERS IN LEARNING

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1974

Mr. SCHERLE. Mr. Speaker, one of the most productive uses of title III ESEA funds has been shown in development of the Southwest Iowa Learning Resources Center (LRC) located in Red Oak, Iowa. It has made invaluable progress in evolution of innovative learning techniques and has accumulated an impressive store of teaching materials available to communities throughout Iowa. Federal funding provided the initial impetus for the LRC, but local support has enabled expansion of its facilities and services to educators. All this has been accomplished through the determined efforts of its founder, William Horner, and hundreds of interested citizens statewide. We applaude the imagination and foresight of these energetic Iowans. I know my colleagues will be interested in the following description of the learning resources center, a blueprint for action nationwide.

WHAT IS THE LRC?

In 1966, in rural southwest Iowa, William Horner, a Junior High School Language Arts teacher, applied for a grant under the sponsorship of the Red Oak Community Schools, and with the support of twenty-one additional school districts. The Title III, E.S.E.A. grant, through the United States Office of Education, provided funds for a system of daily ordering and delivery of audiovisual materials to each building in the twenty-two school districts in eight counties. The grant also provided for the installation of a planetarium and other services for the area to promote "lifelong learning." Local businessmen provided the support to construct a building and the Southwest Iowa Learning Resources Center (LRC) was born with William Horner serving as its Director.

During the first year, numerous in-service training workshops were held at LRC and in area schools to orient the teaching staffs of the school districts in the basic use of audiovisual materials. A film library of over 1500 titles was established, in addition to a complete complement of tape recordings, slides, transparencies, 8mm loop cartridges, 8mm films, filmstrips, flat pictures, and a variety of teaching kits. The LRC facility, and its materials, were made available to community groups as well as students and faculty in the schools.

During the second year, the LRC became the area depository for the Title II, E.S.E.A., book library (now over 15,000 volumes), and the scope of LRC services continued to expand.

As the Title III, E.S.E.A., funding period came to a close in the third year, the LRC was phased into a locally supported, nonprofit, tax-exempt educational organization. The president of each of the eight County Boards of Education served on the LRC Board of Directors, along with President Horner.

The County Boards now provide LRC a base support of $5 per pupil supplemented by $3 per pupil from each of the twenty-two local school districts. All counties and school districts contribute each year on a voluntary basis. To further demonstrate their support for the LRC, the eight County Boards of Education (May, 1973) voted a special assessment of $32,000 to maintain the high quality film library which now contains 3,000 titles.

By its third year, it was apparent that LRC had outgrown the 4,000 square feet in the original building. In 1970, therefore, an old building at 401 Reed Street, Red Oak, was purchased and remodeled to provide three floors of working area—giving the LRC three times the space it formerly occupied.

From the beginning of the project, Ron Curtis (Director of Education for LRC) has been experimenting with innovative applications of media, such as using the polaroid camera as the curriculum for special education students and studying feature films in the classroom. Curtis' work led to LRC's being named a model film study site, accompanied by a small grant from the American Film Institute, in 1968.

Foreseeing the need for a course of study in the understanding of contemporary mass media, LRC applied for and was awarded a Title III, E.S.E.A. grant in 1970 for the development of its "Media Now" program—an individualized, packaged lab course for high school students.

As a result of the development of "Media Now," the Department of Public Instruction of the State of Iowa has awarded a Title III, E.S.E.A., dissemination grant to enable the LRC to share the course with the entire state. Training of teachers and adoption of "Media Now" has now occurred in nearly one hundred high schools in the state of Iowa. Iowa State University began offering the "Media Now Adopter Course," a course of study for prospective teachers of the mass media in 1972. Iowa State has now made the course a requirement for graduates of the Departments of Journalism, Telecommunications, and Education. A grant from the National Endowment for the Arts, Washington, D.C., allowed the LRC to expand its training to include seventy-five media teachers from seven states in a program called "Summer of '73."

Another major program, "Project Discovery," directed by Roy Bastian and funded by the Special Needs and Career Education Section of the Iowa Department of Public Instruction, is now operative, developing exploration "packages" in career education with a "hands on" emphasis. Students are introduced to the "packages" at the Junior High School level. This program makes it possible for students to have the choice of exploring a wide range of vocations through the simulated "work activity" of the packages. Assessment instruments and counseling techniques incorporated in "Project Discovery" make it a vitally-needed addition to school curricula throughout the United States.

Another current project, "Lifelong Learning," directed by Philip Olive, funded by the State Library Commission of Iowa and the Commission on the Aging, represents the fulfillment of the initial goal of the LRC to provide learning programs for all age groups from preschoolers to senior citizens. A special 16mm film library provides residents of nursing homes and county homes in a fifteen-county area in Southwest Iowa with enrichment and entertainment. Workshops for the Activity Directors from these homes offer additional training and information for special projects carried out in the homes. These workshops are funded by the Public Health Service at the Regional Office of Education, Kansas City, Missouri.

The LRC is also a distributor of in-service training material for nursing home employees. Materials (35mm filmstrips and cassette tapes) purchased by the Health Facilities Association of Iowa are made available to all nursing homes in the state of Iowa.

The Regional Rural Reading Program, funded by Title I B&C, is conducted in five school districts of the area. Wanda Morgan, Reading Clinician from the LRC, travels from school to school each week working with children and the Title I reading teachers.

Another LRC program, a preschool day care center, was established in Des Moines with the Des Moines Independent School District acting as the Local Education Agency. The United Methodist Church Conference provided one-third funding, with the Social Security Act, Title IVA, providing the other two-thirds. At this Center, which is known as "Soul Street," new methods of teaching and learning for three and four year olds are being tested and proven.

Every program undertaken by the LRC must meet the following criteria:

(a) It provides a much needed service or product to people not available *anywhere* else.

(b) It has an evaluation design that will prove (or disprove) its value statistically.

(c) It has the potential to "stand on its own feet" financially at the termination of its original funding.

Most recently, a publishing division—located in a separate building with a complete line of high efficiency equipment—has been added to LRC capabilities.

New ideas must be converted to tangible materials if real change is to occur. And *change* is the LRC. Witness: Complete cable television studio is now being planned with free LRC TV Channel 4 going "on the air" by the summer of 1975, and other new programs are currently in the planning stages.

A 1969 LRC media presentation concluded with six words that say as much today as they did then—". . . *and this is just the beginning.*"

HOW LONG DO WE FEED THE WAR?

HON. FORTNEY H. (PETE) STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1974

Mr. STARK. Mr. Speaker, when the House considers the Defense Department supplemental shortly, I hope my colleagues will consider information provided recently by a Philadelphia Inquirer editorial and a letter to the editor of the New York Times:

[From the Philadelphia Inquirer, Mar. 29, 1974]

HOW LONG DO WE FEED THE WAR?

It's 14 months since the signing of the Paris peace agreements bringing that celebrated "peace with honor" to Vietnam. Yet there is no peace.

In 1973 alone, a Senate subcommittee reported recently, more than 50,000 Vietnamese were killed in the "cease-fire." That's slightly more than the total American combat deaths in eight years. In addition, more than 800,000 Vietnamese were driven from their homes last year alone.

All of which justifies Secretary of Defense James R. Schlesinger's understated observation, in his annual defense posture statement to Congress, that the "cease-fire has not worked as well as we had hoped."

It does not justify the Pentagon's urgent requests to spend even more to step up the military struggle.

For the current fiscal year, the Pentagon is calling on Congress to spend an additional $474 million for emergency military aid to the Thieu regime. If the money is not forthcoming, the Pentagon warns, South Vietnamese forces must "severely curtail" their operations in mid-April.

For the coming fiscal year, the Nixon Administration wants Congress to give South Vietnam about $2.4 billion in aid, two-thirds military and one-third economic, about 65 percent more than Congress approved this year.

Will it never end?

Have we learned nothing from 24 years of involvement in that unhappy peninsula?

Obviously, both sides in Vietnam share the blame for failing to implement the rickety structure of peace. Yet "our side" can have little incentive for coming to peace if it can count on America's continued commitment to war.

The U.S. cannot and will not "walk away" from the destruction it has wrought, but it must not add to it. Congress can begin by withholding funds for any purpose except to implement the "Agreement on Ending the War and Restoring Peace in Vietnam."

[From the New York Times, Mar. 19, 1974]

SAIGON: DOLLARS FOR JAILS

To the Editor:

If there are "only 35,139 prisoners of all types" in South Vietnam, as reported by former U.S. Ambassador to Saigon Elbridge Durbrow and others after their recent tour, why does the U.S. still find it necessary to budget an estimated $20 million a year for Saigon's police system, four times the amount it gives for hospitals in South Vietnam? And why are there some 120,000 security personnel and over 600 detention centers in a country the size of an average U.S. state?

As for the "ulterior motives" and "foreign" connections of those who allege that up to 200,000 political prisoners have been detained in the South—which the Ambassador's group, the American Security Council, suggested should be investigated—they are "foreign" only to the kind of thinking which believes it rational to contribute to the decimation of the population, the maiming of millions, the arrest of countless thousands for trying to improve the situation, the uprooting of one-third of the population and the destruction of much of the landscape for up to a century, all least a relatively small country become Communist at exactly the same time that our country is making basic compromises to get along with Communist Russia and China.

Amnesty International, with its headquarters in London, is proud to be "foreign" in that sense. Together with many other organizations with reliable sources in Vietnam, we believe that many tens of thousands will remain in jail even if the latest efforts to exchange a few thousand civilian detainees as called for over a year ago are completed, an insurmountable obstacle to real peace and a mockery of American policy in Vietnam.

Meanwhile, the State Department replies to letters of inquiry about specific cases among some 2,500 individual "prisoners of conscience" worked for by Amnesty International with the statement, "It would not be appropriate for the U.S. Government to interject itself into individual prisoner cases involving either Vietnamese side."

If so, we must also end with a question: Why has the United States spent well over $100 billion in the name of protecting "free choice" in Vietnam, when Saigon arrests anyone who tries to assert basic freedoms?

JAMES P. HARRISON,
Amnesty International.

New York, Feb. 28, 1974.

OSHA—THREE DOWN AND MORE TO GO

HON. WILLIAM A. STEIGER
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1974

Mr. STEIGER of Wisconsin. Mr. Speaker, it will soon be 3 years since enforcement of the Occupational Safety and Health Act began, and it is crucial that we now take a good hard look at the development of the law to date.

Last month, Richard F. Schubert, Undersecretary of Labor, did just this in a speech before the 53d Annual Massachusetts Safety Conference in Boston. The Select Labor Subcommittee of the House Education and Labor Committee is in the process of holding oversight and amendment hearings on OSHA and I feel his speech would be a constructive addition to the debate.

I would like to take this opportunity to share his speech with my colleagues:

OSHA—THREE DOWN AND MORE TO GO

The State of Kansas once had a safety law that contained what I consider to be the only sure guarantee of safety that I have ever seen. The key provision of the law read something like this: "When two trains approach each other at a crossing, they shall both come to a full stop and neither shall start up until the other has gone."

I'm sure there were no accidents on that line, but it did have the unfortunate side effect of making the trains awfully late.

Almost three years ago the majority of American workers gained the protection of a new safety law. That law was designed to provide safe and healthful workplaces not by stopping the engines of production, but by practical, common sense measures. It sought to reduce the toll of death, disease and disability, not through creating one more enormous intrusive, omnipresent Federal bureaucracy, but by building on the great strengths of the Federal system—through reliance on State action.

The law, signed on December 29, 1970 and taking effect on April 28, 1971, was also not the result of any partisan or one-sided action. Instead, it reflected the finest workings of a much maligned system. For this law would never have come into being, despite the need, despite the late Secretary of Labor Jim Mitchell's earlier efforts, if it had not been for bipartisan support, Democrats and Republicans working together. It would not have become law unless both Houses of the Congress worked together, and it would not have become law unless it had had the support of organized labor and representatives of business and management who are affected by the regulations issued under the bill.

So, when we hear that our system isn't working, when we hear about too much partisanship, or about conflicts between this or that interest—let's point to this Occupational Safety and Health Act as not only one of the finest pieces of legislation to be produced in this century, but also as solid evidence that, despite our differences, this government of ours does work for the good of the American people.

Now, when I stress cooperation rather than conflict, I do not mean to suggest that the law or the agency it created—OSHA—have had completely smooth sailing. That would bring us out of the real world where imperfect men and imperfect institutions create friction as they strive in differing ways toward perfectability.

No, OSHA's growing years have not been without their full measure of scrapes and bruises and, yes, mistakes. But as one who watched this legislation move through the Congress and then participated in the task of making it work, I can assure you that the mistakes stemmed not from malice but from inexperience and from a not unnatural desire to move as quickly as possible because, in the most literal sense, human lives depended upon fast action.

So, mistakes were made during those early months.

But those mistakes were not often repeated. Indeed, we have transformed them into the raw material of improvement.

And certainly, OSHA has not been shielded from criticism during its effort to move from infancy to adulthood in three years. If we could take all of our critics and lay them end to end—and often that's what I've wanted to do—they might even reach a conclusion. Yes, criticism has been plentiful. We haven't had to call upon Mr. Simon's office to increase our allocation. And that criticism has come from both sides of the labor-management bargaining table and, in fact, from many who have never been near a bargaining table. More than one hundred bills to amend the law have been introduced in Congress, many of which would weaken the Act, several of which would repeal it, all of which have failed. These efforts have failed because the goal of a safe and healthful work environment has continued to be a basic priority for this Administration, and because the support of thoughtful, responsible business and labor and professionals in the field of safety continues to outweigh the efforts of OSHA's critics.

I think the Congress will continue to reject efforts to weaken the protections provided by OSHA for one, simple, over-riding reason. This is not a law dealing with some arcane set of regulations. This is not a law that involves the dusty dry questions of reshuffling tariff rates, or perfecting international agreements about who owns outerspace or who can explore the underside of the Arctic ice. This law deals with the appalling number of deaths and injuries suffered at work by the working men and women of America. It is as real as flesh and blood.

One of the most overused and misused words in the English language is the word "vital." We hear that a sandbar possesses a vital military significance, or that this or that new proposal is vital to our national or international interest. But when we look at OSHA, we can say without qualification that *this* is indeed vital—it is vital because it deals with human life.

We have tried to keep that concept foremost in our minds as we devise and improve ways of enforcing the law. And, as I am sure you are aware, this is no easy task. Not only does the Federal Job Safety and Health Law cover virtually every private employer in the land—more than 5 million of them and over 60 million of their employees, but it deals with the complications of jobs in factories, on farms, in shops, and at a multitude of construction sites. Not only does it involve this great quantity of employers and workers, and in a variety of work situations, but it operates in the most complex and dynamic technology in the history of man, a technology that is producing new materials and methods—and their associated safety hazards—at enormous speed.

In the process, we have been on the receiving end of all kinds of advice, ranging from the extreme of closing down certain industries because substances used in the industry may prove to be harmful, to the other extreme of moving slowly because tough standards and enforcement could mean an employer going out of business.

While OSHA has, and will continue, to stress human safety over any other consideration, we have tried to strike the kind of balance that produces safe conditions without at the same time throwing people out of work by forcing an employer to close his doors.

That balance consists of tough enforcement procedures, motivation for the maximum voluntary compliance, and creation of a Federal-State safety and health partnership.

In short, ours has been the policy of combining a catalyst with a stick.

How has that policy worked out over the past three years?

I think the statistics are beginning to look impressive. One dimension of those statistics involves inspections. By the end of last year, OSHA had conducted 117,000 workplace inspections. These produced over 76,000 citations with proposed penalties of more than 10 million dollars.

It must be emphasized that these inspections were carried out by Federal compliance officers. While this is the way we must proceed now, it is not the way I believe we should proceed in the future, and not the way that the law envisages that we proceed. For we hope to see the States join in this program by administering their own job safety and health laws, with financial assistance from OSHA. At the moment, 25 States have received approval to operate programs that offer protection "at least as effective" as the Federal program. Another 23 States or jurisdictions have submitted plans for approval, including the Commonwealth of Massachusetts. By next summer we expect to see more than 1800 State inspectors working with us examining the workplaces of this country. The Department is pushing toward decentralizing its functions in pace with the progress being made by States and localities.

We have already moved toward major decentralization in our Manpower programs. We hope to move in the same direction in Job Safety and Health.

But we can only move in that direction with cooperation by the States. And this cooperation must take the form of assurance that State efforts will match the enforcement level of the Federal program from the beginning, and will continue to do so while being carefully monitored by safety Federal personnel in the field and in Washington.

The standards being enforced by these inspectors have been adopted from previously recognized national consensus standards together with new regulations drawn up by OSHA itself with help from the public. Most States have been adopting OSHA regulations while 6 or 7 localities have chosen to issue their own.

OSHA has devoted an increasing amount of time to issuing health standards dealing with the often hidden or long delayed ill effects produced by health hazards in the workplace. For example, last summer OSHA issued emergency regulations limiting employee exposure to pesticides. It has also formulated regulations concerned with exposure to certain cancer-causing substances. These produced a considerable furor because they were a new experience for the farmers and industries concerned. Currently, the problems of excessive noise exposure, heat stress, vinyl chloride, and a host of chemical substances are being examined. To give you some idea of the magnitude of the problem involved with the latter, the Department of Health, Education and Welfare estimates that there are more than 25,000 potentially toxic substances in our workplaces.

I mentioned that ours is a policy of the catalyst and the stick.

And I suppose you have been wondering when I am going to stop talking about the stick and begin talking about the catalyst.

While everyone understands the stick of enforcement, and seems to measure performance by how often and how vigorously that stick is used, we feel that the catalytic function of OSHA is far more important. For it is neither possible nor desirable for government to station an inspector at the door of each and every business establishment. Therefore, a major thrust of OSHA's efforts involves training, educating and motivating voluntary compliance with the law.

The aim of this catalytic effort is to make both employer and employee aware of their respective rights and responsibilities under the law. It is also designed to create an awareness of workplace hazards and the ways of eliminating those hazards *before* the inspector knocks on the door. Both labor unions and trade associations have joined OSHA in this effort. And, as you are aware the National Safety Council, through local councils such as your own, is conducting training for small and medium-sized employers to advance the aim of maximum voluntary compliance. I consider this to be a key element in our approach and a basic contribution to the increased effectiveness we expect.

As we approach the three year anniversary of OSHA we certainly are not able to quantify or measure its impact the way we tally housing starts or freight car loadings or the movement of the unemployment rate. As far as OSHA statistics are concerned, we are essentially in the Book of Genesis. There just are no statistics available to compare with those being collected now, for previous statistics were collected voluntarily, and included only disabling injuries. As you know, OSHA, in compliance with the law, seeks to publicize a complete and accurate account of the number of injuries and illnesses suffered on the job. The bookkeeping system devised to achieve this end is just beginning to bear statistical fruit.

We now know that in calendar year 1972 one out of every ten workers experienced a job related injury or illness. This reinforces our perception of the scope of the problem. But it provides no indication of progress or lack of progress.

And yet, perhaps it does. I mentioned earlier the dimension of health and safety inspections. The statistics on injury and illness form a second dimension. There is yet a third, one even less subject to precise measures, but just as real, and perhaps more important in the long run. That is the dimension of *perception*.

People will put up with the most extreme deprivations—hunger, cold, lack of freedom—until they perceive of themselves as hungry, cold, or enslaved.

And workers and employers will put up with unsafe and unhealthful conditions until they perceive of them as unsafe and unhealthful, and until they perceive that working in filth, in noise, surrounded by danger, is not the equivalent of the Second Law of Thermodynamics or the Ten Commandments, but something that *can be changed*.

And there is considerable evidence of change going on in this basic area of perception. We see it in the newsletters of labor unions, in the publications of trade associations, in the advertisments of safety equipment manufacturers, in the farm journals, and in the columns of our newspapers.

People are writing about job safety and health, they are talking about it, they are thinking about it—*and they are acting*.

If I were forced to say in a few words what has happened in job safety and health during these past three years, I think perhaps I might say that we see the goal not of guaranteeing the impossible, but of moving as fully and rapidly as we can toward what is possible; not of claiming that we have been successful, but that we are succeeding; not to claim that we have no problems, but that we are moving ahead toward solutions; not that we have fashioned the ultimate safety and health program, but that, in large measure through the help of organizations such as yours, we have caught a clear and compelling view of what such a program might be.

THIEU'S AMBASSADOR ATTEMPTS TO MISLEAD CONGRESS

HON. RONALD V. DELLUMS
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1974

Mr. DELLUMS. Mr. Speaker, last month, the South Vietnamese Embassy sent me and I assume all other Members, a copy of Ambassador Phuong's February 26 letter to the editor of the Washington Post. Since virtually every sentence of his letter is a fabrication and directly relates to legislation I have introduced, I wish to respond to some of the Ambassador's most blatant and shocking falsehoods which I feel must be clarified for my colleagues.

He suggests that implementation of the Paris Agreement is only in his side's interests and not that of the provisional revolutionary government—PRG. If this is the case, why does the Thieu regime keep millions of refugees penned up in camps like animals, refusing them the right to return to the villages of their birth? Why has the Thieu regime refused to release tens of thousands of political prisoners, and arrested many thousands more since the ceasefire? Why has Thieu crushed opposition political parties, refused to allow a free press, and consistently disrupted opposition meetings? Clearly, all these actions which violate the Paris Agreement suggest that it is General Thieu's side which fears to implement it.

Each time the PRG has offered to allow the basic political freedoms necessary for elections throughout both zones, the Thieu regime has countered with the demand that the PRG agree first to an election date. Ambassador Phuong again repeats this position, adding that "we are not interested in only partial implementation"; that is, in allowing the people under Thieu's control these basic freedoms. His position directly contradicts article 11 of the Paris Agreement which provides for full democratic liberties "immediately" after its signing. His position cannot be taken seriously: the Ambassador is, in effect, asking the PRG to set a date for elections before knowing whether they or the neutralists will be allowed to publish their own newspapers, hold meetings, or even run for office without being shot or imprisoned—which is the present situation.

The Ambassador's claim that "full implementation" of the Paris agreement would "perpetuate the coexistence of two Vietnams" is incredible and suggests the Ambassador may not even be familiar with the document. The very first article of the agreement states that Vietnam is one country. The fifth of nine chapters in the agreement is entitled "The Reunification of Vietnam and the Relationship between North and South Vietnam," and begins "the reunification of Vietnam shall be carried out step by step through peaceful means."

The Ambassador repeats unverified charges of "North Vietnamese" infiltration making an offensive "imminent." The Thieu regime has been predicting an "imminent" North Vietnamese offensive for 15 months now, most loudly whenever American assistance bills are slated for congressional consideration. Not only has no such offensive occurred, the only offensive so far has been by General Thieu himself, as reported in the Post on January 5, 1974. Frankly, a growing number of my colleagues are tired of, and insulted by, this fatuous and transparent scare tactic.

Until the Thieu regime accepts the PRG's offer to allow full democratic liberties in both zones, it is impossible to assess the charge that the PRG is interested only in "partial" implementation of the accords. For the moment, however, it is the PRG which has proposed full implementation of each article of the agreement, and General Thieu who has refused to recognize the neutralists, held illegal village and senatorial elections, and generally made a mockery of both the spirit and letter of the agreement.

The Ambassador's claim that "our way of life is definitely much better" than that of his opponents is a bit unclear. Whose way of life? That of the tens of thousands of prostitutes now unemployed after the departure of American troops? That of millions of refugees reported to be suffering from lack of proper diet and land several months ago by two U.S. officials in a letter to the Senate Subcommittee on Refugees? That of the millions of other orphans, amputees, widows, and lower class urban dwellers who are forced to go without adequate food and housing because of corruption and war-spending by General Thieu? Or does the Ambassador perhaps mean the tiny group of high military and civilian officials who are now living a life of unspeakable luxury in Saigon while millions suffer, when he refers to "our way of life?"

Reporters visiting PRG zones have reported uniformly that the people living there are healthy and believe in their government. American journalists have reported vast progress in reconstruction, redistribution of land, the existence of health clinics and schools in the smallest hamlets. PRG villages are reported to be clean and well-kept, there seems to be an absence of serious corruption, and though the people are poor, what exists is shared equitably. It is not at all clear that General Thieu's "way of life" is better than that of his opponents. It will become more believable were he to open

his jails, let the refugees out of his camps, and allow his people freedom of speech and meeting.

The Ambassador's attempt to deny legitimacy to General Thieu's considerable opposition within South Vietnam is perhaps the most serious of his distortions. He refers to the "so-called Provisional Revolutionary Government," ignores the neutralists, and claims that the basic conflict is "between Hanoi and Saigon." In fact, however, the PRG is not only a reality, but is one of "two parties" recognized in the Paris Agreement as exercising joint sovereignty over South Vietnam, along with General Thieu's administration. These two parties, along with a third segment—the neutralists—are to meet together to decide on elections to decide who will rule South Vietnam. Until this happens, General Thieu's government does not represent the "Republic of Vietnam." Nor can it reasonably claim to be on an equal footing with Hanoi. General Thieu's group is the only Vietnamese party in Vietnam which has a foreign power paying over 85 percent of its bills. Ambassador Phuong's claim that the basic conflict is between Hanoi and Saigon is a bit grandiose, since "Saigon" is wholly a creature of the United States and could not exist a day without it.

I am sure that when my colleagues understand the Ambassador's claims not only violate the agreement, but doom the United States to unending war and adventurism in Indochina—at a cost of over $3 billion this year alone—they will join me in voting against the impending request by the Nixon administration for $474 million in extra military funds for Thieu for this year alone.

And, beyond that, I am also sure they will support further measures—such as my legislation precluding direct U.S. reintervention, nonhumanitarian aid to either party violating the agreement and aid to Thieu's police and prison system.

For, contrary, to the Ambassador's claims, responsibility for war or peace does not lie only with Hanoi. It lies at least as much with a Congress being asked to continue funding a massive military and police apparatus in violation of an international treaty, the American national interest, and the goal of democracy for which 50,000 Americans died.

My views of Ambassador Phuong's letter are complemented by the following letter to the Washington Post from Mr. Fred Branfman, the codirector of the Indochina Resource Center here in Washington, and I would now like to insert his letter into the RECORD at this point:

WHAT ARE WE UNDERWRITING IN VIETNAM?

It is hardly "obvious to everyone," as South Vietnamese Ambassador Phuong suggested in this space on February 26, that his government is anxious to observe the Paris Agreement.

Indeed, the overwhelming consensus in diplomatic and journalistic circles—as I found during a visit to South Vietnam last June and July—is that the Thieu government was opposed to signing the agreement in the first place, and has resisted its implementation ever since.

If the Thieu government wishes to observe the agreement, why does it refuse to allow millions of refugees to return to the villages of their choice and instead forcibly resettle them in marginal areas? Why has it denied the existence of a Third Force, legally recognized in the Paris Agreement, and why has it refused to allow the Third Force to organize openly? Why has the Thieu government held village and senatorial elections, recently pushed an amendment through the National Assembly allowing Mr. Thieu to run for a third term, when none of these actions are provided for in the Paris Agreement?

And, most importantly, why has the Thieu government not only refused to release tens of thousands of political prisoners—as estimated by the U.S. Senate Appropriations Committee—but continued to torture and arrest new ones? Why has it refused to allow any international body, including the International Red Cross, to inspect civilian detainees? (Ambassador Phuong's claim to Post reporter Laurence Stern on the Agronsky TV show January 23 that the Red Cross had visited prisons in July 1973 and issued a highly "favorable "report is blatantly untrue.)

It is interesting to note that Ambassador Phuong does not attempt to answer such questions in his letter. Instead, he simply states that "we are not interested in only partial implementation of the Paris Agreement. We strive for its full implementation, to its final step which is general elections. . . ." In other words, he does not claim that there is freedom or democracy in Thieu government zones. He says that the other side must agree to a date for general elections before democratic freedoms can be allowed.

This position clearly violates the Paris Agreement, Article II of which provides for full democratic freedoms "immediately" after its signature. This position also cannot be meant to be taken seriously. The Thieu government is in effect asking the other side to surrender—by agreeing to an election before it knows whether the Thieu government will stop its present policy of torturing and jailing neutralists and Communists alike, refusing to allow opponents the right to publish freely or even hold meetings.

Most significantly for Americans, however, Ambassador Phuong's government is making a mockery of everything that 50,000 Americans were officially sent to South Vietnam to die for. Ambassador Phuong's letter makes it clearer than ever what we are underwriting in Vietnam: a dictatorship which is an insult to every democratic ideal this country holds dear.

HOUSE IS FAR CRY FROM GRAND JURY

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1974

Mr. MICHEL. Mr. Speaker, a column by Mr. Richard Wilson appearing in the April 1, 1974, edition of the Washington Star-News rebuts the often stated analogy between the House of Representatives and a grand jury proceeding and all of us in this body would do well to read this carefully and thoughtfully.

I insert the text of the column at this point in the RECORD:

HOUSE IS FAR CRY FROM GRAND JURY

(By Richard Wilson)

Saying that the "votes are there" in the House of Representatives to impeach President Nixon is roughly comparable to stating that a grand jury is prepared to indict before it has heard and assimilated the evidence on which an indictment would be based.

This, nevertheless, is the attitude reflected by Sen. Mike Mansfield's recent statement on "the votes are there," and while it might be deplored it cannot be denied.

Matters have taken a serious turn for the worse for President Nixon in the House of Representatives even before the Judiciary Committee has received all the evidence, much less assimilated it.

The attitude of the Democratic leadership should serve to explore the idea that the House of Representatives is acting merely as a grand jury presenting the evidence to the Senate for judgment. This is a convenient pretext for congressmen who wish to straddle the issue of President Nixon's guilt or innocence.

Resemblances between the House and a grand jury in a criminal proceeding are largely rhetorical. The differences are real. A grand jury is responsible to a judge and takes instructions from him. The House is responsible to no superior authority and makes its own rules.

A grand jury operates—theoretically, at least—in secret. The House of Representatives does not. How a grand jury votes is not made public, nor are its debates. The House debates and votes in public. If it votes without at the same time letting the public know the evidence on which votes are based the public will ask why. A grand juror suffers no public consequence of his action. A congressman risks his political livelihood.

Finally, a congressman voting for impeachment authorizes "managers" on the part of the House to go before the Senate and press for conviction.

The congressman who votes for impeachment votes for a public, televised trial of many weeks duration which will focus the attention of the nation and the world to the virtual exclusion of any other public matter.

The congressman voting for impeachment becomes an accuser in his own right publicly and is not wrapped in the protecting anonymity of a grand juror as a single member of a large group.

The grand jury parallel is very strained and this is one reason why it is yet to be seen if the "votes are there," or remain there, for the impeachment of the President.

A bill of impeachment can be broad or narrow. But surely it must be accusative. Can it merely say: The President might be involved in a criminal conspiracy. We do not know. Let the Senate decide? Is that enough to bring a President of the United States before the Senate's bar of judgment?

Must not the bill of impeachment assert that the President was, in fact, involved in a criminal conspiracy? That would be the way of a grand jury. And that is exactly the way a good many congressmen do not wish to vote.

But unless they do so in overwhelming bipartisan majority they face the prospect which Sen. Mansfield also emphasizes that more than one-third of the Senate will disagree and the President will be acquitted.

So, there is much more to it than just the votes being there at any particular time to impeach President Nixon. The consequences of casting such a vote must be measured by each congressman.

THE 17TH DISTRICT WATERGATE QUESTIONNAIRE RESULTS

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1974

Mr. ASHBROOK. Mr. Speaker, I have just completed a poll of the 17th Con-

gressional District of Ohio. The questionnaire gives in depth attention to Watergate. The response has been very good. Almost 15,000 citizens expressed their views on this important issue. Many persons also included a letter or written comments along with the questionnaire. I am pleased to have the opportunity to learn just what the residents of the 17th district are thinking about this issue.

The results of the poll are as follows:

1974 WATERGATE POLL—CONGRESSMAN JOHN M. ASHBROOK, 17TH DISTRICT, OHIO

(In percent)

	Republicans	Democrats	Independents
1. Do you consider the issue of Watergate:			
(a) Very important	20	65	54
(b) Important	23	21	15
(c) Somewhat important	27	8	16
(d) Not important	29	8	14
2. The attention being paid to Watergate by the media is—			
(a) Too much	75	24	38
(b) Sufficient	20	49	40
(c) Not enough	3	26	22
3. The attention being paid to Watergate by the Congress is—			
(a) Too much	63	18	29
(b) Sufficient	25	29	25
(c) Not enough	11	51	39
4. Who do you think is responsible for Watergate?			
(a) High-level Presidential advisers	32	32	29
(b) Relatively low-level Presidential advisers	7	2	5
(c) Committee to Re-elect the President	35	22	22
(d) President	11	43	43
(e) Republican Party	3	7	7
(f) Democratic Party	14	5	6
(g) Media	12	4	9
5. What is your opinion of the President's credibility at this time?			
(a) I have as much confidence in him as I did in 1972	48	10	17
(b) I still have confidence in him but not as much as in 1972	29	7	18
(c) He used to have my confidence but he doesn't any more	19	26	33
(d) He never had my confidence	4	43	31
6. How do you compare President Nixon to his predecessors?			
(a) I feel he is doing better than either Kennedy or Johnson	58	14	21
(b) I feel he is not doing as well as Kennedy or Johnson	11	67	50
(c) Disappointed in his performance but consider it no worse than that of Kennedy or Johnson	28	14	22
7. Do you think that the government paid for some improvements at President Nixon's San Clemente and Key Biscayne residences that should have been paid for by the President himself?			
Yes	47	86	76
No	45	11	15
8. Do you think President Nixon underpaid his income taxes?			
Yes	42	81	74
No			
9. In the Watergate issue, which of the following concerns you the most?	46	12	19
(a) President's advisers involved in questionable or even illegal activities	70	36	38
(b) President authorizing so-called plumbers unit which undertook such activities as the breaking and entering of the office of Daniel Ellsberg's psychiatrist	8	24	21
(c) Federal Government expenditures on the President's San Clemente and Key Biscayne homes	4	10	12
(d) The discharge of Special Prosecutor Archibald Cox	5	15	12
(e) The missing and partially erased tapes	10	32	28
10. Did the President's Operation Candor?			
(a) Bring forth the truth	21	8	6
(b) Further confuse the issue	15	28	23
(c) Provide new facts but left you unsatisfied	17	8	9
(d) Left you somewhat unsatisfied	11	6	8
(e) Left you dissatisfied	13	36	37
(f) I didn't know it was going on	14	12	13
11. Do you think the President should—			
(a) Remain in office	72	21	32
(b) Resign	11	40	26
(c) Be impeached	6	30	29
(d) Remain in office but be censured by the Congress	10	12	13
12. Do you believe the President has the right to disobey the directives of a properly issued subpena from a court of law?			
Yes	52	15	21
No	40	82	72
13. Do you believe the President has the right to disobey the directives of a properly issued subpena from the House Judiciary Committee which is now considering impeachment?			
Yes	53	14	22
No	38	80	66
14. If the following circumstances were to happen or be proven, do you think the President should be impeached?			
(a) If the President ordered the burglary of the office of Daniel Ellsberg's psychiatrist	17	41	40
(b) The President personally participated in the planning of the Watergate operations	34	58	52
(c) If the President was personally involved in the coverup of White House involvement in the Watergate operations	23	62	53
(d) If the President was directly or indirectly involved in the Watergate tape erasures or lost tapes	19	55	49
(e) If the President refuses to obey a properly issued court subpena	15	49	43
(f) If the President refuses to obey a congressional subpena from the House Judiciary Committee	14	46	41
(g) If the President refuses to obey a congressional subpena from the Senate Watergate Committee	8	39	34
(h) Other	9	1	10
(i) Under no circumstances	38	1	16
15. In his state of the Union message, President Nixon said "1 year of Watergate is enough." What do you think?			
(a) I agree that 1 year of Watergate is enough	65	17	30
(b) If the President and his advisers had let the facts come out, 1 year of Watergate would have been enough	19	33	27
(c) The facts should come out whether it takes another year or even more	15	52	43
16. With the involvement of his very closest advisers such as Robert Haldeman and John Ehrlichman and even the Attorney General of the United States, John Mitchell, in the Watergate controversy, what is your opinion on the involvement of President Nixon?			
(a) They kept him in the dark	61	14	23
(b) There is no way he could not have known	8	22	20
(c) If he didn't know what was going on he was a very poor President	28	62	54
17. While the facts are not all known and may never be, everyone has a "gut" opinion for whatever it's worth. What is yours?			
(a) I believe in President Nixon and feel he has been victimized	33	7	12
(b) I think President Nixon may have shown some bad judgment in the selection of his advisers but I don't believe he did anything wrong or illegal	40	12	17
(c) I don't think he helped plan Watergate but I think he was in on the coverup	16	15	16
(d) I think he is guilty of one act of deception after another and would not be surprised if he were guilty of illegal actions, too	14	68	55
18. Special Watergate Prosecutor Leon Jaworski contends that more material is needed to finish the investigation to which he has been assigned. Do you think that the President should turn over the requested materials?			
Yes	35	80	71
No	57	17	22
19. How do you rate Watergate and Chappaquiddick?			
(a) About the same	20	14	20
(b) Watergate is more serious	24	64	55
(c) Chappaquiddick is more serious	52	19	20
20. Do you feel the news media investigated and reported on the Ted Kennedy-Chappaquiddick incident as thoroughly as they did in the Nixon-Watergate incident?			
Yes	7	40	35
No	89	56	55
21. What should be the position on Watergate of a Member of Congress who is of the same party as President Nixon?			
(a) Defend the President	11	4	4
(b) Defend the President and attack the opposition	11	2	3
(c) Support the President wherever possible and do not criticize him	22	5	7
(d) Support where possible, criticize where justified	35	24	24
(e) Call them exactly as you see them no matter what	25	66	64

PRO AND CON ON IMPEACHMENT

Speaking in favor of impeachment, Congressman Jerome R. Waldie, Democrat of California stated:

"This Nation is now confronted with a Constitutional crisis of unprecedented proportions. Recent events are the culmination of President Nixon's repeated attempts to institutionalize his notion that the Executive has unlimited powers and is accountable to no one.

"In firing the Special Prosecutor and abolishing his entire office, in forcing the resignation of the Nation's top two law enforcement officers, and in defying the orders of one of the Nation's highest courts, Mr. Nixon has made it abundantly clear that he does not intend to obey the law of the land, nor keep promises made to Congress, nor abide by his oath of office made twice to the people.

"Consequently, I have introduced a Resolution of Impeachment in the House of Representatives. If there were any other recourse, even within reasonable sight, of restoring public confidence in government; of assuring that the President obeys the Constitution and the laws of the land as every other American must; and of determining that the President actually did not authorize, concur in, or cover up burglary, breaking and entering, illegal wiretapping, espionage, and perjury—I would then not have taken this course of action.

"We are left, therefore, with the alternative Archibald Cox pointed out after being fired. He said: 'It is now up to Congress and the people to uphold the principle that ours is a government of laws, not of men.' Congress and the people are left with only one way to vindicate the rule of law and the constitutional structure of the Nation. That way is impeachment."

Speaking in opposition to impeachment, Congressman John J. Rhodes, Republican of Arizona stated:

"Impeachment at this time is out of the question.

"Impeachment was devised by the founding fathers as the ultimate weapon against the rule of a tyrant. It depends on a clear demonstration, based on facts, that the individual in question is guilty of high crimes and misdemeanors.

"What 'high crimes' are President Nixon accused of? None, as far as I know. What President Nixon did was to propose an alternate remedy to the controversy surrounding the White House tapes which would in mind have satisfied both the desire of the court as well as his own insistence that Presidential conversations remain confidential. This proposal would have also avoided a Constitutional crisis and was agreed to by virtually every principal in the Watergate case with the exception of special prosecutor Archibald Cox.

"Was it a high crime for the President to fire Mr. Cox? Of course not. We do not impeach our Presidents for making dramatic personnel changes. Recall the controversial decision of President Truman to fire General MacArthur. There was the same sense of outrage among some Members of Congress, and one Member even introduced an impeachment resolution. Nothing came of it.

"The desire which all of us share to know the true facts of Watergate will be satisfied, if the process of justice is permitted to follow its normal course. However, those of us in the Congress do the Nation and the American people a grave disservice by talking about impeachment—the ultimate Constitutional action—until the facts warrant it."

I generally agree with Congressman Waldie:

	Percent
Republicans	12
Democrats	63
Independents	43

I generally agree with Congressman Rhodes:

	Percent
Republicans	74
Democrats	24
Independents	27

(Since some people checked more than one response, the percentage totals of certain questions may exceed 100 percent.)

THREE CHEERS FOR SOCIETY OF INDIVIDUAL LIBERTY

HON. STEVEN D. SYMMS

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1974

Mr. SYMMS. Mr. Speaker, this Congress is familiar with protests from one group or another seeking special interest legislation, favors, or benefits. All too frequently, Congress bows to the demands of these small groups, whether the demands made are just or not, SIL, 304 Empire Way, Philadelphia, Pa.—is a different group making an unusual demand.

It is my belief that Congress had best take notice of the growing complaints of the American taxpayer. There is a taxpayers' "revolt" in this country and those of us who make the tax laws and spend the funds received by the Treasury should be aware of this protest.

Now, we in Congress are aware that the average taxpayer has been griping about his taxes since they were first imposed. This is natural because hardly anyone enjoys seeing his earnings appropriated for uses of which he may or may not approve. Even those who completely favor the foreign and domestic policies and programs of the Government will complain that inefficiency in carrying out objectives or loopholes in the tax code cause them to pay more than what they consider their "fair share" to be.

What has been missing from the taxpayers' protest is a philosophical basis for objecting to taxation. This lack has allowed Congress to ignore these protests for a long time and keep on voting for more and more governmental spending, supposedly for the "public good."

Now that basis—philosophical objection to the principles of taxation—is being provided and is attracting taxpayer interest.

Last year, the Society for Individual Liberty sponsored a "National Tax Protest Day" on April 14. In a short space of time, they organized tax protests in 23 cities. These protests were widely reported in the local media. Again this year, the Society for Individual Liberty is planning a National Tax Protest Day on April 13. Tax protests will take place in more than 45 cities, including Washington, D.C. on the steps of the Capitol.

Unlike many complaining taxpayers, the members of SIL are not asking that other citizens or the rich or business should be taxed more to relieve them. They are, in principle, opposed to the unwilling collections of funds from any group. Unlike other taxpayer groups, SIL does not approve of taxation for some purposes or programs while demanding an end to taxation for other purposes. SIL is opposed to taxation for all programs—even those that the membership feels are worthwhile and of benefit to themselves.

The following quotations from an SIL pamphlet illustrates their positions:

That which a government may properly do is no different in essence from that which individuals may do. Governments are nothing more than a collection of individuals organized for some purpose, preferably protection. If a single individual does not possess the right to do something, then there is no way that an association of individuals can suddenly possess this so-called right. All that which is immoral for the individual to do is immoral for a group of individuals to do, no matter how lofty the ends they proclaim or how divinely inspired they claim their association to be. Since an individual has no moral right to take money or property from others without their approval, a "government" cannot have acquired the moral power to do so.

It is argued that taxes are necessary to support services of government. It is claimed that garbage would lay knee deep in the streets if trash removal wasn't provided by government; that muggers and rapists would roam at will without government police on hand; that the commuter train and bus lines would cease to exist if turned back to private enterprise. Why, we might ask, would men be so foolish to allow such services to cease without the government's intervention? Do men go bare foot because the shoe industry is still a private operation? Do men forget to report to their jobs every morning because the government does not yet provide them with alarm clocks? Of course not.

It is ridiculous to assert that rational men would fail to voluntarily support services they need if they were not forced to do so. And it is ridiculous as well as immoral to force men to support services they do not use and do not value, just because one man or group of men think they know what is best for everybody else. Government services performed today could be provided just as well by free market enterprisers. People would pay for what they desire.

I think our duty as Members of Congress is clear. We have to ask ourselves before every vote if we believe that the users of a program would voluntarily support it. If they will, then we should work toward finding alternative, voluntary methods of funding programs; that is, market solutions. If a program would not be supported by those who benefit from it or by those with charitable impulses, then that program should not be undertaken as it is coercive and destructive of human liberties. We must also end the monopoly status enjoyed by Government-sponsored activities. If a program or institution is truly unique, and cannot exist unless initiated by Government, then it should be able to pass the test of competition.

We must expand our vision beyond the traditional, illiberal way of conducting Government. Taxation is destructive of human liberties. Citizens of America are not irresponsible children; they should be treated as adults and allowed to assume the responsibilities that Government is only too happy to usurp. Congress

must stop playing God with the fortunes and lives of the individual American citizen. Three cheers for the "Society for Individual Liberty" and their efforts for helping to light the candle of rationality in the darkness of the racial, intellectual, collectivist, soil that is day by day smothering freedom in America.

SENATOR GEORGE D. CLAYTON, JR.

HON. WILLIAM L. HUNGATE

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1974

Mr. HUNGATE. Mr. Speaker, behind each of us who serve here, we find, undergirding our form of government, outstanding men and women who, through public service in their local communities, insure America's success. Such a person was the late Senator George D. Clayton, Jr., of Hannibal, Mo. Senator Clayton was a successful businessman, public servant, and one who found time to give of himself and his funds to community service. We shall miss him, but we are grateful for the example he set for others to follow.

The following article from the Hannibal Courier-Post provides an insight into this fine and dedicated man:

GEORGE CLAYTON, 76, DIES

George D. Clayton Jr. of 9 Stillwell Place, former Missouri State Senator and president of George D. Clayton and Sons Inc. died at 3 p.m. Sunday at a hospital in Rochester, Minn. Funeral services are pending at the Smith Funeral Home.

Mr. Clayton was born Dec. 15, 1897 in Hannibal to George D. and Mary Morrison Clayton. He was married June 6, 1928 to Marietta Gentry and she survives.

Mr. Clayton served as a state senator from 1933–1941 and was a delegate to the state constitutional convention in 1943. He was chairman of the Missouri Resource and Development Committee for 15 years and was mayor of Hannibal from 1947 to 1950.

A member of the Levering Hospital Board of Directors, Mr. Clayton also served as president of the Hannibal Chamber of Commerce in 1943 and was past president of the Lions Club. He was a veteran of World War 1 and a member of the American Legion.

Mr. Clayton was secretary-treasurer of the Clayton Federal Savings, which is a division of Roosevelt Federal Savings and Loan of St. Louis. He was a member of Hannibal Catholic Church.

In addition to his wife, he is survived by a daughter, Mrs. Lloyd A. (Susan) Stark Jr., Louisiana and two sons, George D. Clayton III, New London and Robert M. Clayton II, Hannibal; six grandchildren and one great-grandchild.

Prominent in civic affairs for many years Mr. Clayton is remembered by George Pace, manager of the Chamber of Commerce, "as a man who proved that an outstanding businessman could not only conduct his business well, but who also concerned himself with his community and his state."

Pace added, "Mr. Clayton was generous with his time as well as his money and was the type of man who contributed greatly to the community in which he lived. Active in many civic clubs throughout Hannibal he was also a participant in the programs of the Chamber as he served as past president."

Morton Weaver, president of the Hannibal National Bank and a member of the Levering board of directors said of Mr. Clayton, "we had done business together for more than 40 years and were closely associated on the hospital board. He was an invaluable member of the board and we are going to miss him."

Mr. Clayton was characterized by Bayard Plowman "as an awfully good citizen who was always doing something for his community."

SMALL BUSINESS ADMINISTRATION CITED FOR JOB WELL DONE

HON. JOHN T. MYERS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1974

Mr. MYERS. Mr. Speaker, the Small Business Administration under the direction of our former colleague, the Honorable Thomas S. Kleppe, deserves credit for its excellent track record on behalf of the small business interests of our Nation. One example of the consistently professional job on the part of the men and women who make up the SBA team was brought to my attention by John Coddington, president, Eagle Magnetic Co., Inc., of Indianapolis. The Indiana Office of SBA, headed by Director William Miller, was recently honored as one of the best in the Nation. Mr. Coddington's letter gives us some idea of the reason for this honor:

EAGLE MAGNETIC CO., INC.,
Indianapolis, Ind., March 28, 1974.

SMALL BUSINESS ADMINISTRATION,
Washington, D.C.

Attn: Mr. Thomas S. Kleppe,
Head Administrator.

Subject: Letter of Accommodation.

DEAR MR. KLEPPE: I imagine you receive quite a few letters on a complaint or gripe of some nature. We at Eagle Magnetic Company would like to express our gratitude for your organization, professional personnel, and assistance. In particular Mr. Robert Gastineau of your Indianapolis, Indiana office exhibits all of these qualities, obviously your direction and goals.

The U.S. News & World Report of March 25, 1974 on pages 21 and 22 titled "The Toll of Shortages On Small Business", your comments place one problem in clear focus. Mr. Kleppe, I am concerned about all small business of which we are one. I am detecting an attitude of late in many of my counterparts which I dislike, one of a "loser". Our forefathers would have been in big problems if, as they had come to the various mountain ranges, had said we do not have a 747 and cannot get over them. Our generation has had it easy. Where is the winning spirit of how to achieve goals rather than excuses of ways not to achieve goals?

Eagle has gone from Zero Billing to over $440,000 in three years working out of profit, and presently have a backlog of $600,000 plus. We are in a new 7200 square foot plant, and loaded with equipment. This was achieved by a lot of hard work, a winning attitude, and considerable help from the Small Business Administration—SCORE is one example of this assistance.

People need to be complimented on doing a good job, and your organization has accomplished exactly this. What more can one expect from you? If you receive any more complaints tell them: Say a little prayer to their God, stop looking for excuses, work harder, develop a "winning attitude", and Small Business Administration will be there to back them up.

Mr. Kleppe, feel free to send a copy of this letter to any of your departments or field offices—perhaps it will give them a boost in morale for the job they all have done. People have a tendency to forget a thank you—Thank You.

Sincerely,

JOHN L. CODDINGTON,
President.

MOAKLEY ON IMPEACHMENT

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1974

Mr. HARRINGTON. Mr. Speaker, my colleague from Massachusetts (Mr. MOAKLEY) spoke March 23 at the awards dinner for the Boston Jaycees. On that occasion, he formally announced his intention to vote for impeachment on the basis of information now available.

I would like to share his remarks with my colleagues:

SPEECH OF HON. JOE MOAKLEY, BOSTON JAYCEES AWARDS DINNER

While scholars debate whether President Nixon has tried to upset the Constitutional balance of power between the executive and the legislative branches, we in New England *know* he has made drastic alterations in the focus of national political power and in the values asserted by that power.

The attentions of the Nixon administration have been focused on the south and the west. So have the favors. The Southern White House, the Western White House, Nixon's first choices for seats on the Supreme Court, are symbolic evidence.

New England's defunct military installations, our high unemployment rate, and our spare regional purses, are the *concrete* evidence.

Barry Goldwater publicly announced his wish to cut off the eastern part of the nation and let it float out to sea. Richard Nixon may be more soft spoken, but he has carried a very big dredge.

Nixon's promise to "bring us together" has a particularly hollow and cynical ring in New England. But his efforts to exclude our influence, impoverish us economically and politically, should be of concern to the entire nation.

For New England is more than the cradle of American democracy. We have served also as the guardian of democratic values and institutions placing great importance on tradition, the collective wisdom handed down through time.

Any administration that turns its back on us, ignores its own history and diminishes its own greatness.

The cloud of shame that hangs over Washington today may well issue from the Nixon administration's disregard for the traditional historic values, so deeply a part of our New England heritage.

The President has blithely lumped together the very serious scandals of his administration with the burglarizing of Democratic headquarters. His explanation for this omnibus crime package is just too much zeal.

But something more than mischievous excess has occurred in Washington. The traditional safeguards of our legal order appear to have been overturned.

Information that could not be obtained legally, was sought illegally at the direction of men in positions of public trust.

Financial support for partisan political purposes that was not otherwise forthcoming, appears to have been extorted by a high ranking officer of the law, and other men close to the President.

Influence and power were used to gnaw away at the foundations of our society. Thus, the President's number one man was found reaching down into private industry to direct that an individual be fired if he did not comply with that official's "unofficial" request for information.

So, if the Nation's press won't turn their backs on Watergate and let our Chief Executive concentrate on the business of the people, then perhaps it is because Watergate is the business of the people.

And if responsible citizens are still wallowing in Watergate, then maybe it is because Watergate is a pervasive and venal swamp of political corruption and scandal. Perhaps relief can only come from confronting the problem through the legal processes so designed. Maybe then we can concentrate on the other business of the people.

The name of the legal procedure for such confrontation is impeachment.

Specifically, impeachment is a determination by the House of Representatives that solid grounds or probably cause exists to believe that the President has committed high crimes or misdemeanors.

Once an impeachment resolution is passed, it is sent to the Senate. Thereafter, the Senate conducts a trial to determine guilt or innocence. The Chief Justice of the Supreme Court presides with the Members of the Senate serving as jurors.

I do not regard impeachment as a mean partisan weapon, usable only for congressional revenge. I see it rather as the provision in our Constitution that allows for a fair judgment of the conduct and behavior of the Executive through legal procedures, once his conduct and behavior have been seriously questioned.

Impeachment may well be the only method we have to cleanse the stain of lawlessness that has spread throughout Government.

I want to emphasize that impeachment is not a way of assuring that the Chief Executive does not abuse his power or misuse his trust. I do not hold, as some do, that impeachment rests in the Constitution as a preventative but essentially toothless threat.

Rather, I agree with Alexander Rickel, the distinguished Yale law professor who asserts that the inner structure of our Government, the checks and balances, are the first line defense against abuse.

These checks and balances were designed to be self-executing and insure accountability. They are the unwritten guards. They are responsible for the practice of *conferring* between the branches. They are responsible for the practice for *deferring* in time of crisis to flexibility and unity.

If we come to the point where we need to enforce this balance, [and we have:] Where we need to demand this accountability, [and we have] where rigidity and prerogative are asserted *against* flexibility and unity—then something has already broken down. Turning our backs will not restore the order on which this government and this society rest. Choice is not the issue for those of us in Congress—duty is.

A few weeks ago I read an article in the New York Times written by Anthony Lewis. It was entitled "accountability."

Lewis asked the reader to imagine a large corporation with a powerful president who makes it company policy to keep ultimate control of the operation in his own hands.

In the course of one year, 16 of his close associates are charged with serious crimes. His personal lawyer, the company's former counsel, two members of his staff, the vice president, all plead guilty.

Two other staff members are tried and convicted. Nine more are indicted including the president's top personal assistant and the heads of two major subsidiaries. At a stock holders meeting the president of the corporation says he knew nothing of what was happening and that he is innocent of any wrong doing. Yet, he refuses to let the stock holders or their representatives see the record of his own dealings.

I won't belabor Lewis' analogy except to say that as businessmen, you obviously know that under such circumstances the corporation president could not escape responsibility.

He would be expected to make a full accounting or resign.

Accountability is what impeachment is all about. The question before the nation is not simply whether the president personally committed a crime or a misdemeanor. Rather, whether he countenanced others to do so. The trial need not lead into the oval room. It need only lead to the White House lieutenants.

The first congress to serve under the constitution gave the chief executive the power to dismiss his subordinate government officers. Their purpose was to assure acocuntability . . . to make the president responsible for his subordinates to the point of impeachment if he allowed their misconduct.

A judgment must be made to determine whether Preident Nixon has discharged his duty in this connection. Events and disclosures have forced the issue.

Let's be realistic. Richard Nixon is already on trial. He is being tried by the media and he is being tried by each of us. We will be tried by history.

Let us meet this crisis squarely . . . conduct this trial properly. Let us use the established safeguards of the judicial process to protect Richard Nixon's personal rights. Let us use the provisions of the constitution to protect ourselves. The issue is bigger than the president. This issue is the presidency. It may well be the government.

Above all, let us remember that this whole mess began because people who should have known better did not trust in our political processes or our traditional legal procedures. They measured their patriotism by their devotion to an individual man. They sought to ensure the well being of the nation, so *they* claim, by circumventing its laws.

The *only* way out of this quicksand of ideological expediency is diligently to return to the rule of law.

The words of the constitution have meaning. They are the only imperatives to which we should be committed.

English history demonstrates that high crimes and misdemeanors is a category of political crimes committed against the state by public men. This category includes acts in violation of their public trust and duties; dealings injurious to the state: subverting the constitution; maladministration.

To those who fear that impeachment would rock our national stability and destroy the people's faith in their government. I answer that we are already in the eye of the storm.

Domestic problems of the day go unmet. The President devotes much energy and many tax dollars to the preparation of his periodic explanations and self defense.

A truckers strike results in a nationwide shut down. Violence, even murder ensue. It is not the chief executive who steps forward to settle the strike but the Governor of Pennsylvania.

Energy bills are vetoed. Locally each community does its best to deal with the panic and chaos that result from insufficient gasoline and inadequate distribution. In Washington many government workers take annual leave just to wait in line. In West Virginia miners strike, unable to drive to work.

There is an absence of executive initiative—an absence of a coordinated, coherent national policy.

Oil companies make record profits. Individual service stations—small entrepreneurs—close down by the hundreds throughout the Nation . . . not enough gas.

The Shah of Iran says the U.S. is importing as much oil as ever. Simon says the Shah is irresponsible. No one investigates the conflicting claims.

Farm prices are up over 36% above a year ago. Reports that shortages are artificial persist. The Government announces it will soon lift all controls.

Confidence is shaken. Credibility is absent. They will not be restored by Mr. St. Clair's rewriting of the Constitution through deceptive, self-serving interpretations.

When a lawyer of such distinction lifts examples out of context and ignores the more salient evidence on the political nature of impeachable crimes, one can only conclude that he is counting on public indifference. That there is a game plan based on the belief that a nation weary from revelation, stunned by scandal, will willingly take an amnesiac and accept any face-saving solution just to return to business as usual.

In response I offer as an alternative that we let history record that this generation of Americans, weary from a divisive war in Indochina; wracked with inflation; stunned by corruption; tense over the state of the world; plagued by racial and other social problems; was courageous enough to accept the heartbreaking reality of the need for impeachment proceedings.

Let history record that we conducted a fair trial; reached a just decision; and in so doing renewed our faith in the commitment to democracy and the rule of the law.

EAST TECHNICAL HIGH SCHOOL HALL OF FAME

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1974

Mr. STOKES. Mr. Speaker, it gives me great pleasure to call the attention of all my colleagues in the Congress to an event of great significance, which will occur in Ohio's 21st Congressional District on Sunday, April 7, 1974. At that time, Cleveland's renowned East Technical High School will induct the first members in its new Sports Hall of Fame. The Sports Hall of Fame has been established to honor the many athletes and coaches who, over the years, have distinguished themselves, East Tech, the city of Cleveland, and the United States of America by excelling in the field of sports throughout the world. A banquet commemorating the event will be held at the Sheraton-Cleveland Hotel.

It is especially fitting that the first persons to be enshrined in the Sports Hall of Fame are some of the most able and well remembered sports figures in Cleveland's history. Track stars like Jesse Owens, Harrison Dillard, and Dave Albritton need no introduction to anyone who has followed their long and successful careers as competitors on the U.S. Olympic team and civil leaders. Football great Johnny Behm and basketball star La Moyne Porter will join them in the Hall of Fame for their many achievements in their respective sports.

Three former coaches will also be enshrined on this occasion in recognition of their great contributions to the world of sports. Sam Willaman, Ivan Greene, and the late Frank Civiletto were all highly respected coaches who turned out literally dozens of outstanding athletes

during their years at East Tech and Central High School, which later merged with East Tech. In years to come, these fine men and others who have made East Tech a veritable sports powerhouse will surely provide much inspiration to those who follow in their illustrious footsteps.

Mr. Speaker, I know all my colleagues in the Congress join me in congratulating both East Technical High School and the first entrants into its Sports Hall of Fame on this memorable occasion.

VIEWPOINT: THE UNITED STATES AT WAR IN INDOCHINA

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1974

Mr. BROWN of California. Mr. Speaker, we are all aware that the United States is still assisting South Vietnam enormously, both economically and militarily—1 year after the Paris agreement. We are supporting President Thieu in his successful effort to block free elections, resulting in a regime that is dictatorial, with little regard for its people and their freedom. We are supporting the South Vietnamese prisons that are currently overflowing with political prisoners, many who have done no more than claim neutrality. There are also reports of increased CIA participation in Thieu's police activities, which is in clear violation of the Paris agreement.

It is behavior such as this that is absorbing $1.126 billion yearly of our funds for South Vietnam. The DOD is now asking Congress to stimulate such activities by providing an additional $474 million. This request is obviously ignoring the fact that Congress previously deleted $474 million from the DOD request for the express purpose of limiting our involvement in South Vietnam.

To further delineate our overinvolvement in South Vietnam, I would like to read an article that was published by the Indochina Resource Center, which is a concise report on the placement of our funds and on our growing involvement in Thieu's military endeavors:

VIEWPOINT: THE UNITED STATES AT WAR IN INDOCHINA

President Nixon State of the Union Message, January 30, 1974: "The United States is at peace for the first time in a decade."

Exchange on "Bill Moyer's Journal", WNET–TV. January 9, 1974: "Moyers: Are you saying that a President can tell the people too much?

"Gen. Haig: . . . Yes, I think, in general, there are times when American leaders had best maintain a degree of secrecy . . . If you translate it to the military ethic . . . 'Do what I say because I say so. I expect no questions. I expect immediate response.' That's very applicable to the very question you've asked."

President Nixon's State of the Union message was widely criticized for its overoptimistic predictions concerning energy and the economy. Its most incredible passage, however, the claim that the U.S. is now "at peace"—has gone largely unnoticed.

The reason Mr. Nixon's Orwellian claim has been so unthinkingly accepted has been the Administration's success in conveying the impression that the Indochina war is no longer an American conflict. Even critics now commonly use terms like U.S. "underwriting" or "fueling" of a war among Vietnamese.

In fact, however, the Nixon Administration is now waging war in Indochina, not merely supporting it. Several major revelations during February made this clearer than ever.

The first was the official admission—for the first time in the war—that the U.S. is directly supplying well over 80% of all income of the Thieu Government (see special insert).

The U.S. clearly has the leverage to force Thieu to accept policies he finds unpalatable, e.g. when it forced Thieu to sign the Paris Agreement. Since then, however, U.S. policy and that of Thieu have been indistinguishable. For example, the Nixon Administration demanded $474 million in supplemental funding for Thieu—1 month after his announcement of an unprovoked offensive into PRG zones and 5 weeks after he had canceled elections.

The clearest evidence of U.S. war making, however, was a major piece by N.Y. Times correspondent David Shipler detailing the irreplaceable role played by U.S. military men in the daily functioning of Thieu's air force and army—and the continued role of the CIA in Thieu's police activities—in clear violation of the Paris Agreement. (February 25). Senator McGovern's charge that the U.S. MIA search teams might be involved in spying activities (denied by the State Department), the revelation that U.S. pilots had been killed since the ceasefire (Far Eastern Eco. Review, February 11), and the charge by a U.S. airman that U.S. personnel are being re-introduced into Laos (Rolling Stone, March 14) also pointed up the direct U.S. war-making role.

Administration attempts to hide its war-making continued to unravel in February, however. The most significant setback was its being forced by a suit from Congressman Aspin to reveal the amount of arms it had shipped to Saigon since the ceasefire—information it had steadfastly classified on grounds of "national security" for the past year. This sets a precedent for what may become a flood of such forced disclosures in the months to come. Similarly, a refusal by the State Department to allow the Government Accounting Office to look into U.S. funding of South Vietnamese prisons (announced February 9) may arouse more congressional suspicion than acquiescence.

It took 15 years and one million Vietnamese deaths before the Pentagon Papers officially confirmed that the U.S. had been unilaterally imposing a succession of unpopular regimes on the South Vietnamese people since 1954.

This time—as February statements by Senators Cranston, Humphrey, McGovern, and Congressman Dellums indicated—the public and Congress may realize much sooner that the U.S. remains fully at war in Indochina, a war that can only grow unless action is taken to stop it.

Gwertzman, N.Y. Times, Feb. 3: "President Nixon has personally assured President Lon Nol (of) 'maximum possible assistance' to his government. . . . Mr. Nixon was reported to be taking a personal interest in Cambodia . . . The president said in his latest letter that 'the continuing warfare . . . results solely . . . from the unreasoning intransigence of the North Vietnamese and Khmer Communist supporters.'"

During February it became clearer than ever that the Administration is following a domestic "low-profile" on its war-making in Indochina. Apparently feeling it more advantageous to claim that the "war is over", it consistently attempts to hide or de-emphasize its Indochina activities.

The most dramatic recent example was Mr. Nixon's letter to Lon Nol, clearly intended to strengthen Lon Nol against his many rivals. Mr. Nixon made no attempt to obtain a public or congressional mandate for this letter, which was released in Phnom Penh and not announced in the U.S. Indeed, had an alert Times reporter not noted mention of the letter in a wire service story from Phnom Penh, it might have passed virtually unnoticed here.

The Administration's main hope, clearly, was that the widely-reported Khmer Rouge shellings of Phnom Penh might increase anti-communist sentiment enough to enable it to continue U.S. intervention.

It is not clear, however, that this strategy will work. As Philip McCombs of the Washington Post pointed out, after all, these Khmer Rouge shellings—some of the most destructive of civilian centers by guerrillas in the history of the war—were roughly equal to one American bombing raid of some 30 tons. (U.S. planes dropped over 500,000 tons of bombs on Cambodia, flying some 100,000 sorties from 1969–August 15, 1973.)

Thus, although a strong case could be made against Khmer Rouge shellings of Phnom Penh, it seems unlikely that Americans criticizing civilian terror raids would be very convincing. As it would seem even more unlikely that such criticism of the Khmer Rouge could lead to a resumption of American terror raids.

McCombs, Wash. Post, Feb. 3 and Feb. 13: "Refugees (from Khmer Rouge zones near Kompong Thom) said they had seen no Vietnamese Communists in their area for a year or two . . ."

"With the official death count mounting past 150, wounded past 500 and with 1000 houses burned and perhaps 5000 or more homeless, the (Khmer Rouge) shelling is surpassing in casualties the accidental bombing last August of the town of Neak Loung by an American B52 bomber . . ."

South Vietnam also provided an example of the Administration's defensive domestic posture.

The situation in Saigon continued to decay. Senator Nguyen Van Huyen, President of the Senate and a staunch Catholic and anti-Communist, and Senator Vu Van Mau, leader of the Buddhist faction in the Senate, had together controlled the Senate prior to last August's "elections" in which their slates were not allowed to run. The denunciation of Thieu by both men in January, after Thieu had rammed through the amendment allowing him to run for a third term, virtually completed Thieu's political isolation in South Vietnam.

Mr. Thieu's rather puzzling cabinet reshuffle Feb. 17–19 which left 80% of the former ministers still in the cabinet, and retained members from all competing cabinet factions, clearly did not remedy the situation. And throughout February, reports of widespread corruption (Wash. Post, Feb. 25), forcible retaking of land from peasants by land-owners (AP, Feb. 1), and terrorizing of the population by Saigon soldiers (Chr. Sci. Monitor, Feb. 14) continued to mount.

The social and political problems, together with Saigon's deteriorating economy, clearly necessitates more U.S. aid than ever to hold things together. And the Nixon Administration—while demanding this aid and clearly worried about domestic opposition to it—still refused during February to drop its "low-profile" policy and attempt to build up public support for Thieu. For the time being it has instead chosen to rely upon semi-official groups, like that of the defense industry-funded American Security Council, to counter domestic critics.

The American Council's 4½ day trip to South Vietnam clearly had semi-official status, and was designed to counter growing domestic opposition in the U.S. to Thieu. The ASC's team consisted of two former U.S.

Ambassadors, a conservative U.S. congressman, and a number of spokesmen for the radical right.

Although both U.S. Ambassador Martin and U.S. Military Chief Murray have both refused to meet with the New York Times, both men spent long periods with the team. In addition, the team visited Con Son island for a day despite the fact that the Thieu government has denied access to its civilian prisons to everyone from the International Red Cross to the U.S. Senate Subcommittee on Refugees staff to the international press corps to U.S. Catholic Bishop Gumbleton.

The American Security Council report, therefore, may be a harbinger of the basic tactics the Nixon Administration intends to employ against its domestic critics in the year to come. At least temporarily relying on surrogates, it will place more emphasis on trying to destroy the credibility of its critics through red-baiting than attempting to either justify the Thieu regime's activities or change Thieu's policies.

UNITED STATES NOW SUPPLIES 86.3 PERCENT OF THIEU'S TOTAL RESOURCES

(NOTE.—The following chart was recently supplied by the U.S. Agency for International Development. For the first time in the war it *officially* outlines in the clearest way possible the fact that the U.S. is responsible for over 85% of the Thieu government's total resources. It is important to note, moreover, that during 1973 the U.S. was forbidden by the Paris Agreement from interfering in the internal affairs of Vietnam. The 86.3% of the Thieu government's resources supplied by the U.S. is divided up as follows:)

1973 INCOME INTO SOUTH VIETNAM

	Amount (millions)	Percent
U.S.-supplied income equals 86.3 percent:		
U.S. military aid	$2,270.5	66.8
U.S. commodity import program	300.0	8.8
U.S. food for peace	143.0	4.2
U.S. project aid	86.1	2.5
U.S. loan	50.0	1.4
Import revenues due to U.S. presence (minimum)	91.44	2.6
GVN-generated income equals 13 percent:		
Direct taxes	58.6	1.7
Indirect taxes	283.2	8.3
Import revenues	10.16	.2
Currency additions	30.7	.9
Bond sales	30.3	.8
3d country aid	40.0	1.1

KEY TO FOLLOWING CHART

Line (1) The GVN did accomplish a modest gain in direct taxes during 1973. For a population of 20 million, however, the $3 per capita raised in taxes is a telling indictment of the GVN's political appeal. Line (2) Although we have counted all $283.2 million in "indirect taxes" as internally-generated, in fact 30% of indirect taxes during the war were generated by the U.S. presence, and a substantial portion of such "indirect taxes" are still derived directly from the U.S. presence. Line (3) Virtually all import revenues are derived from U.S.-subsidized imports. Nonetheless, we have estimated the GVN's internally-generated import revenues at 10% of the total, a rather high estimate. Line (4) This simply means that the GVN printed up new currency, thus stimulating inflation. Line (5). The GVN borrowed on the future here, presumably from the national bank. Line (6). The 1973 "loan" was from the U.S., those in 1974 will come from a variety of countries and institutions like the World Bank. Lines (7–10) These are 4 *overt* and *admitted* categories of U.S. funding. Inflation has meant that they amount to a declining amount of real aid and thus declining living standards. The 1974 "military aid" figure of $1.026 billion is not taken seriously by the Indochina Resource Center, since it cannot be correlated with the requests of $1.6 billion for FY 1974 and $1.6 billion for FY 1975. Line (12) This indicates that portion of American aid which enters GVN budget accounting. The budget is quite obviously a small portion of what it takes to keep the GVN in existence.

SOUTH VIETNAM GOVERNMENT BUDGETS BY CALENDAR YEARS 1964–74

[In millions of dollars]

	1964	1965	1966	1967	1968	1969	1970	1971	1972	Estimated 1973	Estimated 1974
1. Direct taxes	12.3	12.7	11.7	19.4	24.4	28.1	35.4	34.0	39.6	58.6	65.6
2. Indirect and other domestic taxes	87.7	124.1	128.3	135.6	138.1	158.9	190.3	199.0	201.5	283.2	301.6
3. Import revenues	63.0	70.9	215.8	177.5	158.9	275.5	328.8	379.6	114.3	101.6	96.9
4. Addition to currency supply	63.0	255.7	131.7	117.5	249.4	86.5	98.2	154.8	40.1	30.7	93.8
5. Bond sales	15.2	27.1	17.7	11.6	40.0	28.6	13.1	75.7	121.4	30.3	NA
6. Loans from foreign countries										50.0	100.0
7. U.S. AID project assistance	46.3	6.57	184.1	324.8	224.1	153.0	115.9	9.57	72.2	86.1	201.7
8. U.S. C.I.P.	104.8	157.5	259.9	165.2	104.4	176.1	182.3	239.4	225.6	300.0	240.0
9. U.S. food for peace	33.9	48.2	76.3	153.3	138.3	94.1	121.0	81.8	118.1	143.0	160.0
10. U.S. military aid	181.8	268.9	862.0	1,203.5	1,054.5	1,608.2	1,692.6	1,882.5	2,382.6	2,270.5	1,026.0
11. Third country grant aid	19.9	19.9	19.9	20.0	20.0	26.0	20.6	28.3	34.2	40.0	60.0
Grand total	627.9	1,050.7	1,907.4	2,328.4	2,152.1	2,632.3	2,798.2	3,170.8	3,356.6	3,394.0	2,345.6
12. Counterpart contribution to the budget	129.5	174.5	301.2	277.7	177.4	190.6	239.5	267.4	305.0	400.2	390.2
Total GVN budget	292.5	382.2	657.0	610.2	498.8	653.1	794.0	880.0	675.4	855.6	854.3
Conversion rate (VN$/US$)	(81/1)	(79/1)	(120/1)	(160/1)	(168/1)	(192/1)	(226/1)	(294/1)	(412/1)	(512/1)	(604/1)

I hope this article has helped in persuading you that $474 million should not be added to the amount the Department of Defense has been given for aid to South Vietnam, and even that the $1.126 billion they already have has not been used in an appropriate manner.

U.S. AID TO THIEU

HON. PARREN J. MITCHELL

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1974

Mr. MITCHELL of Maryland. Mr. Speaker, I feel that it is important that articles like the following are brought to the attention of the Members of Congress. We, after all, are directly responsible for the continued funding of the Vietnam war. The article is taken from the Thoi-Bao Ga, a magazine published by the Vietnam Resource Center.

U.S. AID TO THIEU

According to U.S. military sources quoted in the October 3, 1973 issue of the *New York Times*, during the first six months after the signing of the Paris agreements, the U.S. provided the Saigon Air Force alone with 142,000 bombs, rockets and flares and 13.8 million of small-arms ammunition. In clear violation of Article 7 of the Paris agreements, the Pentagon announced plans to replace Saigon's F–5A fighters with more advanced F–5E's, which as one Defense Department official explained, "are not to replace attrition per se, or losses, they are to modernize the Vietnamese Air Force."

Of course, the Saigon Air Force requires training in the use of these new fighters, and to this end, the Pentagon hinted that South Vietnamese pilots are being trained at Williams Air Base in Arizona as well as in Vietnam (*Hearings of the Committee on Armed Services*, Part 8, August, 1973.) Even the most recent Defense Department appropriations include substantial allocations for "off-shore training of ARVN personnel," "funds for the operational support of the field advisors from all services assigned to Military Assistance Command-Vietnam," appropriations for a "psychological warfare campaign conducted by the United States Information Service and Military Assistance Command-Vietnam," and a host of other appropriations. The number of MAC–V field advisors is given as 6,326 persons (*Hearings of the Committee on Appropriations*, Part 5, July, 1973.) In addition, the Pentagon's own figures indicate that there are now 12,000 Marine and Air Force personnel in South Vietnam (*Hearings of the Committee on Armed Services*, Part 8, August, 1973). Then there are several thousand civilian advisors under Defense Department contract and "public safety officers" (i.e., prison and police advisors, intelligence advisors, and advisors for the pacification and the Phoenix programs) attached to the U.S. embassy in Saigon and to the various consulates in other parts of the country.

The total number of Americans listed openly as military advisors is over 24,000, or close to the total number of American advisors during the late months of the Kennedy administration, when, according to the Nixon administration, the Vietnam war was really precipitated.

Besides the maintenance of such a large force, the United States has also organized its command structure in Vietnam to better carry out Washington's intentions. The Defense Attache Office, headed by General John Murray and attached to the command head-

quarters of General John Vogt in Thailand, now takes over MAC-V responsibilities for commanding the Saigon army and police forces. The office of the Special Assistant to the Ambassador for Field Operations (SAAFO) is now directing the pacification and the Phoenix programs. The U.S. Agency for International Development (USAID) still continues to train, equip and advise the Saigon police. And the four American consulates in Da Nang, Nhatrang, Bien Hoa and Can Tho are in effect the new American military command headquarters for the Saigon army in military regions numbers I, II, III, and IV respectively.

THIEU'S "MODEL" REFUGEE CAMPS

As far as the refugees are concerned, even those who had been transferred to the southern provinces so as to be able to "take advantage of new economic opportunities" are living in abject misery. The heart-rending conditions of those "lucky" refugees who had been transferred from the central provinces of Binh Dinh, Quang Ngai and Quang Nam to the districts of Ninh Tho and Long Hai in Tay Ninh province is described in a detailed study which was serialized in *Dai Dan Toc*, a Saigon daily, from November 1 to 20, 1973. This study is highly censored by the Thieu regime; there are big blank spaces on the printed pages indicating last minute "chiseling out" (*duc bo*) by the authorities. However, what remains of the study is that more than half of the refugees transferred had escaped to go back to their former provinces in spite of the threat to their lives, the danger along the road, the lack of money for transportation, and the knowledge that their original villages had been completely razed and their former lands destroyed. Those refugees who are left behind said that they too would brave death to escape the two new settlements in Tay Ninh.

The reasons are many and we can only briefly summarize some of them here. First of all, the Saigon regime is still conducting military operations in the areas, and the refugees are frequently killed and wounded. Then the camps are built in the middle of bodies of stagnant water where mosquitoes thrive. The houses in the camps are "just like cows' pens," with "tattered coconut-frond walls" and "low corrugated iron roofs which bake the occupants" during the daytime. Each house, only large enough to "contain 5 beds, serve as living quarters for 5 families," each "family is given a rectangular space similar to a stall for a horse or buffalo." To be able to get a piece of virgin land outside the camp to build a house on, each family has to pay at least 10,000 piasters. While this amount of money represents about two months salary for a Saigon soldier, it is a huge sum for most refugee families. The refugees also claim that the government gives them no food and no help in seeking employment. The local Cao Dai churches only help them with some food during the first 9 or 10 days, in return for their labor. Eighty per cent of the refugees in Long Hai have no employment at all. Those who could find work such as reaping and thrashing rice for landlords earn next to nothing while being abused in many ways.

In order to survive almost all of the refugees have to go to the mountains to dig up roots. This has been the chief means of livelihood for the refugees. The mountains are distant from the camps, and in order to get there one has to have a bicycle. Only those with savings can afford this luxury, since an old second-hand bicycle costs over 10,000 piasters. Even so, there are just too many refugees and roots are getting extremely hard to find, and some families have to go for days without even this food, even though the roots are somewhat toxic, causing the eyes to become yellow and the eyesight to blur. Nor are greens anywhere to be found, for everything has been eaten. Because of the lack of food, some mothers do not have any milk for their babies and so even some two month old babies have to suck on the roots. A mother became so desperate that she borrowed a bicycle from a neighbor and went and stole some manioc roots from the land of a certain landlord. The landlord caught her and beat her with the trunk of a bamboo until the bamboo broke. That night the woman was allowed to crawl home to her two children (for her legs had been completely broken and she could no longer walk) but the landlord kept her borrowed bicycle, saying that he would give it back only after she brought him a head of a pig. Her neighbors chipped in to buy the landlord a pig's head, but they could not buy her life back for her. She died soon thereafter, leaving her orphaned children behind. At Long Hao marketplace in Long Hai, there are people who sell their children and wives. There are others who have just quietly taken the lives of everyone in their families to escape the suffering. Such are only a few brief sketches of the lives of the refugees in these two "model" camps.

The situation concerning the refugees of Phu Tai in Binh Dinh province, as documented in the November 18 and 20 issues of the Saigon daily, *Dien Tin*, is even worse. According to the accusation of 5 deputies of the Saigon Lower House from Binh Dinh and Qui Nhon provinces, Thieu's own lieutenants have burnt 2,700 houses in Phu Tai camp, depriving 14,000 refugees of their shelters. The purpose of the burning is to drive the refugees to the An Tuc camp in the mountain area, where no planting is possible and to cover up the fact that the aid in terms of rice, money and corrugated iron roofing that was supposed to go to the refugees (amounting to some 2.5 billion piasters) had been all stolen by the officials. But as reported in the December 1, 1973 issue of *Dien Tin*, instead of doing anything about this situation, the Thieu regime arrested the whole staff of Deputy Nguyen Huu Thoi, one of the deputies who accused the Thieu regime of the crime. They have been jailed since November 29. According to Deputy Huyn Van Tru, in the same issue of *Dien Tin*, not only does this violate constitutional rights of Deputy Thoi but it also runs against the fact that one of the persons accused had admitted his crime. The Saigon regime also accused the Deputy of "working for the Communists" for accusing the Saigon authorities of burning the Phu Tai camp and threatened that if the Deputy persisted in his accusation, he would be eliminated.

THE "RICE WAR"

The refugees are not the only ones who are suffering. According to Deputy Vu Cong Minh, "the inhabitants of the Western provinces are now caught in a dying situation because of the government's policy of economic blockade." The Deputy said that he raised his voice asking for help because the lives of the inhabitants of the areas are being seriously threatened. One of the reasons of the sorry state of affairs is the confiscation for rice from the rural population by the Saigon authorities. But even if the authorities did not confiscate rice from the population so indiscriminately, the official demands for rice from the provinces are enough to cause serious hunger. According to the November 16, 1973 issue of *Dien Tin*, the IV Corps commanders have promised to send Saigon 75,000 tons of rice in November and 165,000 tons of rice in December, 1973. This is about equal to the total amount of rice delivered to Saigon during the first 6 months of 1973, according to the April-June, 1973 USAID *Vietnam Economic Data* bulletin.

Perhaps Thieu realizes the full meaning of his doings (or undoings), because for the past few months he has issued warnings of an imminent attack by "Communist forces." This is used as an excuse for brutally squashing any organized protests on the part of the population as well as for getting more military and economic support from the U.S. government. To get American support, Thieu has used tactics ranging from commandeering the peasants of Binh Duong province to dig anti-tank trenches to protect against an alleged impending attack (*New York Times*, December 11, 1973), to declaring that Hanoi has about 400,000 troops in the South and is planning a large-scale offensive (Reuters, January 1, 1974). What is so ominous is that instead of rebuking Thieu for his obvious lies and his blatant provocations, it is reported in the January 6, 1974 issue of the *New York Times* that President Nixon, Secretary of State Kissinger, and Secretary of Defense James R. Schlesinger have approved plans asking Congress for increased arms aid to the Thieu regime. They want "to provide Saigon with modern sophisticated weapons in a total aid package of about $1 billion." This is after Congress had already voted over $1 billion worth of military aid, with $813 million through the military aid program and $200 million through the "Food For Peace" program. This should be measured against the statement by Defense Secretary Schlesinger on November 30, 1973, that the United States was prepared to resume bombing Vietnam because "the North Vietnamese are preparing for an offensive," the implication of Kissinger's statement about bombing the daylights out of Hanoi to make sure that the agreements stick, and the charge by the PRG of frequent reconnaissance flights by U.S. planes over PRG territories. Who knows, an American president on the brink of impeachment may find a way out by resuming the war. For who would have the guts to carry through with impeachment of an American president who is carrying out a war to stop "Communist aggression?" And once such a war started, who would stop it? The lessons of the Vietnam war—and later of the Indochina war—ought to be perfectly clear.

—*Vietnam Resource Center staff.*

A "REAL DIRT FARMER" ANSWERS PRESIDENT

HON. DAWSON MATHIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1974

Mr. MATHIS of Georgia. Mr. Speaker, while the Nixon administration and the U.S. Department of Agriculture are maintaining that the American farmer never had it so good, I continue to receive scores of letters and phone calls from farmers who live in the "real world" painting quite a different picture. Today I received a copy of a letter addressed to the President written by one of my constituents who describes himself as a "real dirt farmer." I think his letter, in contrast to glossy USDA pronouncements, realistically articulates the plight of the American farmer, and I commend it to the attention of my colleagues:

TWIN CITY, GA.,
March 20, 1974.

President RICHARD M. NIXON,
White House,
Washington, D.C.

DEAR MR. PRESIDENT: Your speech last night prompted me to write this letter. First, I would like to introduce myself to you; I am a college graduate; 44 years old; a farmer;

President of the local Farm Bureau; on the State Farm Bureau Board; on the State Cotton Commission; on the Secretary of Agriculture Advisory Committee for Cotton; Chairman of the Federal Land Bank Association of Vidalia's Board; on the local Bank Board; selected as one of the four outstanding young farmers of America in 1965; selected by Ford Motor Company for foundation award for efficiency in farm management; a general farmer, having 1980 acres of land with a big investment in growing cotton, corn, soybeans, cattle, hogs, and peanuts. I have two sons in agricultural school that want very much to be farmers themselves.

In your speech you said that the American farmer has never had it so good. Mr. President, I think you have been grossly ill-advised. You said "Soybeans had been $14.00 which was too much." Granted but, I do not know any farmers that got this price, even a high of $10.00 while in the hands of the stockbrokers. But we as farmers using soybean meal in our feed had to pay the price within this range. The cattle prices were higher last year, but let's remember that a large number of these were in big company owned feed lots. Do you realize that it takes 2½-3 years to produce cattle for slaughter plus a lot of feed? You said the way to make the prices cheaper for the American housewife is to produce more. I say the way to shortages and much higher prices is to break the American farmer which could very well happen this year. I know farmers that are selling out, their equipment is wearing out, their fences are falling, their buildings are dilapidated, and more than anything else the unrest among them and this fear of going broke. To substantiate these fears, I would like to state some facts:

Fertilizer that costs $52/ton last year is now $98/ton.

Nitrogen that cost $65/ton last year is now $150/ton.

Diesel fuel that was 18.1c/gallon is now 30c/gallon.

Gasoline that was 22.8c/gallon is now 30c/36.6c less tax.

L. P. Gas that was 21c/gallon is now 30c/gallon.

Equipment prices are out of sight when available.

In other words, Mr. President, how can we the farmer of this great country survive under these conditions when everything we have to sell has already gone down? Hogs that are costing 40c per pound to produce are bringing 32c per pound at the market. Cattle that is costing 45c per pound are bringing 40c per pound. Prices of cotton are 60c per pound, if you can find a buyer. In 1973 if you received 80c per pound for cotton, you really received 95c per pound (including 15c per pound government payment). Corn is $3.00 per bushel, which is good if you are the seller; but, if you are the feeder at livestock prices this is not good at all. Soybeans are above $6.00 per bushel, which is good if you were able to store them and did not sell them last year. However, most of these are in the hands of the brokers.

Mr. President, I do not know where you get your advice, except from Mr. Butz and the United States Department of Agriculture, but certainly there is a real difference if you are a real dirt farmer and earn your living from agriculture rather than being an agricultural economist and an expert. How many of these people in U.S.D.A. have, or, are really engaging in the production of food and fiber crops? I know my friends Phil Campbell, Bill Lanier, and Will Irvin have at one time depended upon agriculture for their livelihood. But I beg of you to call them in and get them to tell you the real truth as to why they themselves are not farming. Mr. President, I am not criticizing you or anyone in your administration, but I beg of you to review the whole situation and to better understand that the farmer is not the one that causes high prices at the food counter. However, we are the people who are really getting the blame which is very unjustified.

We are all aware of the fact that the American farmer makes up less than 5% of the nation's population and this figure has been growing smaller. In view of the present agricultural economic facts, some of which I have mentioned, we the American farmer seriously request that the apparent communication gap be closed so that the facts can be disclosed to the public without giving undue blame. Our concern and request is not only for the present day farmer, but also we are aware of the fact that the present agricultural economic factors are not encouraging to young farmers who sincerely want to go into this very important industry. Our crops are used to feed and clothe the people of this country, as well as being one of the most important tools in trade with other countries.

Sincerely,

DOLAN E. BROWN.

FALCONS OF BRISTOL, CONN., WIN CLASS B STATE CHAMPIONSHIP

HON. ELLA T. GRASSO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1974

Mrs. GRASSO. Mr. Speaker, on March 15 St. Paul High School's Falcons of Bristol, Conn., clinched the class B State championship with a breathtaking 71–70 overtime victory over determined Daniel Hand High School of Madison.

For St. Paul the remarkable feat—coming as it did in the last 10 seconds of an overtime period—was a fitting culmination of a highly successful season. Together with the team's other tournament wins, the championship game proved decisively that St. Paul clearly deserves the worthy designation of "Cardiac Kids."

In the tournament final, Coach Gary Palladino's Falcons demonstrated the same determination, coolness under pressure, team spirit, and resourcefulness that were so much a part of their earlier tourney victories. St. Paul captured all five of their tournament wins in the last seconds of each game by a combined total of a mere nine points. Counting the final, three of their victories were taken by only one point.

Through each palpitating contest Coach Palladino's calm and even hand guided his charges to victory. In addition, the St. Paul basketball fans never lost a bit of confidence and enthusiasm through all of their team's tough encounters.

It is with great pride that I extend hearty congratulations to Coach Palladino, his players, and to all the students, teachers, and parents of St. Paul—in short to everyone who had a part in this marvelous triumph.

Mr. Speaker, for the benefit of my colleagues, the following story from the Bristol Press about St. Paul's championship win is inserted:

[From the Bristol (Conn.) Press, Mar. 16, 1974]

ST. PAUL WINS IT ALL, SCORE TYPICAL

(By Charlie Hibbert)

NEW HAVEN.—Of course, it had to be overtime. It had to be decided by one point.

And St. Paul had to win.

It was like reaching the end of a dime store novel, being told whodunit, then realizing that the clues have been there all along. What other way could St. Paul win the state Class B basketball championship than with another numbing, last-second triumph, with the added drama of an overtime period tossed in for good measure.

The Falcons completed their astonishing drive to the championship at the New Haven Coliseum Friday night by defeating Daniel Hand of Madison 71–70, thus bringing the City of Bristol its first CIAC hoop title, since 1934.

Astonishing not because St. Paul won, but the manner in which the team did it. The five tourney games were decided by a total of nine—that bears repeating, nine—points, including three one-point contests. And all five contests were decided in the last 10 seconds.

After beating Guilford on Frank Owsianko's 30-footer at the buzzer earlier this week in the semi-finals, St. Paul decided to put this one away "early." The clinching points came with three seconds remaining in the overtime when the Falcons' John Majewski converted a clutch one-and-one opportunity at the foul line.

St. Paul then surrendered the final basket of the game (it was the first time the team hasn't needed the last hoop) to cut the margin back to one point.

The taller, more muscular Hand team appeared to have matters going its way on several occasions in the second half as the Madison team gained a solid 51-33 rebounding advantage. With two exceptions, meanwhile, St. Paul was not enjoying a particularly strong shooting night.

Those exceptions made the difference, however. Mark Noon, a cinch choice as the game's Most Valuable Player, connected on 14 of 19 field goal atttempts and finished with 33 points, while Brian Corbin was deadly from the perimeter as he hit on seven of 10 shots for 14 points. As a team St. Paul was 30 for 65 from the field.

The big men carried the scoring burden for Hand, meanwhile, as forward Mark McNamara netted 22 points, center Dave Fries had 20, and forward Brendan VanDeventer 14.

St. Paul shot well in the opening period and took a 20–10 lead, but it obviously wasn't in the script for the Falcons to win an easy one. Hand shaved the margin to 34–31 at the half, then finished the third period with 10 consecutive points to take a 48–44 lead into the final quarter.

When Hand's Jeff Farmer scored a rebound basket in the opening seconds of the fourth period to give his team its biggest lead at 50–44 St. Paul was clearly in trouble, but it didn't take long for the Falcons to get back into the game. Noon and Tom Kurban scored consecutive hoops on rebounds, and the Hand lead was slashed to two.

St. Paul eventually tied the game at 53–53 with 4:22 to go on an Owsianko layup. VanDeventer hit a free throw for Hand, but then Corbin popped in two in a row for St. Paul and Majewski followed with a jumper with 2:31 to play to give the Falcons a 59–54 edge.

Hand called a time out with 2:20 showing, then wasted no time moving back into contention. VanDeventer hit from the sideline with 2:06 to go, and Noon was fouled under the basket in the same sequence. Mark

missed his free throw at the other end, however, and McNamara then tallied for Hand to make it 59–58.

A pair of St. Paul turnovers enabled Hand to move ahead as Fries was fouled by Owsianko in a rebounding scrap with 1:06 remaining, and the Hand center converted the one-and-one to make it 60–59.

St. Paul retaliated by going to its strength, clearing the way for Noon to work one-on-one against Hand's Bobby Isleib. Noon beat Isleib to the hoop on a drive, scored a layup while being fouled, and converted the free throw to make it 62–60 with 54 seconds showing. A McNamara jumper 11 seconds later tied it again, then St. Paul held on for the final shot.

The Falcons called a time out with 10 seconds to go, then tried to work the ball to Noon again for the big shot. Hand played exceptional defense, however, and St. Paul was forced to settle for an off-balance 20-footer by Majewski at the buzzer. The way things were going in the tournament one would have almost expected the ball to go in, but it hit the rim and dropped out, causing the overtime.

An unusual four-point play by St. Paul with 1:47 left in the extra period actually decided the game. After Fries and Noon traded hoops St. Paul regained possession and looked for the go-ahead score. Noon passed the ball to Corbin, who tossed in an 18-footer to make it 66–64. As Corbin released the ball, however, Noon took an elbow from Farmer, the foul was whistled, and Mark stepped to the line for a one-and-one try. He made both shots, and St. Paul had a 68–64 advantage.

Another McNamara score cut the gap of two points with 1:10 left, but then St. Paul started to freeze the ball. Majewski was fouled with 36 seconds to go, making the first shot but missing the second. Fries then scored on a rebound with 19 seconds to go to carve the margin down to one at 69–68, but Hand was still in a position where it had to foul to get the ball back.

Majewski was finally fouled by VanDeventer with three seconds left, and after a time out John sank both shots to wrap up the victory. McNamara then scored at the buzzer to leave the final margin, fittingly, at one point.

St. Paul, rated No. 15 in the tourney, finishes the season with the best record in school history, 17–8, while Hand, ranked fifth, concludes the year at 19–6.

It was a banner evening for Hartford County Conference teams as South Catholic defeated Naugatuck 71–57 in the second game of the twin bill to capture the Class A title. It was the second time in three years the league has had two champions. East won Class A and Northwest took Class B two years ago. Northwest then defended its B title successfully last year. The double header drew a crowd of 6,479, a new CIAC record.

St. Paul (71)	Fld	Fl	Pts
Kurban	3	0	6
Noon	14	5	33
Owsianko	3	1	7
Majewski	2	5	9
Corbin	7	0	14
Pellitier	1	0	2
Totals	30	11	71

Hand (70)	Fld	Fl	Pts
Farmer	4	1	9
McNamara	11	0	22
Fries	6	8	20
Isleib	0	0	0
Cassell	2	1	5
VanDeventer	6	2	14
Barry	0	0	0
Totals	29	12	70

TESTIMONY IN SUPPORT OF THE URBAN EMPLOYMENT ACT

HON. JAMES V. STANTON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1974

Mr. JAMES V. STANTON. Mr. Speaker, I am today inserting into the RECORD another of the statements given in conjunction with my own before the House Economic Development Subcommittee on April 1. This is the testimony in support of the Urban Employment Act, H.R. 5808, offered by Joseph P. Furber, commissioner of economic development for the city of Cleveland. Mr. Furber's work in the field of economic development has been widely praised, and so I am especially pleased to have his support in this effort:

REMARKS PREPARED FOR THE ECONOMIC DEVELOPMENT SUBCOMMITTEE OF THE HOUSE PUBLIC WORKS COMMITTEE

(By Joseph P. Furber, Commissioner of Economic Development, City of Cleveland, April 1, 1974)

The division of economic development of the department of human resources and economic development, in the city of Cleveland, Ohio, is specifically charged by ordinance 254–A–68 (September 23, 1968) to—

". . . plan and implement progams to attract new business and industry and to assist the expansion or relocation of existing business or industry; to coordinate the activities and facilities of, and to cooperate with, public and private agencies in the area of industrial development and expansion, and to relate Federal and State assistance programs to the economic needs of the community."

Though the division has not been specifically charged with the responsibility for business and industrial retention, it is our belief that the sentence beginning ". . . and to cooperate with public and private agencies . . ." gives us this mandate. Therefore, it seems important to preface these remarks with the statement that our most important effort is business and industrial retention. The establishment of a healthy business climate achieved through a successful retention program logically represents the best long-range plan for a mature city's business expansion.

As you gentlemen are well aware, more than 80 percent of all business expansion is produced by existing business and industry. For that very reason our economic development strategy in Cleveland has been to concentrate upon the "Bird in the Hand" as opposed to the "Bird in the Bush."

The problems encountered by mature urban centers can be classified as follows: Municipal services, obsolescence and productivity, economic dislocation, pollution abatement, and land acquisition.

In the case of municipal services, a diversified industrial base has historically enabled Cleveland to grow. However, though the Cleveland S.M.S.A. continues to grow and prosper, economically speaking, the city has failed to keep pace with the region. Local efforts to develop and release even minimal supportive funds are further reduced because of the departure and closings of tax-paying employers. The resulting loss of real income to city employee and employer creates a greater dependency upon the city of Cleveland for expanded municipal services. Only a vital and healthy city economy is capable of delivering these services. The fiscal stability of the city can only be achieved by retaining, expanding and attracting a solid tax base. H.R. 5808 addresses itself to this problem.

The general obsolescence and marginal productivity of capital, land, labor and entrepreneurship need to be studied with an eye to finding innovative concepts capable of overcoming the disadvantages of a physically deteriorating and mature industrial region. The use of human resources in affected industrial areas, to function as a talent bank of leadership, needs exploration. Human resources are as worthy of venture capital investment as are land, buildings, and equipment, and perhaps of more lasting value. Local sources of capital need to be shown the advantages of encouraging economic vitality within the city. H.R. 5808 acts as an incentive for local investment in central cities.

Economic dislocation occurs when employees are unable to follow an employer when he moves to a suburban industrial park. The availability of housing and transportation tend to sever his economic ties most effectively. Good public transportation needs to be assessed in the light of whom it is designed to serve. Most certainly, it should best serve those members of its tax base most in need of its service.

Technological advancements occasion still more job losses to the least skilled. Because they lack the technology or training needed for our changing job market, they join the dislocated. A labor-rich manufacturing industry must remain competitive to stay within the city. The more current move to service industries is not conducive to increasing personal property taxes nor to a large labor force. H.R. 5808 encourages central city firms to solve these problems and remain close to the workforce which also conserves energy in this time of need.

The effects of increasingly vigorous enforcement of the Environmental Pollution Act, though urgently needed to halt the city's pollution in balance with the conservation of energy currently mandated, also coincides with Cleveland's economic decline. Every effort should be pursued which will help bring together those affected, so as to reduce the impact and cost of pollution abatement. H.R. 5808 offers a way to overcome this problem by permitting investment in the latest machinery and equipment.

The land available for industrial expansion within a mature city is generally more costly, less accessible, and more difficult to assemble in usable parcels. Available land may contain homes; be landlocked by railroads; used for drainage; revert to a prior zoning; or be subject to a variance upon sale; seem threatening to a councilman, etc. There are many reasons for this plight, and a thorough study and identification of the impediments to assemblage of usable land needs to be done. Attention should be focused upon the proven concept of an improved land bank in the city of Cleveland. H.R. 5808 specifically addresses itself to industrial land banks.

Now I would like to focus on how H.R. 5808 will help Cleveland's urban economy, particularly with reference to specific industrial and commercial needs.

The act expresses a concern about business losses and industrial outmigration from the central cities, that speaks directly to Cleveland's situation. For example, in 1973, the city planning commission reported that between 1966 and 1971 the city lost 12,058 jobs and 258 firms. This has contributed to an unemployment rate that is double the national average. On the other hand, the surrounding suburbs in this same five-year period gained 2,564 jobs and 107 firms. The city planning commission further estimated

that between 1970 and 1975, 60,000 men and 10,000 women will join the labor force, while 20,000 persons will retire. Of the 50,000 persons looking for work, there will only be about 30,000 jobs available. Thus, the present employment outlook is not encouraging for Cleveland.

In keeping with our local legislative mandate, we have initiated and continue to support, four nonprofit development corporations which are working for the industrial and commercial well-being of the localities wherein they are located. Two additional area groups are in the process of being organized, and they are the Collinwood Area Development Corporation and the St. Clair Addison Road Area. The existing local development corporations are the Woodland East Community Organization, the Lakeside Area Development Corporation, the Detroit Shoreway Community Development Organization and the Buckeye Area (Cleveland) Development Corporation.

All of these groups are excellent vehicles through which to carry out the intent of the proposed legislation, H.R. 5808.

Item—These area development corporations are self-help in nature and are representative of large and small industries and commercial establishments. They are concerned about both the present problems and the future of the neighborhoods of the central city where they are located.

Item—As such, these groups cooperate closely with the city and would therefore represent excellent vehicles through which funds could be granted or loaned as spelled out in title VIII of this legislation.

Item—They account for a sizable number of the jobs and taxes upon which the economy of the city depends, i.e., Ladco, 6,100 jobs; WECO, 2,500 jobs; DSCDO, 4,500 jobs; BADC, 1,400 jobs; SCARA, 5,800 jobs; and CADCO, 600 jobs.

Item—They are legal entities in that they are incorporated with the State, and at the same time qualify for tax exempt status under the IRS Code 501(c)(3) or (c)(4).

Item—Each corporation is grounded on sound socio-economic studies which set forth rationale for the said corporation and the recommendations for action on felt needs of resident firms.

These corporations are already involved in the following projects: Auxiliary police patrols; neighborhood cleanup campaigns in cooperation with residents; area beautification as via shade tree planting; coordination with city hall resources and agencies; enhancing a sense of community via street festivals, newsletters, and other community efforts; summer employment of youth; neighborhood employment where and when legally possible.

A number of these nonprofit corporations are presently making comprehensive analyses of their needs and are projecting short and long-range plans that will lead to programs for area development and in-town industrial parks. These include the following:

Mini-bus systems, internal and external to the area; ways to alleviate crowded parking conditions which are having serious consequences for residents and merchants as well as the flow of trucking suppliers, and customers for industrial firms; establishment of industrial clinics to meet OSHA standards; working with city hall to vacate and/or pave streets, install high intensity lighting, rezone contingent property for industrial usage, and acquire vacant housing and demolish it for plant expansion or parking needs.

In short, these area development corporations are ready, able, and most importantly, willing—to avail themselves of parts A and B of this act, through loans and grants for land banks, building rehabilitation or demolition, and the like. The division of economic development is ready, willing and able to assist. H.R. 5808 opens the door.

Another area where this act will prove of vital benefit is in reference to part C "urban industrial development loans", i.e., to aid in financing any project in the central city for the purchase or development of land and facilities, and to guarantee loans for working capital made to private borrowers by private lenders.

Support for this provision stems from the numerous retention cases that come to the attention of our department, specifically those firms which are in need of funds for land, plant facilities, or working capital. Usually they are not in a position to secure financing from private lenders, or if they are, they cannot secure the necessary collateral from third parties such as government lending programs. It must be remembered, in this connection, that Cleveland continues to have a conservative banking climate. They are not prone to make loans to business establishments involving any significant degree of risk—as where the firm may be small, or in the incubation stage; or where it is located in what is perceived to be a transitional or insecure neighborhood. Certain of these firms could receive the necessary private financing if they moved out of the central city. Thus, the provision of loans and loan guarantees for businesses in Cleveland will fill a much needed gap and help to prevent the flight of jobs and industry to the suburbs.

Gentlemen, in conclusion I ask you to accept the three basic premises upon which our economic development strategy in the city of Cleveland is built:

1. A job is an integral part of man's environment;

2. Cleveland exists, as do other cities, to fulfill two economic needs: As a place to work and as a place to live; and

3. Central cities are handicapped due to the fact that they hold legal jurisdiction over a geographic area that does not correspond to the sphere of their economic influence.

In my opinion, the only Federal agency that has addressed itself to the economic problems of mature urban centers is the Economic Development Administration of the U.S. Department of Commerce. H.R. 5808 continues and expands upon that agency's good work.

ADDITIONAL SUPPORT FOR FREEDOM OF INFORMATION ACT AMENDMENTS

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1974

Mr. MOORHEAD of Pennsylvania. Mr. Speaker, another leading American newspaper has praised the action of the House in passing H.R. 12471, our bill to strengthen the Freedom of Information Act of 1966 (5 U.S.C. 552). The Des Moines Register in a recent editorial specifically referred to the amendment that is contained in H.R. 12471 that would permit Federal courts to review, in camera, Government documents ordered withheld because of security clasification markings, thereby undoing the mischief resulting from the Supreme Court's ruling in the *Mink* case last year.

As the editorial so accurately states:

Giving an Administration an unreviewable right to hide information through the use of secrecy stamps is tantamount to making the Freedom of Information Act worthless. The House is on the right track with its action on court review. Congress as well as private citizens have a "need to know" and a right to assurance that "national security" isn't being used to hide information that belongs in the public domain.

Mr. Speaker, the full text of the editorial follows:

[From the Des Moines Register, Mar. 25, 1974]

LIMITING OFFICIAL SECRECY

The U.S. House has taken a step toward lifting the veil of government secrecy by voting to give the courts power to look behind the secrecy stamps placed on government documents.

The Freedom of Information Act is supposed to give the public access to a wide range of government information. However, the act exempts from disclosure nine classes of information, including matters "specifically required by executive order to be kept secret in the interest of the national defense or foreign policy."

This exemption enables an administration to withhold documents simply by stamping them secret or giving them a similar security classification.

A circuit court of appeals ruled in 1972 that judges are empowered under the Freedom of Information Act to examine classified documents and order the non-secret portions disclosed. But the U.S. Supreme Court declared last year that judges are not authorized to do this under the act. The court said the law "makes wholly untenable any claim that the act intended to subject the soundness of executive security classifications to judicial review at the insistence of any objecting citizen."

Justice Potter Stewart agreed with the majority, but he was sharply critical of Congress. Justice Stewart declared:

"[Congress] has built into the Freedom of Information Act an exemption that provides no means to question an executive decision to stamp a document 'secret,' however cynical, myopic, or even corrupt that decision might have been . . . Without disclosure . . . factual information available to the concerned executive agencies cannot be considered by the people or valuated by the Congress. And with the people and their Congress reduced to a state of ignorance, the democratic process is paralyzed."

Justice William Douglas added:

"The much advertised Freedom of Information Act is on its way to becoming a shambles. Unless federal courts can be trusted, the executive [branch] will hold full sway and make even the time of day 'top secret' . . . The executive branch now has carte blanche to insulate information from public scrutiny whether or not the information bears any discernible relation to the interests sought to be protected by [the exemptions] of the act."

The House has taken these rebukes to heart by voting to give judges authority to examine documents whose disclosure is sought, to determine whether information is being withheld by use of illegal or improper security classifications.

Giving an administration an unreviewable right to hide information through the use of secrecy stamps is tantamount to making the Freedom of Information Act worthless. The House is on the right track with its action on court review. Congress as well as private citizens have a "need to know" and a right to assurance that "national security" isn't being used to hide information that belongs in the public domain.

VIETNAM POLICY QUESTIONS

HON. ELIZABETH HOLTZMAN
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1974

Ms. HOLTZMAN. Mr. Speaker, despite the Paris Peace Agreement, war still rages in South Vietnam. This administration is fueling that conflict not only by giving moral support to the Thieu regime but by making substantial military commitments. The persistence of that conflict is of course tragic for the Vietnamese, but also—given President Nixon's policies—threatens to engulf us again in war.

Tomorrow we will have a chance to stop this drift toward war and to say "no" to the continued support of the Thieu regime by voting against the $474 million President Nixon has requested for military aid to South Vietnam.

In this respect I have found the following two articles insightful and informative, and I commend them to my colleagues in preparation for tomorrow's vote. The first is an editorial which appeared last week in the New York Times. The second is an article written by the Indochina Resource Center. It is thought provoking and raises serious questions about our policies in Vietnam which merit further investigation. The articles follow:

VIETNAM AGAIN

The news from Southeast Asia is beginning to have a morbidly familiar ring. In an engagement Monday Vietnamese forces suffered their heaviest casualties since the signing of cease-fire fourteen months ago. In fierce fighting on the same day Cambodian insurgents captured a major city twenty miles from Phnom Penh.

In Washington the Defense Department is asking Congress for urgent new military aid to South Vietnam, and the American Ambassador in Saigon is warning that the "people of the world" will be exposed to "enormous dangers" if the United States fails to provide wholehearted support for President Nguyen Van Thieu. Those who dare to question the continuing United States military effort, says Ambassador Graham Martin, are only succumbing to the insidious influence of Communist North Vietnam.

There is scarcely a pretense any more that the Vietnam truce agreement has brought respite from war. Pentagon witnesses told a Congressional committee this week that, unless a quick $474 million is sent off to Saigon, President Thieu's military operations would have to be sharply curtailed next month. And for the coming year, the Administration seeks $2.4 billion for Vietnam aid, plus another $463 million to support American military forces based in Southeast Asia. In the first year of so-called peace, the United States expense for weapons and ammunition in Vietnam was only 25 per cent below the level for corresponding programs in the heavy war year of 1972.

Neither North nor South Vietnam has shown any interest in implementing the elaborate and patently unwieldly political provisions of the Paris accords. If this comes as no surprise, what is ominous is the undated assumption that the United States is committed to keeping the war going, on President Thieu's terms. Having successfully barred direct combat involvement in Southeast Asia, the Congress is entitled now to be wary of continued drift into war by proxy.

HOW U.S. MILITARY AID VIOLATES THE PARIS AGREEMENT

The Nixon Administration agreed in signing the Paris Agreement to withdraw all war material and U.S. military personnel from South Vietnam (Article 5). The only military aid specifically mentioned by the Paris Agreement is "piece-for-piece, of the same characteristics and properties" as war material expended after the ceasefire. (Article 7.)

There are numerous indications, however, that the United States has violated both Article 5 and Article 7 by:

(1) Providing the GVN's army, air force and navy far more war material than simple "piece-for-piece" replacement would allow. On February 20, 1974, for example, Congresswoman Bella Abzug received an official memorandum from the U.S. Agency for International Development. On page 3 of this memorandum, it states that in calendar year 1972 U.S. military aid to South Vietnam was $2,382.6 billion, in calendar year 1973, it was $2,270.5 billion. On the other hand, official GVN statistics report that 39,587 ARVN soldiers were killed in 1972, whereas in 1973 ARVN killed had declined to 13,822. This is only one indication that combat was substantially lower in 1973 than it was in 1972. The fact that the Nixon administration maintained military aid in 1973 at the same level as in 1972 is clear indication that it far exceeded mere "piece-for-piece" replacement.

(2) Using military aid moneys to fund activities not allowed under Articles 5 and 7. In a February 12, 1974, letter to Congresswoman Patricia Schroeder, for example, the Comptroller General of the United States reported that $1,022.1 billion in military aid appropriated to South Vietnam in Fiscal Year 1973 was divided up as follows:

(a) "Operation and Maintenance—$622.9 million."

(b) "Procurement—$358.8."

(c) "Military personnel—$40.4 million."

Of these three aid categories, only "procurement" is specifically allowed under the Paris Agreement (and then only on a basis of "piece-for-piece" replacement).

It seems clear to us that "operations and maintenance," which includes providing oil to keep Thieu's machines of war functioning, flying equipment in and out of Vietnam, repairing computers, is definitely outlawed by the prohibitions in Articles 4, 5, and 7 against U.S. "military involvement" (Article 4) U.S. "armaments, munitions and war material" (Articles 5 and 7).

The open admission by the Comptroller General that the United States is supplying $40.4 million for "military personnel" is perhaps the single most convincing proof of the Nixon administration's blatant violation of the Paris Agreement. All U.S. military personnel, "including technical military personnel," are clearly outlawed by article 5.

The myth that military personnel who have remained are really "civilians" has been constantly exposed in the American press. (See the *Baltimore Sun*, November 28, 1973; *U.S. News and World Report*, February 4, 1974; *The New York Times*, February 25, 1974.)

(3) Providing the GVN's army, airforce and navy with new weapons which are *not* of the "same characteristics and properties," as allowed by Article 7.

The most blatant example of this was the announcement that the Nixon Administration would begin sending F5Es to replace the GVN's F5As. The *Washington Star-News* reported on January 8, 1974, "Some officials privately admit that the F5E resembles the F5A in name only." The *New York Times* reported on February 25, 1974, that the "F5E fighter planes (are) to replace the slower, less maneuverable and less heavily armed F5As."

In fact, however, the F5E is an entirely different plane from the F5A, as different as the F5A itself from the A37 that the F5A replaced. The following comparison makes this clear:

	A37	F5A	F5E
First flight demo	1954	1959	1972
Acceleration (foot per second)	400	271	458
Combat radius (miles)	230	170	350
Bomb load (pounds)	4,100	6,200	7,000

Sources: "Aviation Week and Space Technology," Forecast and Inventory Issue, Mar. 11, 1974; "Military Aircraft of the World," by John Taylor and Gordon Swanborough; "Great Britain," Charles Scribner and Sons, 1973.

(4) Flying military missions into the Democratic Republic of Vietnam, South Vietnam, Laos and Cambodia from Thailand. The Nixon Administration agreed to "stop all its military activities against the territory of the Democratic Republic of Vietnam by ground, air and naval forces, where they may be based," in Article 2. In Articles 4 and 20, it agreed to a similar cessation of military activities in South Vietnam, Cambodia and Laos.

U.S. Brigadier General James Hildreth, however, was reported on January 11, 1974, to have confirmed to visiting western newsmen at Udorn Airforce base that U.S. airmen were flying missions into South Vietnam, Cambodia and Laos. He went on, in fact, to state that they were receiving "combat pay." (See *L.A. Times*, January 11, 1974.)

Senator Harold Hughes, revealed on March 12, 1974, that he has information indicating that over 2,000 American airmen were flying at least 6 days each into Indochina each month from Thailand, receiving "combat pay."

On November 30, 1973, moreover, the *Washington Post* reported that American spokesmen in Saigon had refused to confirm or deny that charge that the U.S. was flying into the DRV, after previously denying it November 10. The DRV has, before and since, continually charged U.S. spy flights over its territory.

These officially admitted military flights into Indochina are clearly outlawed by the Paris Agreement, even were they simply the "reconnaissance" flights American officials claim they are. The past history of such flights, however, is that information gathered from them is used both for bomb damage assessment (BDA) and targeting for new bomb strikes. There is every reason to believe that these "reconnaissance" missions are an integral part of an American-directed bombing campaign carried out in bombers with the markings of the GVN and Lon Nol airforces. Other indications of this include the revelation that Americans were listed as killed-in-action at Udorn Airforce Base after the ceasefire (see the *Far Eastern Economic Review*, February 11), and the report that American military personnel were being sent into Laos in civilian clothing. (*Rolling Stone*, March 14)

Suspicions that the United States has been giving military aid in direct violation of the Paris Agreement have also been fueled by two other factors: (1) The refusal of the U.S. in South Vietnam to allow its influx of arms into South Vietnam to be inspected by the press or neutral observers (the ICCS has not yet been allowed to observe "piece-for-piece" replacement through previously designated checkpoints.) (2) The refusal by the DOD for nearly a year after the signing of the Agreement to reveal the amount of war material and ammunition it was funneling into Saigon. This information was refused on the grounds that it was "classified" and "essential to national security." Finally, in January 1974, Congressman Aspin threatened to sue under the Freedom of Information Act. At this point the DOD partially relented, releasing information which had pre-

viously been described as "classified." It refused to release its figures, however, on how much war material the GVN had on hand as of January 27, 1973,—thus making any effective checking—even on paper—impossible. Real checking—which would mean going to South Vietnam—has proven quite impossible.

RETURNS IN ON HOGAN CONSTITUENT POLL

HON. LAWRENCE J. HOGAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1974

Mr. HOGAN. Mr. Speaker, on March 29, I issued a press release on the results of my recent public survey undertaken in my district.

I wish to have the release inserted in the RECORD at this point:

RETURNS IN ON HOGAN CONSTITUENT POLL

Congressman Larry Hogan (R–Md) reported this week that his constituents in Prince George's County favor impeachment of President Nixon by a slim margin and are about equally divided on whether the President should resign, according to results of a poll taken in the Fifth District over the past 90 days.

Rep. Hogan found the attitudes to date "surprisingly strong" in comparison with similar national polls taken during the same period, which reflect about 25 percent of the nation favoring resignation and 26.5 percent feeling impeachment should be voted.

Of approximately 2,800 who responded to the poll, 1,438 or 51.2 percent declared they felt the President should be impeached, while 1,092 or 39 percent opposed it. On the question of resignation, the tally was 1,298 or 46.3 percent in favor, 1,273 or 45.4 percent opposed. About 200 were "undecided" on each question.

A similar poll taken in nearby Northern Virginia by Rep. Joel Broyhill indicated 45.1 percent of those residents favored "removal of the President from office," and another by Rep. Stanford E. Parris reported 40 percent were in favor of impeachment while 46 percent opposed impeachment.

A member of the House Judiciary Committee, which is charged with the impeachment investigation, Congressman Hogan reiterated his announced policy of not being swayed by the results of the poll. He said he is "keeping an open mind until the evidence is in (and is) refusing to pre-judge the issue until we have all the facts before us." He said he included the questions on impeachment and resignation because representatives of the news media have been repeatedly seeking this information from him.

He also pointed out that the questionnaire was part of a "Larry Hogan Report" newsletter, mailed in January, which included an article on impeachment.

Congressman Hogan also found "an expected dissatisfaction with the way the President and the Congress have dealt with the energy crisis." Of those responding, 1,584 or 56.5 percent were not satisfied in this area, while only 290 or 10.3 percent approved and 307 were undecided.

"I have considered the so-called energy crisis a matter of major import in this session of Congress." Rep. Hogan declared, "and have been pressing in several areas of concern in recent weeks.

"To meet a basic weakness in the system, I have proposed a Council on Energy Policy within the Executive Office of the President to develop long-range plans and oversee the nation's energy utilization," he reported. "Further, I have co-sponsored measures designed to stimulate efforts in the fields of solar energy, stepped up geothermal energy research and environmentally acceptable methods of drilling for off shore oil. Additionally, we must develop better technology for extracting shale oil, which is in plentiful supply." Hogan said a Subcommittee of the House Judiciary Committee has been holding hearings on off shore drilling.

Of more immediate impact, he added, are efforts undertaken by the Congressman and other members of the Maryland Delegation to ensure adequate gasoline supplies to the State from officials of the Federal Energy Office—which resulted in an additional 8.8 million gallons of gasoline sent into Maryland last month.

Further, the preliminary gasoline allocation for March "has been substantially increased," as a result of efforts by the Maryland Delegation which convinced federal officials of the "unrealistic and arbitrary" nature of the State's gasoline allocation, previously based upon consumption in 1972.

Rep. Hogan also reported that 60.8 of those responding to his poll approved of the manner in which he has been representing them in Congress, while only 19 percent disapproved. About 16 per cent reported they were undecided.

Geared particularly to federal government employees living in the district were two questions related to legislation being considered by the Post Office and Civil Service Committee on which Rep. Hogan serves.

About ten percent of those responding felt their privacy had on occasion been invaded and nearly 21 percent reported they had been subjected to "undue pressure to contribute to a fund drive for a charity or to purchase savings bonds."

Hogan added that many letters were also received citing various problems encountered within his district. "We have initiated action to help solve these situations," Hogan said.

DEBATE ABOUT IMPEACHMENT OF PRESIDENT

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1974

Mr. BOB WILSON. Mr. Speaker, debate about impeachment of the President is still our No. 1 activity, and much of that debate centers on whether the impeachment of the President should be considered only on the constitutional basis of his having committed "treason, bribery, or other high crimes and misdemeanors."

A very interesting paper on this subject has been written recently by a noted Washington lawyer, Oscar Robert Strackbein, who is purportedly interested in the legal aspect of impeachment.

I insert the Strackbein paper "Crime as the Sole Basis of Impeachment" and an editorial from the San Diego Union in the RECORD:

CRIME AS THE SOLE BASIS OF IMPEACHMENT

(By O. R. Strackbein)

It is urged today in many quarters that impeachment of a president of the United States may be based on grounds other than the commission of a crime by the president. That this represents a dangerous doctrine will become evident if we consider some of the attendant consequences of acting on such a premise.

It is dangerous because it opens the door to considerations the limits of which are nowhere defined. It invites an open season for any who may be trigger-happy or those who may harbor a personal dislike or hatred of the man in the White House, or who for political reasons or for philosophical differences would like to dismiss the current occupant of the presidency.

What is meant here is the type of miscarriage of which in later days and on more mature reflection we might be ashamed. The concern is perhaps best elucidated through a quotation from Walter Bagheot (1826–77) English economist, essayist and journalist. In his study of Sir Robert Peel, mid-19th century prime minister of England, he commented on the change in outlook brought on by the passage of time. At the outset of his sketch of the prime minister he said:

"Most people have looked over old letters. They have been struck with the change of life, with the doubt on things now certain, the belief in things now incredible, the oblivion of what now seems most important, the strained attention to departed detail, which characterize the mouldering leaves. Something like this is the feeling with which we read Sir Robert Peel's Memoirs. Who now doubts on the Catholic question? It is no longer a 'question'. A younger generation has come into vigorous, perhaps into insolent, life, who regard the doubts that were formerly entertained as absurd, pernicious, delusive. To revive the controversy was an error. *The accusations which are brought against a public man in his own age are rarely those echoed in after times.* Posterity sees less or sees more . . . Time changes much. The points of controversy seem clear; the assumed premises uncertain. The difficulty is to comprehend the 'difficulty' ". (Emphasis added).

On a later page of the same sketch Bagheot comments on the hanging of a Mr. Bellingham who had assassinated the prime minister of England, Mr. Perceval. Said Bagheot some fifty years later:

"In that day there was no more doubt that he ought to be hanged, than there would now be that he ought on no account to be hanged".

In another biographical study of English statesmen Bagheot had occasion to mention a comment on our President Lincoln in the midst of the Civil War. Sir George Lewis, who was successively Chancellor of the Exchequer, Home Secretary and Secretary of War in England during the period of our civil war, asked:

"What will the North do if they beat the South? To restore the old Union would be an absurdity. What other state of things does that village lawyer, Lincoln, contemplate, as the fruit of victory? It seems to me that the men now in power at Washington are much such persons as in this country get possession of a disreputable joint-stock company. There is almost the same amount of ability and honesty".

Bagheot himself added "After almost three years of experience it would be difficult to describe Washington more justly".

So times do change and so do the estimates of incumbent public officials.

If the judgment of a president under impeachment or under an impeachment resolution is permitted to turn on considerations other than the commission of a crime by the incumbent, the emotions, passions, partisanship of the day will almost as surely as the judges are human intrude themselves into the decision.

It is noteworthy that in debates over television or in the opinions expressed by newspaper columnists the participants range themselves, one would think almost unconsciously, on opposite sides according to the political spectrum in which their philosophy places them. Their judgment, as reflected by their contentions is shaped by the inner matrix of their thought. Only the most im-

peccable and withdrawn judge is able to free himself from such influence. He is very rare today even among judges; and much more so outside of the judiciary in this day of political activism.

A judgment in an impeachment proceeding, to be even reasonably free of political prurience must be separated from the very possibility of it by an impervious partition, or it will be infected; and if it is so infected, any decision rendered in it will stand as a blot on our generation. To establish any criterion for impeachment of the president lying beyond what has been legislatively termed a crime, would open the sluices to the waters of conscience that have been polluted by political activism. There is no way, humanly possible by which it could be avoided.

If we desert the law on the grounds that not all that is legal is necessarily moral, we move into a hazy field that gave rise to the seemingly endless religious wars of Europe a few centuries ago, which arose because they surged around considerations that were matters of opinion. One would hope that we could skirt such a morass without feeling morally tainted. If the thousands of laws that have been placed on our statute books since we set up our government do not yet cover all crimes of which we have experience, something must be amiss with our eminent lawmakers of the past hundred and eighty years. How fine a legal mesh do we need, to make sure that moral lepers do not escape justice? Or do the seemingly outraged moralists wish to superimpose an extra-legal mesh of their own fashioning without exposing it to the electorate and the legislature beforehand?

[From the San Diego Union, Mar. 19, 1974]

CONGRESS FACING TEST

With a consistency born of constant introspection this newspaper has found ample reason for its dedication to the principles that have made our Constitution the bulwark of the Republic.

These principles have been put to the test many times in the two centuries of our nation's existence. Through war and diplomatic crisis abroad, through political and social crisis at home the American Constitution has survived with a durability rivaling the Magna Carta.

Today it faces a challenge that will test its strength in terms as sobering as any of the many crises it has weathered in its long and luminous history—a national scandal, a scandal of misused power, conspiracy and deception.

And the President—the President of the United States of America—is suspect, in the eyes of a segment of public opinion, of complicity in the sordid affair.

Unlike some of the communications media we have carefully avoided condemning the chief executive on inferential grounds. In our eyes Mr. Nixon is wholly innocent of any wrongdoing, whatever, unless and until there is incontrovertible proof to the contrary. Like the humblest citizen before a Grand Jury, he should not even be charged unless it is the result of a decent hearing in a suitable forum.

In terms of the Constitution, there is only one such forum. It is the House of Representatives and, events having progressed to their present emotional and volatile state, it would represent the deepest of injustice to the President were he not now accorded the dignity and legal finality of a constitutional hearing by that body.

There was a time—months ago—when there would have been no justification for enduring the strength-sapping trauma of a constitutional examination into the actions of the chief executive. That time is long past. The peace of mind of 200 million Americans, fairness to the President—the healthy survival of our system—now demand that we follow the procedure designed by the Founding Fathers.

The impeachment inquiry should not be shunned or evaded. As the President himself said last Friday, the House of Representatives should move swiftly. With the full cooperation of the President, there is no reason why the matter should not be brought to a vote promptly. Thereafter, everyone involved should abide loyally by the results. If the House of Representatives concludes that there are no adequate grounds for impeachment, so be it. The requirements of our system will have been served and we can, in good conscience, re-address our national attention belatedly to the serious affairs of state.

If, on the other hand, the House were to put its formal approval behind a Bill of Impeachment, the President would then, and only then, stand indicted and the next constitutional step should be taken in the Senate.

Either way a most awesome responsibility rests on the Congress—a responsibility to behave not only with probity and prudence but with a minimum of emotion and political bias. There has not been, in recent recollection, an equal test of congressional quality.

STOP THE PANAMA CANAL GIVEAWAY

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1974

Mr. RARICK. Mr. Speaker, there is a great deal of propagandizing today by powerful interests, dedicated to the surrender of the Panama Canal. The public is being told that we must relinquish this vital waterway to the unstable Government of Panama in order to maintain good relations with our Latin American neighbors. This appeasement notion was questioned recently by a highly respected Latin American writer, now a U.S. citizen, Mario Lazo. Mr. Lazo's comments, which have appeared in newspapers throughout this country, are interesting, especially since he is familiar with the prevailing attitudes toward the canal issue south of our borders.

Mario Lazo was born in Washington, D.C., in 1895 when his father was Ambassador to the United States from the Central American county of Guatemala. His mother was a Cuban. He holds law degrees from Cornell and the University of Havana. In World War I he served as a captain of infantry with the American Expeditionary Force in France. After the war he went to Havana, where he founded and headed a law firm which was to become one of the most respected and successful in Latin America. The U.S. Government was one of his many clients.

At the time of the Bay of Pigs in 1961 Mario Lazo was arrested and threatened with execution. His wife Carmen saved his life and helped him escape to the United States. After 6 years of research he wrote "Dagger in the Heart," widely acclaimed as the authentic account of how and why Cuba was delivered to the Communist Empire.

The roots of both Carmen's and Mario Lazo's families go back to the earliest colonial days of Latin America. Carmen's ancestors arrived in Cuba in 1520, only 28 years after Columbus; Mario's 15 years later.

Carmen and Mario say:

We know our people, except for the politicians, the Latin American reaction to a giveaway of the Panama Canal would be, at first, incredulity; later, one of ridicule and finally, even of contempt. The Latin Americans would ask themselves whether America any longer had the will to maintain her prestige and responsibilities.

So that our colleagues may have benefit of another viewpoint, besides the onesided slant we have been getting from the canal giveaway crowd, I insert Mr. Lazo's article following my remarks:

STOP THE PANAMA CANAL GIVEAWAY!

(By Mario Lazo)

Large crowds lined the streets of Panama City on February 7, 1974 to watch the motorcade conveying the U.S. Secretary of State, Henry Kissinger, and the President of the Republic of Panama and his Foreign Minister to the Legislative Palace to sign an agreement on the guiding principles for negotiating a new Panama Canal Treaty. Many waved the red-and-blue Panamanian flag. Some held placards insulting the United States. Not a single American flag was in evidence.

It was a significant episode in contemporary history: the Secretary of State was about to commit the United States to give away ownership of one of her most valuable assets. No similar surrender had been attempted since the nation was founded in 1776.

The agreement signed that day contains the following "fundamental principles" to guide the negotiators in formulating the new treaty: the original 1903 treaty will be abrogated, the "concept of perpetuity" eliminated and "United States jurisdiction" over the canal terminated. After the canal is given to Panama, the latter "as territorial sovereign, shall grant to the United States of America, for the duration of the new interoceanic canal treaty . . . the right to use the lands, waters and airspace" needed to operate and defend the canal jointly with Panama. The consent of Panama will be required should the United States wish to "enlarge canal capacity." The new treaty is to have a "fixed termination date" but the agreement contains the vague and seemingly contradictory principle that when the new treaty expires, Panama will continue to permit the United States to operate and defend the canal, again jointly, although "Panama will assume total responsibility for the operation of the canal."

There is nothing vague, however, about the fact that from the moment such a treaty becomes effective the United States will be able to act only if Panama consents.

For over 60 years Panama has lived off the canal. But since Nasser got away with seizing the Suez Canal in 1955, Panamanian politicos have dreamed of little else than taking over the Panama Canal. They have continually vilified the United States and incited their population against it. Some Americans, self-styled "liberals" and assorted appeasers, have applauded these tactics, arguing that in the "new world order" unilateral control of the canal is obsolete.

But the rights of the United States to the Panama Canal were bought and paid for. The nation has no obligation to renounce or modify these rights in favor of politicians anywhere, or of the appeasment-minded at home.

By the treaty of 1903 the United States

bought, for cash plus an annuity, a strip 50 miles long and 10 miles wide, through a pestilential tropical zone wracked by fevers, but containing the most feasible pass between the Atlantic and Pacific Oceans.

The Americans who went to work in this inhospitable environment wrought a miracle in 11 years. They created a disease-free interocean waterway which remains to this day one of the wonders of the world. Then, for 60 years the United States operated the canal for the benefit of the commerce of all nations. This achievement forms one of the most inspiring records in history—and those who have profited most from it are the citizens of Panama. Had it not been for the United States they might still be crossing the isthmus on muleback, as they did for centuries under Spain and for many years under Colombia.

American taxpayers contributed more than 350 million gold dollars to build the canal, a sum worth many times that amount in the depreciated currency of 1974. This included the cost of digging through Culebra Cut and erecting the locks and dams and the hospitals and machine shops needed for the gigantic enterprise. The figure does not include the large and continuing defense installations.

The public vessels of Panama and Colombia are put through the locks free of charge, but the ships of the United States and all other nations pay a standard toll that has not been raised in 60 years. The annuity paid by the United States to Panama is by now many times the amount originaly stipulated. More than two-thirds of the approximately 18,000 workers in the Canal Zone are citizens of Panama. Various properties in Panama, worth many millions, have been deeded back to Panama by the United States without charge. A trans-Isthmian automobile highway, across Panamanian territory and paralleling the Canal Zone, was constructed by the United States for Panama without cost, but Panama has failed to maintain it in good condition. A great bridge, also at no cost to Panama, connects Panama City with the western half of the country.

The United States has been fair and generous, but every modification of the 1903 treaty has provoked progressively more extravagant demands. Panamanian politicians portray Americans within the Zone as monsters and Communists throughout the hemisphere make common cause with them against the United States. The lesson of history—that appeasement rarely appeases—has evidently not been learned by the State Department as it now embarks on a misguided effort to turn off the spigot of hatred in Panama against the nation that has converted a deadly swampland into a garden surrounding the magnificent waterway.

The unhappy Suez experience under Egyptian control hardly recommends Panamanian domination of an international canal indispensable to world commerce and to the security of the United States and its allies. The decision to give away America's most important asset in Latin America to a turbulent country that has had 59 presidents in 70 years defies common sense. Political upheavals are chronic in Panama. Its present rulers do not disguise their intimate relations with Communist Cuba.

With Soviet Russia already entrenched in the Caribbean, we can easily imagine the fascinated satisfaction with which the Kremlin observes this American performance in Panama. But there can be no doubt about the ultimate reaction in Latin America. The Latinos know power and they respect power. What they deride and distrust is weakness, appeasement and surrender.

My wife Carmen and I are Latin Americans and the roots of our families go back to the earliest colonial times. We know our people. Those of us who are not politicians would look upon a Panama Canal giveaway with incredulity, ridicule and even with contempt. We see that while the United States appears to have become immobilized by the spirit of detente, the Soviets are moving forward confidently and rapidly on every front. We ask ourselves whether the United States any longer has the will to maintain its prestige and responsibilities.

But this dark chapter has not yet been finally written. At the signing ceremony on February 7th, Dr. Kissinger said that he was speaking in the President's name. The President, however, cannot bind the nation by treaty without the concurrence of two-thirds of the Senate membership. Furthermore, Sect. 3 of Article IV of the Constitution provides that "The Congress shall have the power to dispose of . . . the territory or other property belonging to the United States." Thus the surrender of the canal requires the consent of the House of Representatives as well as of the Senate.

Some appeasers argue that in the nuclear age the canal is obsolete, so why not let Panama have it. But no around-the-clock operation that lifts 15,000 ships a year across the continental divide, moving them quickly, safely and economically from one ocean to the other, is obsolete. Except in the sense that in case of nuclear war all things may be obsolete. Rather than weaken herself, America should strengthen her deterrent weapons and, at the same time, carry out plans, already drawn, to increase the canal lock facilities sufficiently to accommodate all U.S. naval vessels other than the large carriers.

From the moment any treaty of the kind projected should become effective, America would lose mastery of a waterway which is vital to her security. Her hands would be shackled and the handiwork of her sons destroyed.

Let the alarm be sounded across the nation.

THE NEW ARMY

HON. RICHARD C. WHITE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1974

Mr. WHITE. Mr. Speaker, an excellent article on the Army's medical evacuation program being conducted at William Beaumont Army Medical Center in El Paso has been authored by Mr. Bart Lanier Stafford, III, of that city and published in February 1974, issue of Stardust magazine, a publication devoted to the Order of the Eastern Star throughout the country. Since Mr. Stafford's article reflects the new Army in such an excellent light, I feel it would be extremely beneficial to share its message with my colleagues, and others:

THE NEW ARMY

The Medical Evacuation Program, with headquarters at William Beaumont Army Medical Center, El Paso, Texas, is a helicopter version of "Ramparts," complete with portable EKG units, radio-telephone communication with a hospital doctor and manned by specially trained paramedical personnel.

The total program, started at Brooke Army Medical Center, Fort Sam Houston, San Antonio, Texas, was designed to provide competent emergency medical assistance to civilian and military accident and/or disaster victims. The proposed service was to utilize the expertise, training and dedication of "chopper" pilots and paramedical personnel returning from Vietnam.

The basic concept employed the use of the medical helicopter as an emergency rescue vehicle that could reach a given point faster, easier and with a more complete emergency team than could an ambulance. The helicopter was never meant to be just a faster ambulance or to provide care for accident victims who could be aided by more conventional means. It was not meant to provide assitance in early labor of pregnancy, for example, or for appendicitis or for simple fractures, no matter how far removed the people might be from the nearest medical facility.

Med-Evac was specifically designed to render competent medical aid to those accident or disaster victims who need complex medical care at the scene, or for injuries in which the time factor for medical attention would alleviate extreme suffering or would mean the ultimate difference between life and death. At a cost to the government of $400.00 per flight hour per helicopter, it is easy to see why Doctor Alvis L. Barrier, Chief of Medical Operations for the helicopter program at William Beaumont Army Medical Center would be most reluctant to send a Med-Evac team aloft to bring back an automobile accident victim whose only complaint was a bad case of jitters and a broken toe.

The 36 members of the 283rd Med-Evac Helicopter Detachment, with Major Eldon Ideus as Commander and Captain Jay Costello as Associate Commander, have been especially selected and trained for the work of saving life and limb under the most difficult physical circumstances imaginable. The 36 men include highly competent young Warrant Officers and their paramedical crews, strong and confident in the knowledge that they are engaged in worth-while missions of mercy, yet fully cognizant of the risks of flight once their "bird" is aloft. Helicopter flight can be risky in inexperienced hands but these young men, with their Vietnam experience, understand their craft under all conditions. Their prior experiences loomed large in the thinking of every member of the team who was interviewed. They did not mind committing their crews and patients to flight if lives could be saved, but they were not about to go aloft on a superficial mission in which life was not at stake. Thus, careful screening takes place before a helicopter is sent aloft. The doctor determines if there is a genuine serious medical emergency. The helicopter crew makes the decision regarding the severity of the weather and the possibility of making a safe landing on difficult terrain. It is a team effort for the benefit of all concerned.

Each bird has a maximum flying speed of 120 knots per hour, or 140 mph, and can cover a distance of 300 miles without refueling. Because of the vast distances in the southwestern USA, there are many refueling stations at strategic locations in order to extend the rescue service throughout this region. The longest medical mission flown to this date has been a trip of 350 miles to Zuni Pueblo in northwest New Mexico, with refueling stops at Holloman AFB in Alamogordo, NM and Kirkland AFB in Albuquerque, NM. On at least one occasion, three helicopters have been aloft at the same time. The crew averages five missions per week.

There are at present seven Med-Evac centers in the USA. These are pilots programs for a proposed network of such "medical emergency life support systems" to cover the entire nation and meet civilian and military needs.

Beginning in February of 1974, a sophisticated program of medical emergency "cross-training" was instituted and supervised by Doctor Barrier, Chief, WBAMC ER and Chief of Medical Operations for the 283rd. Under this program, the four crew members of each helicopter all receive intensive training in

emergency medical techniques to enable them to function as a whole medical team.

The medic on the bird thus has three fully-trained partners to assist him in the mission. Specialist James Kozma, the medic of the helicopter Dustoff 471, served as a combat field medic in Vietnam, and then, upon his return to the States, had five weeks of exacting training at Brooke Army Medical Center, and was accredited by the State of Texas as a licensed paramedic. Actually, considering the medic's experience in Vietnam, plus the other training sessions that all such Med-Evac medics have, the military paramedic is uniquely trained with no real equivalent in other paramedical specialties.

Should the need arise, Specialist Kozma or any of the eight other medics on the team, is competent to "breathe" a patient, perform a tracheal puncture to establish an airway, start intravenous fluid, place a pneumatic splint on a fracture, etc., and, upon the doctor's orders, administer some specific drugs to a patient. Under the new program, however, the four members of each helicopter crew will be practically interchangeable in many phases of the treatment of a disaster victim on the ground or in the air.

Lt. Colonel John Davis, a senior Hospital Administrator at WBAMC, explained that all of the details of any rescue mission filter into the Emergency Room at William Beaumont. The Emergency Room Crisis Area is designed specifically for the evaluation and treatment of any life-threatening emergency that might arise. Supporting the Emergency Crisis Area is the Trauma Center, Surgical Intensive Care Unit, the Medical Intensive Care Unit, the Coronary Care Unit and the Labor and Delivery Unit. All of these specialized service units are linked to the Emergency Room and Doctor Barrier by an intrahospital "hot line" system for instant communication.

Other services that are linked to the hot line system are the Airfield Crash Unit and the 283rd Medical Evacuation team's helicopter hangar at Biggs Airfield. Thus, should the need arise, medical instructions can be immediately forthcoming from the Medical Officer to any of the units listed. The helicopter's medic may, for example, relate by radio that a coronary patient has gone into deep shock en route to the hospital. Immediately the Coronary Care Unit becomes active in instructing the medic aboard the helicopter as to the most effective treatment to be given the patient. Preparations are also made at Beaumont to receive the patient and the proper unit is made ready for his arrival.

And so . . .

Out in the boondocks of West Texas, 41 miles northeast of Van Horne in the foothills of the Delaware Mountains, a car speeds along a dark and narrow country road. An elderly man is driving two companions home from a distant lodge meeting. Suddenly, a white-tail doe looms up in the headlights of the speeding automobile. The driver swerves sharply to avoid hitting the doe but the right front wheel of the car drops into the shallow arroyo and the car flips over three times and finally lands on its top with horn stuck and blaring into the still night. It is 12:10 a.m.

The driver of the vehicle is dead. One of his passengers has a broken neck and multiple contusions on face and head, bleeding profusely. The second occupant of the car has been thrown free onto the field, has a fractured arm and severe head injuries.

The blaring horn attracts the attention of the nearest rancher, who struggles into his clothes and drives to the scene of the accident in his battered pickup truck. The rancher looks at the accident victims, dashes back to the house and calls the Sheriff of Culberson County, giving the nature and vague descriptions of the injuries together with the approximate location. It is now 12:37 a.m.

The Sheriff calls long distance to the Emergency Room of William Beaumont Army Medical Center in El Paso, giving the accident details that he knows to Doctor Barrier, plus the cordinates on the map to W. O. Barajas who has by this time been connected to the conversation by conference phone extension at Biggs Airfield.

The ball is now in Doctor Barrier's experienced hands. It is now his medical decision to make. Can a life be saved if the helicopter is dispatched to the scene of the accident? Does the extent of the injuries reportedly sustained by the auto's passengers warrant the risk involved in sending the Med-Evac team and helicopter aloft at night to a distant desert some 135 miles away? The decision hinges upon the unconsciousness and serious bleeding of the patients reported by the sheriff. One man, or both, may die if assistance is not immediately forthcoming. This is no broken toe. This is a major accident. Life or death hangs in the balance. The vote, of course, is for life. The word is GO!

Dr. Barrier speaks over the phone to W. O. Barajas in the helicopter crew's "ready room" at Biggs AFB two and half minutes away from Beaumont. "Sounds to me like a severe accident with multiple patients, bad bleeding, possible shock, possible broken neck. It's a "go" mission. Can we make it?"

Aircraft Commander Jose Barajas, a native of El Paso, checks the coordinates on the map on the wall above his phone, notes the latest weather report, and then says, "We'll be off the pad in three minutes!" It is his decision to make; if he had said the weather was too bad or the terrain of the accident site was too difficult to negotiate, the Huey would have remained in the hangar.

Doctor Barrier then says, "I'm going on this one. Pick me up over here!" It is now 12:47 a.m. The backup helicopter crew at Biggs is altered and goes on active duty, awaiting the next accident and the next takeoff.

The Trauma Unit at Beaumont is alerted. The military Police and the post Fire Department are notified that Huey is on the way over from Biggs to pick up Doctor Barrier. The area surrounding the landing pad at the south side of the hospital must be free of traffic.

At 12:49 a.m., Doctor Barrier dons his flight suit and makes for the landing pad on the double. The bird is overhead.

At 12:49 a.m., Doctor Barrier and the crew of the helicopter Huey are airborne and on their way toward the auto accident 41 miles northeast of Van Horne, a distance of 135 miles as the crow or the helicopter flies. Aboard their $315,000 craft, they know that they have $5,000,000 worth of the most advanced medical equipment. They also know that they constitute a highly qualified team of medical experts. They further know that there is an expert team of doctors, nurses and corpsmen awaiting their return to Beaumont. But most important of all, they know that their mission is one of life-saving mercy, that their sole function is to save lives, that without their expertise and their dedication human beings will die tonight. It is this realization that they are members of a worthwhile project that drives these men forward with relentless enthusiasm and boundless courage.

The flight path of the helicopter has been cleared with the FAA unit at El Paso International Airport by way of the control tower at Biggs AFB. Flight priority has been granted, and all aircraft in the vicinity have been alerted.

While the Huey is in flight. Doctor Barrier keeps in contact by radio with a deputy sheriff at the scene of the accident, the sheriff who is en route there and the WBAMC Emergency Room.

At 1:45 a.m., 55 minutes out of William Beaumont, the helicopter circles the area in the barren boondocks where the accident took place. Crew Chief, Specialist Edward Bentley, from El Paso, has sighted the whirling red light of the deputy sheriff's car and the bird starts its descent.

At 1:47 a.m. the Huey is on the ground, its powerful searchlight illuminating the gruesome scene. The up-turned car, the dead man, the two injured passengers. Now the Med-Evac team roars into high gear, time is of the utmost importance. The ambulance coming from Van Horne will eventually pick up the dead man, but the two men who are still alive need immediate medical attention if they are to survive.

The rescue team swings into action. Breathing must be maintained first. Then bleeding must be stopped. IV's are started. Finally the bandages and splints are applied. The two men are then carefully lifted into the Huey, each on a field stretcher.

At 2:17 a.m., the Huey revs up, and starts home to Beaumont. Doctor Barrier and Medic Kozman attend to the two injured patients. The Trauma Unit is notified in more specific detail of the extent of the injuries to the two men. By now the intravenous tubes have started delivering life-giving fluids into each man from the suspended IV softpacks. These softpacks are used on such flights because the overhead intravenous bottles that are usually used in hospitals require the pull of gravity to sustain the flow of the fluid. In the helicopter, however, the intravenous container may be hung anywhere (on a level with the patient or even below him) and the flow of liquid is maintained because of the inflatable cuff that is attached to the softpack that forces the liquid out of the bottle. These inravenous fluids will replenish the vital body fluids lost through bleeding.

At 3:10 a.m., Pilot Russ Wingate of El Paso radios the control tower at Biggs AFB of his impending arrival in that area, requesting flight clearance. Beaumont receives this news at the same time, for all of the Huey's communications are monitored by the Emergency Room.

Doctor Barrier is now on the radio to the Emergency Room. An orthopedist and a neurosurgeon and two general surgeons are required to treat the two patients that the Huey is bringing to Beaumont. The Trauma Unit is on ready alert.

It is now 3:13 a.m. The M.P.'s have cleared the area of the landing pad at Beaumont. The fire truck is ready. An ambulance eases onto the runway as the sound of the helicopter's motor is heard in the distance. All is now in readiness for the arrival of the Med-Evac helicopter as it nears the landing pad, hovers overhead for an instant and then settles gently onto the concrete of the landing field.

Another mission of mercy has been completed. W.O.'s Barajas and Wingate, Specialists Bentley and Kozma are now ready to return the Huey to the hangar at Biggs AFB. Doctor Barrier goes in the ambulance 150 yards to the Emergency Room with the two patients and will complete the initial stabilization of the patients. It is now 3:18 a.m.

Inside the Trauma Unit an atmosphere of controlled emergency activity prevails. The doctors, nurses and corpsmen will have a busy night, but they know that they are among the best equipped in the world to continue with the professional medical care that began in the cactus and sagebrush desert of west Texas, 135 miles and approximately one hour distant by helicopter.

The facility for such emergency disaster treatment as has been outlined here at Beaumont is the best in the entire area. Lt. Colonel Davis, Major Ideus, Captain Costello and Doctor Barrier have worked unceasingly to make it so. Whatever new equipment comes to their attention remains fixed in their minds until it is procured for their unit. The spirit that predominates in this facility is infectiously optimistic. These men are completely centered around the concept that saving human life is of primary importance.

It is, however, as in all large organizations, the men of the helicopter teams, the Warrant Officers and specialists with extensive field experience in the forsaken jungles and rice paddies of Vietnam, who make the difference between a routine helicopter flight exercise and a dedicated rescue mission in the dark of a desert night. And so, it is the 36 crew members of the 283rd Med-Evac rescue team, operating six helicopters, who fly the missions, who slog through dusty desert terrain, who slip and skid and stumble up rocky mountain paths to retrive the injured and administer emergency medical care. They work as a team, these officers and these specialists, in their lifesaving missions and they know their value and are justly proud of it. As Specialist James Kozma, medic aboard the Huey said, "In Med-Evac I can see a definite purpose in my life. I am helping to save lives. We are working to benefit mankind."

And, though James Kozma is a modest and retiring man, sort of like a gangling junior college halfback, he really put it on the line for us all. Because you see, this is the new army and this is a new breed of man in the new army, and we should all join in being glad that this is so, and be proud, of the new drive and thrust toward helping humanity that these men show in such rich abundance.

DR. ARTHUR C. LOGAN

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1974

Mr. STOKES. Mr. Speaker, last December when I returned to the United States from Africa, I was grieved to learn that a very good friend of mine, Dr. Arthur C. Logan, had died.

He was one of those rarities in our society—a doctor who had time for people, a man who believed in the dignity of man and practiced that belief. A black man, he was deeply engaged in a struggle for equal opportunity for his people. A compassionate man, he worked diligently for the eradication of poverty. A gentleman, he had the firmness of deep, inner convictions.

These words of eulogy by the directors and staff of United Neighborhood Houses suggest both the nobility of the man and the warmth of response he received from the people he worked with and served.

Following his untimely death the Knickerbocker Hospital, with which Dr. Logan was associated for many years, was renamed the Arthur C. Logan Memorial Hospital. The renaming is appropriate, not only for the great contribution Dr. Logan made to the hospital, but also for the even greater contribution Dr. Logan made through the hospital to its primary community—the 600,000 predominantly black and Puerto Rican residents of West Harlem, in New York City.

Roger Wilkins, former Assistant U.S. Attorney General, has written a moving reminiscence of Dr. Logan and the significance of his work for the poor and the black of Harlem. I commend it to the attention of my colleagues:

[From the New York Times, Mar. 11, 1974]

GRANDMA'S HANDS

(By Roger Wilkins)

Bill Withers is a black man and he sings brilliant and moving songs. Usually, he's made them up himself. He sings one song called "Grandma's Hands." One day recently, a friend of mine and I were listening to it and she said, "You know, black people have a thing about grandmothers. We're always talking about grandma."

Well, that's right and I'm going to try here to tell just why.

A long time ago, when Fifth Avenue was a two-way street and my mother was a widow, she would take me down to Greenwich Village or maybe to my uncle's office when it was down on 14th Street. After a while, we'd get on the No. 2 bus to go back home. It would go all the way up through the luxury of Fifth Avenue to 110th Street and turn left there and then it would turn again and go straight up Seventh Avenue through the center of Harlem to 155th Street. It would turn left again and go up over the bridge to Edgecombe Avenue and then would go north some more. We would get off at 160th Street because that's where we lived. My grandmother would usually be sitting there on a bench looking down over Coogan's Bluff at the Polo Grounds or across the Harlem River to Yankee Stadium.

I'd kiss her and ask the two of them, my mother and my grandmother, if I could go off to play. They'd say yes. They would watch me go on up the 160th Street hill to find my friends. More often than not, I'd find them playing Chinese handball around on St. Nicholas Avenue—just off 160th. That was the best place to play that game because it was the longest uninterrupted wall space around. Four or five of us would play there for hours. The only trouble was, it was right under the window of Dr. Logan's office. And a lot of times, too much noise for him.

So, he'd come out and say something. He was a big man even then and he kept on getting bigger. Like a shaggy old bear, he was. He looked white and had light eyes and a gentle voice. He was a very gentleman. And he'd say, "You boys are going to make my patients even sicker with all that noise." He'd be kind of smiling or laughing all the time he was talking to us. We'd say: "Oh, we're sorry, Dr. Logan. We'll be quiet." Then he'd look at me because I was the smallest and the lightest and the sickliest and he'd ask me if I could beat the other boys yet. I would smile and say, "I'm getting better, Dr. Logan." He'd pat me on the bottom and say, "Good going, son." That was music to the ears of a little boy whose father had recently died.

When I would get sick, Arthur C. Logan would come over and tell my grandma—Gram, I called her—how to take care of me. The reason my grandma took care of me was that in our household—as in so many black households—the mother had to work and the grandma stayed home and reared the child. So, after Dr. Logan told her what to do, my grandma would put her hands on me and rub the salve on my fevered body.

The first place I would want to go when I got well enough to go out was the library, just down on 160th Street. She would look at me for a long time with those wise, hurt, tender, loving old eyes. Then she'd let me go because there was no place she would rather have had me spend my time.

But I didn't understand that look. It was the same one that she and my mother would give men when I ran up 160th Street to play. I didn't understand that look until I grew up and felt the pain—that special kind of pain that black men and women who are trying to fight for justice and to make it in a world of white power are sure to have. Grandma knew I'd have it when I grew up and she did her best to pack all her strength and all her honor into my frail and growing body.

When I grew up and got the pain, Grandma's hands weren't there to make me feel better any more. But Arthur Logan's were. When I would hurt in my spirit or in my body, he would lay on his hands to make me better. And he would do it for people named Jackie, and Duke and Martin and Bayard and Kenneth and Whitney and Vernon and a lot of others, too. And all of us in our turn would lay our hands on as much black pain as we could bear, and then a little more. It was like passing on grandma's hands—that's what it was.

So, the other day, they changed the name of a hospital up in Harlem from Knickerbocker to the Arthur C. Logan Memorial Hospital. And the ambulances have that name painted on them too. My first reaction on seeing that was to cry. But then, things became clearer. The people working in that hospital and driving those ambulances have grandma's hands, too.

So, the next time you see an ambulance with the words, Arthur C. Logan Memorial Hospital written on it, smile as I do, because it means that grandma's hands are alive and at work just where they ought to be. Uptown.

CHEMICAL AND BIOLOGICAL WARFARE PLANS AND PROGRAMS

HON. LES ASPIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1974

Mr. ASPIN. Mr. Speaker, the distinguished gentleman from Utah (Mr. OWENS) has firmly established his reputation as one of the most important spokesmen for an urgent review of the Nation's chemical and biological warfare plans and programs. He recently addressed a symposium of the American Chemical Society on this important subject. His remarks, which are printed below, are deserving of careful reading by all those interested in CW treaties, international conferences, the status of stockpiles and what the future holds:

THE NEED FOR A PUBLIC EXAMINATION OF U.S. CHEMICAL WARFARE POLICIES—TREATIES; STOCKPILES, AND THE NEW BINARY CHEMICAL WAREFARE SYSTEM

(Address by Representative WAYNE OWENS, Democrat of Utah, Los Angeles, Calif., April 1, 1974)

It is a real privilege to be here in the company of so many distinguished scientists, engineers, and other technically trained individuals. No matter how experienced in meeting with various groups a non-scientifically trained politician may become, there is always some degree of hesitancy when we meet with individuals with a high degree of technical specialty. We in the Congress tend to deal in more general terms in our legislation since most legislation affects broad non-technically oriented segments of our society. As a freshman Congressman, I feel particularly honored to be given this opportunity to join you in addressing the subject of the Nation's chemical warfare policies because I have come to believe that this topic warrants renewed national attention—and very specifically by our chemists and engineers.

Although not an expert, I am not totally unfamiliar with the subject of chemical warfare. I have in my district in Utah one of the largest stockpiles of chemical warfare material in the United States. We also have in our State the largest test center for chemical weapons in the Nation and so I have become aware of many of the issues associated with both the testing and the storage of these weapons. It is because my State has played such an important role in chemical warfare programs that I became very involved in the

subject. This involvement led to my curiosity as to just how our Nation developed the programs which led to the establishment of such facilities.

One of the first chemical warfare issues which I have attempted to understand was the basis for the CW policy which we seem to be following. Although we have yet to ratify any international treaty on chemical warfare, we do seem to have an operating policy of sorts which has evolved within the Executive Branch of the government basically by the Joint Chiefs of Staff. This is a policy which states, very simply, that we do not intend to be the first to use chemical warfare agents in war but we fully intend to retain the right to the capability to retaliate in kind, if some other Nation should attack us with these weapons first. Underlying this philosophy, has been a military theory that a foreign nation can be deterred from using chemical agents if that nation knows that chemical agents will be used in response. But this policy was originally established when we did not have the enormous nuclear warfare deterrence capability which we now possess.

I do not have the time, during these introductory remarks, to go into the details of the evolution of this policy, but just as a brief background for the several points I wish to make, and to place the comments of the following speakers in perspective, I understand the policy evolved basically as follows. CW weapons were used quite effectively during WWI—primarily because of the advantages of surprise and poor defensive capability by all forces involved. The international abhorrence of chemical warfare which followed WWI led to the development of several proposals for treaties, from which the Geneva Protocol of 1925 was developed, as most acceptable. This treaty basically prohibits the use in war of all chemical and biological weapons. The U.S. participated actively in the negotiations which led to this policy and the Protocol was eventually referred in 1927 to the Senate Foreign Relations Committee for ratification. Because it was not expected to pass, it was not put to a vote in the Senate. President Truman withdrew the treaty from the Senate 20 years later in 1947 and it was not sent to the Senate again until August of 1970 when President Nixon returned the Protocol for ratification. President Nixon reserved, however, the right to use chemical weapons in retaliation, and added that use of herbicides and riot control agents would be considered to be prohibited by the Protocol. While originally opposed to ratification of the Protocol, it is my understanding that the American Chemical Society now supports a position that the Protocol should be ratified without the exclusions on herbicides and riot agents cited as necessary by the President.

The Protocol has not yet been reported out by the Senate Foreign Relations Committee, primarily because of that disagreement over the exclusion of the herbicides and riot agents. But there have been other negotiations going on at Geneva to try to develop a more comprehensive CW treaty which would limit research, development, test, engineering, production and stockpiling of chemical warfare agents.

The U.S. representatives have not specifically offered a proposal at Geneva. We have claimed, rather, that the issue of classifying the toxic agents and resolving the issue of inspection must be solved before any treaty proposals themselves can be examined. Other nations have proposed treaties, but no progress is being made because of the difficulty of resolving the issue of verification. In the meantime, the policy of retaliation in kind, as expounded by President Roosevelt during WWII, and reiterated later by President Nixon, continues as our operative CW policy. With regard to biological warfare, this Nation unilaterally destroyed our stockpiles of biological agents and the UN Convention on Biological Weapons quickly followed this U.S. action. This Convention is also before the Senate for advice and consent to ratification.

Briefly then, this is where we are now, on treaties: The Senate Foreign Relations Committee has not reported out the Geneva Protocol because of disagreement about the exclusion of herbicides and riot control agents. Apparently the American Chemical Society also disagrees with the President as do a majority of the UN members and a considerable number of U.S. citizens and Congressmen. No action has been taken by the Senate Committee on Foreign Relations with regard to the Biological Warfare Convention. And the U.S. is limiting its discussions at Geneva to the classification and verification problems instead of moving to establish an acceptable treaty.

I find it just a little difficult to follow our government's reasoning that our intelligence community can figure out enough of the Soviet intentions and capabilities in chemical warfare to justify a U.S. CW stockpile for a deterrent capability, but that same intelligence gathering community could not determine whether the USSR might or might not be complying with any treaty which might be negotiated.

Is verification that difficult? We said that we were not concerned about the issue of verification of BW treaty compliance because, in part, verification was easier. I doubt that the BW verification problem is much simpler. How did our analysts know, for example, that our potential enemies reached the same conclusions that our forces reached about the impracticalities of BW? Clearly, the priority of verification bears reconsideration, but you will hear more about the problems of verification later this morning.

I am deeply disturbed by the astonishing ambivalence of this country's CW policies. As recently as August, 1973, one of our own U.S. representatives to the chemical warfare arms control and disarmament negotiations at Geneva was saying:

"My Government is continuing to seek workable means of restricting chemical weapons and to practice restraint in its own program. In this connection, I should point out that the United States has not produced any lethal chemical weapons since 1968 and in fact has been phasing out parts of its CW stockpile for years. We hope that this restraint by the United States will contribute to our mutual efforts in seeking effective international limitations on chemical weapons."

There are serious inconsistencies between our actions at Geneva, and the current Army request for appropriations to begin our production of binary artillery shells. We are suddenly proposing to begin the production of new chemical weapons—after telling the USSR and the world that we were not manufacturing new chemical weapons and were, in fact, reducing our chemical stockpiles.

Thus, in the midst of these Congressional and international considerations and the stalling that is going on at Geneva, at the very moment that we are telling the world that we are practicing CW restraint, we find the U.S. Army has made public its intentions to begin the production of a binary chemical weapon for the complete restructuring of our chemical warfare stockpile.

Thus justification for this new weapons system is a stated need for increased safety in handling of CW munitions, plus, finally, recognition that our CW stockpile of munitions is slowly deteriorating in storage. But until we have resolved the policy questions of whether, in the light of military realities, our defense posture is improved by CW capability, it is the height of National irresponsibility to accelerate the CW arms race by building a complete new chemical nerve agent system.

I know the standard arguments presented by the military proponents for a chemical stockpile. A major potential opponent is reported to have a lethal chemical option. Therefore, we *must* have a threat of retaliation to prevent the first use of chemicals. Since a first use of chemicals would probably kill the forces surprised by that use, the initial advantage would go to the first user. General Abrams has said, incidentally, that the USSR's capability to defend against a CW attack is much greater than our own defense capability. With both forces equally balanced in chemical warfare capability, our rationale goes, a stalemate would result. If one force could not defend as well or attack as well with nerve agent capability as the other force, the weaker force would succumb to the chemical attack. Such a weaker force would then be required to escalate to the next order of devastation—that of nuclear war—or admit defeat. In a stalemate of chemical defense and offense, and short of nuclear war, the force with the maximum and most effective conventional forces and logistic and tactical ability would succeed.

The military logic which flows from all of this is that stockpiles of chemical weapons will deter the use of chemical weapons. Personally, I fail to see how a nation undeterred from the use of CW weapons by the threat of nuclear retaliation would be deterred by the threat of chemical retaliation. Any attack with chemical weapons upon our troops in Europe would be made by troops already wearing protective equipment, so what destructive power does our chemical retaliation have with that attacking force? None at all, I submit. Don't we think Russia has figured that out? If we know that chemical retaliation against an enemy with superior defensive capability will not overcome those forces—will not, in fact, put those forces out of combat but will only slow them down because they must wear awkward protective clothing, and Russia knows that point, and we know Russia knows, and we know Russia knows we know Russia knows, I submit we've never thought this thing through.

This same view is shared by more knowledgeable analysts than I am. These analysts do not agree that a stockpile of nerve-gas is a deterrent against CF attack. The briefings which I have heard from the military, when compared with the views expressed by more objective analysts, suggest to me that our stockpile of CI weapons probably does not function as a deterrent at all, but rather provides us only with the capability of slowing down that enemy by forcing him to wear cumbersome protective equipment. Thus, the U.S. could force the same degree of decreased mobility on an enemy that the U.S. would suffer in the event of attack. Neither side would gain an advantage except for the first user, and that will not be the U.S. The real deterrent would be a better operational capability in a toxic environment—better defensive capability, or—the threat of a more devastating retaliation should chemical weapons be used against us. As with nuclear deterrence, the threat of CW retaliation logically could lead, and already might have led, to construction of a greater capability by an enemy, so that should the decision be made to launch a first strike with CW, it would be done in such a manner and on such a massive scale, that retaliation would of necessity have to be more devastating in nature to prevent total defeat. The logistics of our CW no-first use policy, to the best of my knowledge, does not contemplate such a massive CW retaliatory concept. Thus our nuclear deterrence must of necessity play the major role in such a policy. I wonder what the U.S. military war games in the European theatre show, in a situation where a potential enemy does use chemical agents on a massive and surprise scale. Would an enemy be deterred from such a strike by an opponent's capability to

launch a retaliatory response against an isolated airfield or on a limited front?

Other points which I find inconsistent with this military logic is that apparently our West European allies do not believe that CW deterrence is of sufficient importance to include stockpiles in their own force structures yet it is in their backyard that such a battle would occur not in this country. Further, we really do not know whether the strong defensive posture of potential enemies and their apparently excellent defensive capability is a response to our own threat, or to their own plans to initiate chemical attack, or both—in any event we have been advised that Russia has a better defensive capability than we do—and this would seem to me to further weaken our deterrent posture. Of what use are stockpiles in the United States for immediate tactical response on a large scale in the European theatre? And how could we use CW in this country? for this country's defense?

When we add to these theoretical arguments about the deterrent value of chemical stockpiles, the arguments about the immediate need to begin production of binary chemical weapons, the problem becomes even more confusing, and more potentially dangerous in terms of the arms race. The availability of binary munitions will make it much simpler and much safer for nonnuclear nations to safely get into the CW business. If the U.S. proceeds to restructure its stockpiles while treaty negotiations are underway, it suggests that we are not serious about CW disarmament and lessening world tension in this area. The Director of our own Arms Control Agency has already pointed out the negotiating handicaps which such a procurement would entail; and finally, if verification is a problem with conventional CW munitions, it will be impossibly difficult with binary munitions—which can be handled as ordinary explosive munitions until the second commercially available ingredients are added.

The CW arms race must be slowed and if at all possible eliminated. Our advances in biochemistry are permitting us to gain the intimate knowledge about toxic substance which may some day permit us to develop such exotic substances that we will be able to carry out the science fiction attacks which have been hypothesized in the past—behavior modification, selective attack against ethnic groups with specific gene deficiencies; etc. Is this in humanity's interest—or even in our national interest?

We must take this problem seriously. We began the examination of this issue with a great deal of national interest in 1969. The President unilaterally announced the intention of this country to destroy its biological warfare stockpiles. We don't know whether other nations have actually followed suit. In fact, if some of the Nations of the world actually had BW capabilities, they may still have this capability if they did not arrive at the same conclusions that we did. We decided that we did not need BW weapons. While I do not favor lowering the nuclear threshold, I do believe that we can construct a strategy which would permit us to make known our intentions with nuclear weapons which would make prohibitive any tentative use of chemical weapons for any objective short of total war and annihilation. We certainly should not begin a new arms race by adopting a binary chemical weapon while we are apparently at a stalemate position at the present time with regard to chemical weapon parity. to disturb this parity at this critical time could well destroy attempts at negotiation and set off new arms races.

Many citizens of this country interpreted the President's announcements in 1969 as meaning that the United States was also cutting back on its chemical warfare programs. In fact, U.S. negotiators at Geneva said just that during discussions in 1973. Chemical and biological warfare have been intricately associated in the minds of our citizens for decades. It is not surprising to find, then, that there have been so many adverse reactions to the Army proposals to begin procurement of new chemical weapons.

And Congress must be thoroughly informed on the status of our CW arms treaties discussions so that the Army's plans about chemical agents can be considered in their full implication—both as to the costs in the Defense budget and the potential impact on arms control negotiations. We may find that we can postpone this procurement and allow our arms control negotiators the time needed to resolve the problems of verification and treaty development. We may also find that arguments that CW capability is a deterrant, when forced out into the public forum will indicate clearly are not credible, that CW deterrent posture is really not necessary, or logical, in a nuclear era.

For more than 40 years we have accepted the statements of military strategists, apparently based on secret war gaming, our Nation to maintain at great cost two separate systems, both primarily for the sole purpose of deterring the use of such weapons. Obviously, we cannot discard all of our deterrent capability—the climate of today's world is not that amicable.

It seems to me that we are strong enough militarily indeed we have the moral strength and obligation, to make the first real gesture toward CW arms control. We should delay the adoption of the binary chemical system and devote the talents of our best and most highly placed policy makers to our negotiations on both CW and nuclear arms control. We do not jeopardize the status quo of current CW capabilities by delaying the binary chemical munition because it is the same nerve agent which we currently have in our stockpile. We do not give away any technological edge by delaying further engineering and testing of the binary—we have been working on the system for almost 20 years. We may encourage not only arms control but discourage other nations from embarking on their own production of CW weapons if we as world leaders indicate our willingness to take more time to discuss this issue before committing our resources to further CW weapons construction.

This symposium is an important part of the public examination of our CW policies. Your society has been very instrumental in the past in the actions taken in the Congress on chemical weapons systems. It is now quite apparent that the Congress will provide an opportunity in the very near future, in at least one and perhaps both Houses, for a more complete examination of these policy issues. Congress which in theory makes the laws in this country, should make known its views on the course of action our Nation is following on chemical warfare policies. We need your advice and counsel and I encourage you to communicate your thoughts on this subject to your Senators and representatives. The issue is important. In these days of continuing turmoil we must exhibit an air of National stability of purpose and high credibility in our statesmanship.

The report of the National Academy of Sciences on herbicides use in Vietnam is now available. This report does not provide any unequivocal answers with regard to the questions relevant to the Geneva Protocol, but the availability of the report will hopefully enable the Senate to resume its considerations of the President's request for advice and consent to ratification. If we can first, secure this ratification, second, prepare a proposal which can become the subject of negotiations at Geneva with regard to controls for research, development, testing, production and stockpiling of chemical agents, and thirdly, reach an understanding on verification, we will have achieved gigantic strides towards lessening one more subject of world tension. If on the other hand, we, as a Nation, find that there is no alternative to maintaining a CW stockpile, then we need to insure that our long range plans are carried out as effectively as possible to prevent the reoccurrence of the terrible mistakes which have already occurred in the management of our existing stockpiles of CW munitions.

Clearly then, Congress, responsible under our Constitutional System of Self Government, to give direction to National Policy, must enter this vital discussion.

RIGHT OF PRIVACY

HON. JOHN H. ROUSSELOT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1974

Mr. ROUSSELOT. Mr. Speaker, at this point in this important special order on the subject of the individual's right of privacy, I would like to include the remarks of my colleague, Representative BARRY GOLDWATER, JR., as he presented them in an address delivered in California recently. The title is "Restoration of Personal Privacy and Individual Rights."

The remarks follows:

RESTORATION OF PERSONAL PRIVACY AND INDIVIDUAL RIGHTS

(Address by Representative BARRY M. GOLDWATER, JR.)

The pursuit of human liberty and dignity brings us together today. In this vital cause, let us call on all Americans to join a crusade for personal privacy. In this spirit, I want to share some ideas and insights today.

Awareness of gradual, but growing intrusions on personal freedom is spreading rapidly. Civic and patriotic groups, the academic community and many Members of Congress have the commitment. We are on the attack and we will succeed!

Nothing short of a national battle plan must be formulated in Congress and by state governments to reverse the insidious denuding of every person's personal privacy and individual rights. Furthermore, the ability of the government and big business to indiscriminately exchange private information about any individual must be stopped.

ZONES OF PRIVACY

I am concentrating on the area of information protection, sometimes termed data surveillance. This is not to suggest I am unaware of other forms of privacy invasion. All too many forms of violations of personal liberty can be found in the current news:

Watergate was an invasion of privacy.

The break-in of Dr. Ellsburg's psychiatrist's office was an attack on privacy.

Unwarranted wiretapping and physical surveillance are intrusions of privacy.

Behavioral modification of small children or persons in penal institutions invade personality and individuality.

Similarly, collecting sensitive personal facts about individuals, handling it in a careless or inaccurate manner, selling or transferring files without the consent of the giver, these too are invasions of privacy.

GROWING CONGRESSIONAL COMMITMENT

For almost a decade, a few isolated voices in Congress and throughout America have proposed remedies to privacy invasion. The commitment has been slow in coming, but I see real signs of its arrival. I point to recent

adoption by the House of my privacy amendment to the Federal Energy Administration bill. To the best of my knowledge, this was the first time an amendment of this nature was included in a measure establishing a new agency of the federal government. The amendment requires the agency to protect and assure the privacy of personal information collected or used by the Administration.

It also requires the Administrator to establish guidelines and procedures for handling individual identifiable personal data.

I pledge to offer more privacy amendments. When legislation comes to the House where information on individuals is involved, specific guarantees of confidentiality must be included. If privacy is ignored, I will make privacy requirements heard!

CONTROLLING DATA SURVEILLANCE ACTIVITIES

As we think of the concept of privacy in the modern context, it means protected rights of personality. Privacy is invaded when an individual is required to divulge sensitive personal facts about himself.

This may be in answer to a government questionnaire, applications for assistance or any type of information collecting requirement. If personal information sought conforms to minimum needs, privacy is less threatened.

Once personal information enters a record system, its confidentiality must be protected. This is the case if the information is used only for the purpose it was taken, and data managers take care for its accuracy and validity. Once the need for this information has ended, it is the duty of the users to halt further transfer or release of the data, and in accordance with a specific policy, purged from the system.

There are four reasons for the call to privacy action, each supported by the fact this prudent attention to private rights has not been respected. Excesses by government and private data collectors and users are alarming the public. This has escalated due to unresponsiveness and insensitivity to individual concern over personal files. Technological innovation has magnified the privacy dangers, because of automation of information handling. Collection, processing, and analysis by computers and telecommunications give new dimensions to manual methods of record keeping.

Public understanding of this threat to their civil liberties has elevated privacy as a priority national problem. Confidence in government has fallen, and in part because of distrust in government information practices.

THE CONCEPT OF PRIVACY

To more clearly understand the practical and philosophical basis of this attack on personality, let us look to our Western development of man, and of social order from three centers. They are Jerusalem, Athens, and Rome.

The idea of society and of community in the presence of God came from Jerusalem. The Greeks gave us reason and philosophy—the systematic search for knowledge and truth.

Socrates, Plato, and Aristotle believed that social order is founded on human person, on human relationships and actions. The state, then, had the necessity to reflect the order or chaos of the citizens' inner lives, which could be seen in their outward lifestyle.

Some of the ancient Greeks, notably Plato with his *Republic*, were seeking perfect wisdom and justice.

But these philosopher kings have never really existed. The Greeks conceived a State founded on law. At that time, a main objective of law was to restrain the rulers. Law was to substitute for fear and coercion as the means for ruling. It was meant to lead men to the cultivation of virtue, to insure liberty. This required raising common interests above special ones. Law was to correct injustice and to educate men to love justice.

The concept of privacy as a human value began in these early times. The individual was the basis of society, a social order based on laws, where men were seeking knowledge, truth and justice. Religion also played an important part in developing the concept of privacy.

IMPORTANCE OF LAW AND RELIGION

Greek and Roman law evolved from family custom. The family was rooted in its land, the land of their ancestors and which supported the family.

This is more clearly described among the Romans. Cicero asked, "What is there more holy than the house and the land of each individual citizen? Here is his altar, here is his hearth, here are his household gods. Here all his sacred rights, all his religious ceremonies, are preserved."

These were the origins of our own sense of "patriotism." Literally, patriotism meant love of the land and love of our fathers.

Religion was vitally important to understanding the ancient family and the society which evolved from it. From it was established marriage, paternal authority, and fixed relationships. The rights of property and inheritance were consecrated during these times. This is the same religion, after having enlarged and extended the family, that formed a still larger association: the city.

The city was to be ruled in the same manner as the family. From it came all the institutions as well as the private law of the ancients.

Then, the importance of the family and family love became badly distorted. Instead of one individual, and one family being foremost, a new political life was created—the ruler. This was the father image raised to the level of hero or god.

We must not overlook the principles these Greeks and Romans left us. The law, respect for the family, and patriotism number among them. Omitted, however, was moral and ethical direction for the state.

EARLY CHRISTIAN INFLUENCES ON GOVERNMENT

Christianity has done much to fashion the politics and forms of government of Western history. St. Augustine brought together Mosaic law, Socratic philosophy, and natural law. He believed that a state and the politics of a people should reflect the society's understanding of themselves. With moral and ethical direction he called for a hierarchy of ends, putting aside the unimportant.

We should seek the highest ends, according to St. Augustine. These higher goals followed moral precepts and by following such objectives, St. Augustine believed a person's life would be marked by charity, love and freedom.

THE DOCTRINE OF FREEDOM

The doctrine of freedom is essential to privacy. Freedom to obtain ends beyond mere things—mere materialism. Freedom to pursue higher ends. But to do this we must have free will. All of these early concepts are falling into place. The importance of the *individual and family*, the *creation of laws* as a substitute for fear and coercion. To seek higher goals, we must have *free will*, and *free choice*.

There are enemies of freedom as we well know. Perhaps the greatest ones lie within ourselves: fear, desire, and ignorance. Forces outside ourselves appeal to our fears. We know of people who have sold their freedom for money, security, position. Here is the key blunder of people who will use freedom to gain short run benefits. These misled people think freedom is not a spiritual or intellectual quality, but a material one.

This materialism blunder can easily lead to the view that men with more *things* are bound to be somehow freer and happier than men without them.

Such a notion has been important to the development of our modern technocracy. Life today is based on a system for the production and consumption of things in ever-expanding quantities. We might ask ourselves if a man with everything is freer than a man with nothing?

LOSING OUR DIRECTION

Where and how did we lose our way? Our short historical review shows we lost our way when we gave so much importance to material values, and not human ones.

We have placed *material security* over *intellectual freedom*. We let big government take over our *personal responsibilities*, and those of our churches and charities. We let government educate us, house us and direct our cultural experience.

Now, we wonder why this collapse in our rights to be left alone, after we have permitted, and even *asked*, the government to do it for us.

Our generation worships social utility, and the rationalism so prominent in science today. Science, like all philosophy, *had* been dedicated to the search for wisdom. Now the scientists do not seek simply to understand nature, but try to control it.

THE MATERIALISTIC CONCEPT OF MAN

Science and technology are justly credited with giving us bountiful progress, and in large measure this has been to our advantage. However, I think we must look again to see if all the new methods and apparatus for development are making us slaves to new masters.

Are not many of these political and social techniques to regulate the flow of all goods and services really controlling our choices and opportunities?

This is the modern economic view of man. Every television commercial underscores the consumer society. We are told we will be happy and satisfied if we have enough *things*. Moral qualities are irrelevant.

This economic view of man dominates our lives! By itself, it is an immoral view. I submit this kind of concept of man motivated the Nazis who propelled it to a horrible zenith. Unfortunately, these notions explain much of the modern world.

TECHNOCRACY OR TECHNOLOGY

I want to state here and now that I am not launching an attack on technology as such. There are really two concepts: technology and technocracy. There is the one that stands as a kind of intermediary between men and their environment. This has produced the club and the wheel, and is neutral in the molding of human destiny. Technocracy is the product of that applied science which evolved when the scientists, infected by rationalism, sought to cure the ills of the world. They developed solutions which they believed would erase suffering, end hunger, provide riches, and generally secure everyone's welfare. This is the claim that suffering, hunger, and poverty could be abolished by an act of will, or more precisely, by government money.

It is this technocracy that limits freedom. For in a technocracy, men must choose only the most efficient techniques to achieve desired ends, to the detriment of every other standard, like beauty or humanity. Determining the most efficient means for a project requires an accumulation of facts, then more facts, to explain the ones already collected. So many facts that techniques of fact-finding and collecting have become a special field of development. The accumulation of facts, the collection of data, becomes so vast an enterprise that ordinary logic cannot embrace it. The computer has

spawned the "technical mind." This is a peculiarly 20th century phenomenon.

Lines of verse or the lines of a painting may differ, but facts once established will not. So with the technical mind, unlike the poetical or artistic, every technical mind is just like every other technical mind.

This means that one man with a technical mind is as able as every other man with a technical mind. It says that one man with a technical mind is as able as any other to do a technical job. Everything distinctive, individual, or superior in terms of qualities of a man's mind is not relevant.

Everything centers on the quantitative; down with qualitative dimensions or values. If there are no jobs except technical ones, everyone will function according to the same common, and may I say low, standard.

THE CYBERNETIC STATE

Another result of the vast accumulation of facts is that it makes for an extremely complex society. This is technocracy. Will it function according to the will of the public? No. Can the mechanisms of society be operated by bureaucrats? No. Only *technocrats*.

Since ours is becoming an essentially mechanical state, it is vital that all its parts operate smoothly. If the flow of mail in one area is interrupted, it is enough to declare a national emergency and call in the Army. This was actually done during the mail strike a few years ago.

If some scheduled air flights are disrupted by criminal hijackers, it is enough to subject all of us to a close search. We probably take the search for granted, as if we never travelled freely. Here we are getting to what is the overall meaning of my message today.

My concern has to do with our reasons for surrendering to the tyranny of technocracy. For there is no question we are surrendering.

And what I am talking about is *tyranny*. As our country has been mobilized into a technical society, the more we have become technocracy's servants. We have been asked again and again to place technical accomplishment at the top of our list of human values. Technocracy requires order, as absolute as possible.

Here we have one of the root causes of society's demand to apprehend and punish those who disrupt order. A penchant for order has blinded people to overlook the purposes prompting disorderliness. A student demonstration is reported largely for its disorderly characteristics, almost overlooking the motivations of the participants.

I am not condoning disorders, or disorderly conduct. But I am suggesting that society is often missing the point by worshipping order.

Our need for order has led us to appeal to the technicians, to lead the search and to devise the means, the techniques, to effect change. The state becomes not only the main source for the development of the techniques of social control, but its agencies are also the chief beneficiaries of the techniques. Guarding against the evolving technobureaucratic establishment must be a great challenge to all of us.

PROGRAMMING THE PROGRAMMERS

We have traced a long historical road today . . . leading to 1984 and beyond. We must defang Big Brother. We are the generation to withstand Future Shock. But I trust you will not think I am speaking about an alarmist's flight of fancy. The computer-telecommunications era is already upon us.

There are currently 150,000 computers in use in the United States, and some 350,000 remote data terminals. Predictions have been made indicating there will be 250,000 computers and 800,000 terminals by 1975. Revolutionary changes in data storage are taking place.

It is possible today to build a computerized on-line file containing the compact equivalent of 20 pages of typed information about the personal history and selected activities of every man, woman and child in the United States.

In this system any single record can be retrieved in about 30 seconds. Few can deny that we are approaching a data bank society. My objective is not to undo or slow down technical advancement, but rather to put men *over* machines.

Let us insert private rights into the programs of the programmers. Let us restore human dignity as the cardinal principle, rather than worship the gods of efficiency and economy. We must manipulate the manipulators.

The dehumanists of technocracy should have the back seat in the reshaping of our destinies.

THE CONGRESSIONAL COMMITMENT

There are now more than 300 members of the United States Congress, both House and Senate, who have sponsored one or more of the 60 different approaches to restoring rights of privacy of Americans.

Each of these different remedies strikes at a particular evil or abuse. What is really needed is a broadly framed measure incorporating the best solutions. It must include all kinds of information collection practices, whether maintained on computers or in traditional filing methods.

Private organizations and businesses must be required to conform to these standards. Fortunately, a recent Department of Health, Education and Welfare Advisory Commission Report on Automated Personal Data Systems set out good recommendations for a Code of Fair Personal Information Practices.

I was given the opportunity by Secretary Weinberger and former Secretary of Justice Elliot Richardson to introduce legislation implementing the report in the House.

The basic proposals of this legislation are:

There must be no personal data system whose very existence is secret.

There must be a way for an individual to find out what information about him is in a record, and how that information is to be used.

There must be a way for an individual to correct information about himself, if it is erroneous

There must be a record of every significant access to any personal data in the system, including the identity of all persons and organizations to whom access has been given

There must be a way for an individual to prevent information about him collected for one purpose from being used for other purposes, without his consent

EXECUTING THE BATTLEPLAN

This is a bi-partisan, patriotic, and civil liberties issue. I am glad the President has called for a review of this situation, by way of a four-month study directed by Vice President Ford.

I met with the Vice President earlier this month in Washington, and suggested that instead of merely studying the issue further, the committee should take the best ideas from government reports and congressional proposals. These should be sent to the Congress, with the endorsement of the President, before July.

We have before us a unique opportunity to make the 93rd Congress the Right to Privacy Congress.

Should we fail to seize this challenge now, and act upon it, the spectre of technological tyranny will become reality.

We must not let this happen.

VOA AND SOLZHENITSYN

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1974

Mr. ASHBROOK. Mr. Speaker, recently I contacted James Keogh, Director of the U.S. Information Agency, to express my concern over the reluctance of the Voice of America to broadcast into the Soviet Union extensive excerpts of Alexander Solzhenitsyn's book, "Gulag Archipelago." This work which is strictly prohibited in the Soviet Union deals dramatically and factually with the existence of the concentration camp system in the Soviet Union—an area that the Soviets obviously do not want publicized.

I have received a letter from Mr. Keogh in which he details the coverage given to news about Solzhenitsyn and about his book. Keogh does write:

What VOA has not done is use its own polemics to attack the Soviet Union . . . We considered—but decided against—reading on the air large segments of the book.

Margita E. White, Assistant Director of Public Information for USIA, in a letter to the New York Times of March 17, 1974, quoted Mr. Keogh further:

We do not—as the official radio voice of the United States—indulge in polemics aimed at changing the internal structure of the Soviet Union. To read from the book would be far outside the normal style of Voice of America programming and would tend to reinforce Soviet charges that the United States is utilizing these events as a political weapon . . .

In other words, Mr. Keogh seems to be admitting that the broadcasting of extensive excerpts of the "Gulag Archipelago" by the VOA would have a strong impact in the Soviet Union.

Alexander Solzhenitsyn has written on the inability of the West to deal with the reality of Soviet power:

The timid civilized world has found nothing with which to oppose the onslaught of a sudden revival of barbarity, other than concessions and smiles.

At this point I include in the RECORD the text of Mr. Keogh's letter to me as well as the text of an open letter to the Congress of the United States from the "Committee for Human Rights In The Soviet Area" at the University of Massachusetts, Amherst, Mass.:

U.S. INFORMATION AGENCY,
Washington, D.C. March 29, 1974.

The Honorable JOHN M. ASHBROOK,
House of Representatives.

DEAR CONGRESSMAN ASHBROOK: This is in response to your letter of March 18 expressing concern over the Voice of America's coverage of Alexander Solzhenitsyn's book, *Gulag Archipelago*.

Recent news columns have interpreted the fact that VOA is not reading extensive excerpts of this book as a decision to soften VOA coverage of events in the Soviet Union. This is utterly untrue. There has been no change in policy regarding broadcasts to the Soviet Union. Nor has VOA changed its ap-

proach to the substance or frequency of news or political programming.

VOA has covered the developing Solzhenitsyn story fully and factually as it has covered other aspects of the dissident movement in the U.S.S.R. Since *Gulag Archipelago* was published on December 28, the book and Mr. Solzhenitsyn's plight have been reported almost hourly in VOA newscasts in languages of the Soviet Union. In that period of time, these broadcasts carried some 2,500 news stories on the Solzhenitsyn case, adding up to more than 40 hours of broadcast time. In addition, the VOA broadcasts to the Soviet Union in that same period of time carried 95 hours of special reports on the Solzhenitsyn story, including reviews of the book, and comments by public figures and journalists in the U.S. and abroad. This adds up to a total of 135 hours of straightforward broadcasting between December 28 and March 6.

What VOA has not done is use its own polemics to attack the Soviet Union on this issue. This is consistent with enunciated U.S. foreign policy. We considered—but decided against—reading on the air large segments of the book. To do so would have been a sharp departure from the normal VOA programming pattern and would have duplicated the programming of Radio Liberty which is broadcasting the text of the book to the people of the Soviet Union. Thus, I believe, the Voice of America and Radio Liberty fulfill their separate missions.

It is my sincere hope that this information will help establish the record.

Sincerely,

JAMES KEOGH, *Director*.

COMMITTEE FOR HUMAN RIGHTS
IN THE SOVIET AREA,
Amherst, Mass.

The undersigned members of the campus community at the University of Massachusetts in Amherst wish to draw your attention to the following statement, prepared by the local COMMITTEE FOR HUMAN RIGHTS IN THE SOVIET AREA, which they endorse.

Is abstract sympathy the only response we are permitted with respect to Soviet dissidents, emigration rights for Soviet Jews, and the general plight of people living under totalitarian regimes in the Soviet area? Officials in charge of United States foreign policy seem to say as much: These humanitarian concerns, though praiseworthy, must remain sterile, lest they interfere with the cold calculations of the politics of detente.

Why should that be so? Is it really in our interest? Considering that these "cold calculations" seem to have resulted mainly in one-sided concessions to the Soviet Union, they should be subjected to close scrutiny. It is possible, for instance, that the administration takes this stand—as it does in the case of the Trade Reform Bill—because it feels under pressure to fulfill its end of some sort of understanding reached perhaps in connection with the end of open warfare in Vietnam. On the other hand, the notion that concern wtih conditions in the Soviet Union conflicts with rational policy making may be simply due to a failure to perceive clearly the implications of Soviet domestic conditions and of the struggle of Soviet dissidents for the long-term interests of the United States. This is the issue we want to explore.

We believe that it is wrong as well as dangerous to leave the state of the Soviet domestic regime out of our assessment of international power relations. At the basis of United States policy is the search for a stable peace. The totalitarian nature of the Soviet internal regime affects this policy both indirectly and directly. Therefore, we are concerned that the case of Soviet dissidents and related issues not be treated only as isolated matters of moral concern with endangered individuals. They should be seen in the full context of Soviet totalitarian controls, and of what they mean for the preservation of peace.

The greatest danger lies, to our thinking, in the area of communications. We are unable to tell the Soviet people about our own intentions. They are unable to find out for themselves what the world is like outside their country. They are also unable to communicate freely with each other, and with their writers and thinkers, to find out about the true state of their country and their own potentialities for change. Between them and us, as well as between one Soviet citizen and another, there stands the regime's near-absolute monopoly of information.

The purpose to which this information monopoly is put is the creation of myths bolstering and sustaining the totalitarian regime. To justify its existence and rigor, the regime needs to keep alive the image of an external enemy. At the same time, it also needs to keep up the image of a Western world of cruel poverty and injustice on the brink of imminent economic and social collapse. ("Can black people in the U.S. own cars?" was one typical question addressed recently to an American.) The falseness of the image of a threatening West is clear to anyone who knows about prevailing Western attitudes toward military budgets and economic assistance to the Soviet Union. However, internally, it helps the regime to exploit the profound emotions of patriotism for the loyalty of its subjects, and support of its military machine and expansionist stratagems.

Therefore, to preserve our own security and be able to divert the world's resources to more productive ends than armaments, *we need to make the elimination of the Soviet monopoly of information a priority policy objective*. Only if the Soviet people learn the truth will they be able to activate their own social energies and put their rulers under the constraint of their opinion and will, as we do ours. Only then will our negotiated agreements have a solid basis, instead of being subject to the risks of arbitrary changes of mind or hidden intentions of uncontrolled leaders.

Do we have the practical means to influence the course of events in that direction? Definitely yes. We are convinced that our communications technology is sufficiently advanced, or can be developed, to penetrate the regime's information monopoly on a more effective scale than has been the case so far. Furthermore, with some degree of imagination, it should be possible to tie our various economic and other concessions effectively to concrete Soviet counterconcessions that would provide for a free and unrestricted travel of people in both directions, and for a free flow of information. While some may object to this as interference in Soviet domestic affairs, we believe that it is a legitimate interference since it promotes world peace as well as human rights.

Unless the connection between the domestic regime of the Soviet Union and our security is clearly understood, the warnings addressed to us by Andrei Sakharov, the dissident Soviet physicist and perceptive political analyst, will have been in vain:

"Detente without democratization, detente in which the West in effect accepts the Soviet rules of the game, would be dangerous. It would not really solve any of the world's problems and would simply mean capitulating in the face of real or exaggerated Soviet power . . . As a result, the world would become helpless before this uncontrolled bureaucratic machine . . . It would pose a serious threat to the world as a whole."

We count on you to use the influence of your office to counter these dangers by practical and legislative measures. In this instance, our traditional sense of decency and human solidarity goes hand in hand with our most selfish interest in peace and security. And even though tangible results may not be within immediate reach, they are of such vital importance to us that they ought to be pursued steadily, consistently, and relentlessly until they *are* reached.

Thank you.

Prof. VACLAV HOLESOVSKY, *Chairman*.
Prof. HOWARD BROGAN, *Vice-Chairman*.
Prof. LASZLO TIKOS, *Secretary-Treasurer*.

A SYNOPSIS OF THE PRECEDING LETTER

Beyond plain human decency, Americans have a selfish interest in supporting the struggle of Soviet dissidents for democratization of the Soviet Union. This is why:

Americans want a truly stable peace, not peace by five or ten-year installments; and disarmament without risks to their security. The Soviet rulers, on the contrary, need to make their subjects believe that they are threatened by the United States. In this way, they justify the militaristic rigors of their regime and maintain themselves in power. To accomplish this, the population must be kept in the dark about the true facts. At the same time, the Soviet rulers themselves engage in threatening military maneuvers. Therefore, a high-priority goal of the West and the United States ought to be to penetrate the Soviet information barrier and let the Soviet people know the true facts. Only then will they have reason to restrain their rulers. As long as we are dealing with uncontrolled Moscow bureaucrats and generals, negotiations will be built on sand. Only democracy in the Soviet Union can provide a solid basis for *bona fide* negotiations and peace.

THE LIST OF SIGNATURES TO DATE
(MARCH 31, 1974)

Tomas Aczel (English).
Donald M. Austern.
Solomon Barkin (Econ.).
Meyer W. Belovicz (Business).
Normand Berlin (English).
Norman A. Brown (Theater).
Richard Carey Jr.
Anne Marie Casey.
Joan M. Centrella.
Robert L. Chew (GRS).
Margaret Cornell (English).
Clyde Crowson, D.D.S. (Health).
Helen F. Cullen (Math.).
John T. Daley (Phys. Plant).
Deborah W. Dauray.
Allen N. David.
Catherine M. Delizia.
Carol Drew (Phys. Plant).
Edward Feit (Polit. Science).
Andrew Fetler (English)
Marshall Fine.
Peter Fliess (Polit. Science).
Harvey Friedman (Labor Center).
Laurie B. Gan.
Sheldon Goldman (Polit. Sc.).
Haim Gunner (Envir. Eng.).
H. Richard Hartzler.
Wiilliam E. Heronemus (Civ. Eng.).
Emily P. Hoffman.
Richard A. Hoffman (Agric. Eng.).
Paul Hollander (Sociology).
Lynn Hudson.
Ethan Katsch (Legal Studies).
John D. Kendall.
Thomas Krajeski.
Joseph J. Lake (Slavic Lang.).
Daniel LeBlanc.
John W. Lederle (Polit. Sc.)
Cathy M. Levin
Guenter Lewy (Polit. Sc.).
E. Ernest Lindsey (Chem. Eng.).
James A. Lockhart (Botany).
Arnold Mandelstam.
Robert J. McCartney (Liaison).
Surinder K. Mehta (Sociology).
Rabbi Aryeh Meir (Hillel).
Lary A. Midura.
Lucien Miller (Comp. Lit.).
Justin Milliun.

Jadwiga A. Moczulewski (Libr.).
Arthur B. Musgrave (Journal.).
Elaine M. Noury (Water Res.).
Leon M. Noury (Water Res.).
Claudine Penchina (Physics).
Dennis J. Perry.
Barry Pritzker.
John Putnam.
Rev. J. Joseph Quigley (Newman Center).
William N. Rice.
Larry S. Roberts (Zoology).
Michael D. Roth.
Simon Rottenberg (Economics).
Paul F. Saagpakk (English).
Howard D. Segool (Com. Tech.).
Ruth M. Seligman (Mass. Review).
Doug Stanley.
Normand Strautin.
Joseph E. Szala (Public Health).
Mahra L. Teirmanis.
Bernard K. Turner (Publ. Safety).
Irene S. White (Biochem.).
Merit P. White (Civil Eng.).
Janet D. Williams.
Fay Zipkowitz (Library).
Alexander August (Northampton).
George D. Tomasetti (Northampton).
Dr. John W. Hilt (Amherst).

THE AMNESTY ISSUE

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1974

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

HOW CAN WE FIND WAY OUT IN AMNESTY ISSUE?

(By John Pinkerman)

America has a long tradition of compassion, of mercy—and of amnesty.

America also is a nation of laws. The laws are for all the people in a democratic society, despite the degradation of this tradition by people in the highest level of government.

With this background, we are seeing a new debate, in Congress, on television and in the written press, over the issue of blanket or general amnesty for those who deserted the country in the Vietnam War. Included is general or total amnesty also for those who fled the country as draft dodgers even before they had a chance to desert while in military uniform.

The views on amnesty generally are rigid and more emotional than have been views on almost any controversial issue of the last 50 years. There are those who say President Nixon was rather quick to grant parole—or amnesty—to Teamsters Union boss Jimmy Hoffa; and soon the Republicans got political support from the Teamsters. There are those who say ex-Vice President Spiro Agnew got the ultimate in amnesty when he was allowed to plead "no contest" to one tax fraud charge, with a prearranged sentence of a $10,000 fine and three years probation which in effect is no restraint of any kind. This, most of us would agree, was a slap on the wrist compared to what happens to others who indulge in tax fraud.

There are many other cases of "amnesty" in high places. So, say those who cite Hoffa, Agnew and hundreds of other unsavory cases, why not amnesty for all of the thousands who deserted their military buddies and their country in time of war, and for those who defied the draft laws of the nation!

Those who support total amnesty remind us that the Vietnam War was a national disgrace—and most of us would agree that this is true. These leaders of the amnesty drive appeared before Congress and have talked of every man's right to make the moral determination as to whether he will obey the nation's laws. They have quoted Abraham Lincoln on "binding up the nation's wounds" and they have quoted others on the need to "bring the country together" in these anguished times by welcoming home the deserters and draft dodgers as if they had done nothing more wrong than taken a sabbatical from their national—and legal—responsibilities.

On the extreme "other side"—you might call it the right vs. the total forgiveness of the left—there are those who want every deserter and every draft dodger to go to prison; some would even object to a fair trial. They also cite several precedents; in fact, they also quote Lincoln in their own harsh view of any kind of mercy.

Most of those who served in Vietnam, in Korea, in World War II and in World War I are a bit shy of total amnesty. Parents who lost boys in the Vietnam War, and in the other wars, are betwixt and between—they are too sad to be angered by desertion, but not quite ready to forgive the draft dodgers and those who left fellow servicemen to die.

Army Lt. Gen. Leo E. Benade, deputy assistant secretary of defense for military personnel policy, is one who has a professional and perhaps valid fear of total amnesty. "Any legal precedent," he told Congress, "that would undermine the sanctity of military obligations and sworn oaths would be dangerous to the security of the nation." We surely would be in a dangerous position if, when attacked by a foreign enemy as in World War II, every young man realized he had legal precedent to say no to the responsibility that he help defend his country.

Somewhere between what the liberals are demanding and what the opponents of amnesty are demanding, there is room for American mercy under the law. There is vast difference, it seems, between a draft dodger and a deserter who has taken an oath to do his duty. There is some degree of difference in every one of the 500,000 Vietnam era cases of desertion and draft dodging—home conditions, mental state of the individual, motive and degree of desertion and defiance of the law. These are individual cases and should be so treated.

The House Judiciary Committee has nine bills for various types of amnesty. It is hoped the Congress will not be stampeded either by the very powerful voices demanding total amnesty or the sullen voices of retribution. If Hoffa and Agnew deserved amnesty, so do a certain number of Private John Does—all within the compassion and the legal traditions that have made America the great nation it is.

GRAHAM A. MARTIN: WHOSE AMBASSADOR?

HON. RONALD V. DELLUMS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1974

Mr. DELLUMS. Mr. Speaker, were it not so ludicrous, the recent antics of Ambassador Graham Martin might be considered amusing.

Martin has initiated a one-man lobby on behalf of the Thieu regime—and in doing so, has seriously assailed both the Congress and the American people.

In his myopic defense of the Thieu regime, Martin overlooks that the vast majority of the American public are absolutely set against large-scale American intervention in Vietnam.

The following Washington Post editorial asks: "Whose Ambassador?" It is a question we should give serious consideration:

[From the Washington Post, Mar. 14, 1974]

WHOSE AMBASSADOR?

In Graham A. Martin, President Thieu of South Vietnam has a warm friend and a forceful and highly placed advocate—a fine ambassador, you might say. Indeed, Mr. Martin's recent attack on a New York Times report on American aid to Saigon—an 18-page attack which Mr. Martin asked the State Department to make public—could hardly have pleased President Thieu more. It mirrored precisely Mr. Thieu's own view that the fount of all criticism of his rule is Hanoi.

The catch is that Graham Martin is not the ambassador of South Vietnam to Washington. He is the American ambassador to Saigon. This would seem to be an elementary distinction but Mr. Martin, in his blinded devotion to President Thieu, has evidently lost sight of it. We have his devotion (and his low boiling point) to thank for the fact that he has come out from behind the wall of discretion, behind which professional diplomats ordinarily work, in order to challenge a reporter for the Times.

It is, first, outrageous that Mr. Martin should preface his challenge with the suggestion that press and congressional criticism of South Vietnam is being orchestrated by Hanoi. The charge is false—and mischievous. That an American career envoy in the year 1974, should be sniping in a cheap political way at the motives of Vietnam policy critics is a sad commentary on how little the old cold-war-oriented hands have learned from our Indochina experience. Moreover, it is an old and unworthy ploy for an official to disdain to talk with a reporter on grounds that the reporter is "biased," and then denounce him for alleged errors. In short, Mr. Martin is paying a heavy price for Mr. Thieu's affection.

Secondly, Mr. Martin's critique is a throwback to the bad old days of one-sided, self-serving, over-simplified reporting on Vietnam and, as such, is altogether out of line with the more nuanced requirements of a policy that no longer needs to depend for its effectiveness on misleading the American people. We had thought, or hoped, the objective now was to help move the Vietnamese parties toward a real settlement. By the evidence of Mr. Martin, however, the policy is to supply President Thieu the resources and encouragement to let him sidestep the Paris accords and to keep pressing the war. For it is obvious that Mr. Thieu, seeing Mr. Martin's uncritical devotion to him, can have little incentive to heed whatever cautions the U.S. Government may simultaneously offer. We apparently have here a classic case study of how an ambassador loses influence with the government to which he is accredited.

As to the specifics of the aid program as discussed by the Times and Mr. Martin, we believe, as we have previously said, that Congress should itself go deeply into the whole program. The Times article charged that American military aid "continues to set the course of the war"; various American violations of the Geneva accords were alleged. During these allegations, Ambassador Martin responded that the course of the war is set by "the continuous and continuing Communist buildup" and by Saigon's response to "actual military attacks mounted by the other side." These are, we submit, differences of perception which the Congress ought to try to clarify before it votes further aid for South Vietnam. The administration is asking for $1.45 billion in military aid in fiscal 1975—up from the $829 million approved in 1974. Whatever total it finally approves, the Congress should be convinced that the money is being given in an amount and in a way designed to reinforce the Paris accords, not to undermine them.