

tion of the program, and for other purposes; to the Committee on Ways and Means.

By Mr. HOWARD:

H.R. 14008. A bill to amend the Public Health Service Act to expand the authority of the National Institute of Arthritis, Metabolism, and Digestive Diseases in order to advance a national attack on arthritis; to the Committee on Interstate and Foreign Commerce.

By Mr. ROGERS (for himself, Mr. KYROS, Mr. PREYER, Mr. SYMINGTON, and Mr. ROY):

H.R. 14009. A bill to strengthen the Food and Drug Administration, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. STARK (for himself, Mr. VANIK, Mr. MOAKLEY, Mr. MCCORMACK, Mr. ASHLEY, and Mr. DRINAN):

H.R. 14010. A bill to authorize the Secretary of the Interior to study the feasibility of a national park, recreation area, or wilderness area in the ridglands east of the San Francisco Bay in the State of California, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. STARK (for himself, Mr. SEIBERLING, Mr. BINGHAM, Mr. DE LUGO, Mr. UDALL, Mr. BROWN of California, Mr. DELLUMS, Mr. EDWARDS, Mr. CALIFORNIA, Mr. ROYBAL, Mr. WALDIE, Mr. LEGGETT, Mr. REES, Mr. HAWKINS, Mr. BELL, Mr. RYAN, Mr. HANNA, Mr. CHARLES H. WILSON of California, Mr. MCCLOSKEY, Mr. MOSS, Mr. GONZALEZ, Mr. HARRINGTON, Mr. MCKINNEY, Ms. ABZUG, Mr. ECKHARDT, and Mr. MOORHEAD of Pennsylvania):

H.R. 14011. A bill to authorize the Secretary of the Interior to study the feasibility of a national park, recreation area, or wilderness area in the ridglands east of the San Francisco Bay in the State of California, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. CASEY of Texas:

H.R. 14012. A bill making appropriations for the legislative branch for the fiscal year ending June 30, 1975, and for other purposes.

By Mr. MAHON:

H.R. 14013. A bill making supplemental appropriations for the fiscal year ending June 30, 1975, and for other purposes.

[Omitted from the Record of April 3, 1974]

By Mr. LONG of Maryland:

H.J. Res. 967. Joint resolution to designate the first Tuesday of June of each year as National Parliamentary Law Day; to the Committee on the Judiciary.

[Submitted April 4, 1974]

By Mr. ARENDS (for himself, Mr. RHODES, Mr. HEBERT, Mr. CEDERBERG, Mr. GRAY, Mr. O'NEILL and Mr. MCFALL):

H.J. Res. 968. Joint resolution designating the premises occupied by the Chief of Naval Operations as the official residence of the Vice President effective upon the termination of service of the incumbent Chief of Naval Operations; to the Committee on Armed Services.

By Mr. ASPIN:

H. Con. Res. 461. Concurrent resolution ex-

pressing the sense of Congress concerning how it should receive foreign policy information during the period from the impeachment of the President by the House of Representatives until the Senate votes on such impeachment; to the Committee on Foreign Affairs.

H. Con. Res. 462. Concurrent resolution expressing the sense of Congress concerning the President not signing any agreement with a foreign country or international organization during the period from his impeachment by the House of Representatives until the Senate votes on such impeachment; to the Committee on Foreign Affairs.

H. Con. Res. 463. Concurrent resolution expressing the sense of Congress concerning the President not traveling abroad on Government business during the period from his impeachment by the House of Representatives until the Senate votes on such impeachment, and concerning a foreign head of state not making an official visit to the United States during such period; to the Committee on Foreign Affairs.

By Mr. BINGHAM (for himself, Ms. ABZUG, Mr. ADAMS, Mr. ADDABO, Mr. ANDERSON of Illinois, Mr. ANNUNZIO, Mr. ASHLEY, Mr. ASPIN, Mr. BADILLO, Mr. BARRETT, Mr. BELL, Mr. BERGLAND, Mr. BIAGGI, Mr. BIESTER, Mrs. BOGGS, Mr. BOLAND, Mr. BOLLING, Mr. BRADDEMAS, Mr. BRASCO, Mr. BROWN of Ohio, Mr. BROWN of Michigan, Mr. BROWN of California, Mr. BUCHANAN, Mr. BURKE of Massachusetts, and Ms. BURKE of California):

H. Con. Res. 464. Concurrent resolution authorizing a bust or statue of Martin Luther King, Jr., to be placed in the Capitol; to the Committee on House Administration.

By Mr. BINGHAM (for himself, Mr. BURTON, Mr. CAREY of New York, Ms. CHISHOLM, Mr. CLAY, Ms. COLLINS of Illinois, Mr. CONTE, Mr. CONYERS, Mr. CORMAN, Mr. COTTER, Mr. CULVER, Mr. DOMINICK V. DANIELS, Mr. DANIELSON, Mr. DELLERBACK, Mr. DELLUMS, Mr. DE LUGO, Mr. DENT, Mr. DIGGS, Mr. DORN, Mr. DRINAN, Mr. DULSKI, Mr. ECKHARDT, Mr. EDWARDS of California, Mr. EILBERG, and Mr. EVANS of Colorado):

H. Con. Res. 465. Concurrent resolution authorizing a bust or statue of Martin Luther King, Jr., to be placed in the Capitol; to the Committee on House Administration.

By Mr. BINGHAM (for himself, Mr. FASCELL, Mr. FAUNTROY, Mr. FINDLEY, Mr. FISH, Mr. FOLEY, Mr. FRASER, Mr. GIAIMO, Mr. GIBBONS, Ms. GRASSO, Mr. GREEN of Pennsylvania, Ms. HANSEN of Washington, Mr. HARRINGTON, Mr. HAWKINS, Mr. HECHLER of West Virginia, Mr. HELSTOSKI, Mr. HICKS, Ms. HOLTZMAN, Mr. HORTON, Mr. HOSMER, Mr. HOWARD, Mr. HUDNUT, Mr. HUNGATE, Mr. JOHNSON of Colorado, and Ms. JORDAN):

H. Con. Res. 466. Concurrent resolution authorizing a bust or statue of Martin Luther King, Jr., to be placed in the Capitol; to the Committee on House Administration.

By Mr. BINGHAM (for himself, Mr. KARTH, Mr. KASTENMEIER, Mr. KOCH, Mr. KYROS, Mr. LEGGETT, Mr. LIT-

TON, Mr. LONG of Maryland, Mr. LONG of Louisiana, Mr. MCCLOSKEY, Mr. MCKINNEY, Mr. MADDEN, Mr. MATSUNAGA, Mr. MAZZOLI, Mr. MEEDS, Mr. METCALFE, Mr. MEZVINSKY, Ms. MINK, Mr. MITCHELL of Maryland, Mr. MOAKLEY, Mr. MOORHEAD of Pennsylvania, Mr. MOSHER, Mr. MOSS, Mr. MURPHY of Illinois, and Mr. MURPHY of New York):

H. Con. Res. 467. Concurrent resolution authorizing a bust or statue of Martin Luther King, Jr., to be placed in the Capitol; to the Committee on House Administration.

By Mr. BINGHAM (for himself, Mr. NIX, Mr. OBEY, Mr. O'BRIEN, Mr. O'NEILL, Mr. OWENS, Mr. PATTEN, Mr. PEPPER, Mr. PODELL, Mr. PRICE of Illinois, Mr. RANGEL, Mr. REES, Mr. REID, Mr. REUSS, Mr. RIEGLE, Mr. ROBINO, Mr. ROE, Mr. ROSENTHAL, Mr. ROUSH, Mr. ROY, Mr. ROYBAL, Mr. RYAN, Mr. SARBANES, Mrs. SCHROEDER, and Mr. SEIBERLING):

H. Con. Res. 468. Concurrent resolution authorizing a bust or statue of Martin Luther King, Jr., to be placed in the Capitol; to the Committee on House Administration.

By Mr. BINGHAM (for himself, Mr. SMITH of New York, Mr. STARK, Mr. STEELMAN, Mr. STOKES, Mr. STRATTON, Mr. SYMINGTON, Mr. THOMPSON of New Jersey, Mr. TIERNAN, Mr. UDALL, Mr. VAN DEERLIN, Mr. VANDER VEEN, Mr. VANIK, Mr. VIGORITO, Mr. WALDIE, Mr. WARE, Mr. WHALEN, Mr. CHARLES WILSON of Texas, Mr. WOLFF, Mr. WYDLER, Mr. YATES, Mr. YOUNG of Georgia, and Mr. YOUNG of Illinois):

H. Con. Res. 469. Concurrent resolution authorizing a bust or statue of Martin Luther King, Jr., to be placed in the Capitol; to the Committee on House Administration.

By Mr. DERWINSKI:

H. Con. Res. 470. Concurrent resolution expressing the sense of the Congress with respect to the financial consequences of removing professional baseball from the Robert F. Kennedy Memorial Stadium; to the Committee on the Judiciary.

By Mr. DU PONT:

H. Con. Res. 471. Concurrent resolution to express the sense of the Congress with respect to certain vocational and career student organizations; to the Committee on the Judiciary.

By Mrs. GRASSO (for herself and Mr. STEELE):

H. Con. Res. 472. Concurrent resolution expressing the sense of the Congress with respect to the price of refined petroleum products; to the Committee on Interstate and Foreign Commerce.

By Mr. YATES (for himself, Mr. HECHLER of West Virginia, Mr. MELCHER, Mr. GUDE, Mr. RYAN, Mr. FISH, Mr. DERWINSKI, Mr. BROWN of California, Mrs. BURKE of California, Mr. GUNTER, Mr. MURPHY of Illinois):

H. Res. 1028. Resolution providing for television and radio coverage of proceedings in the Chamber of the House of Representatives on any resolution to impeach the President of the United States; to the Committee on Rules.

## EXTENSIONS OF REMARKS

### CALIFORNIA AGRICULTURAL LEADERSHIP PROGRAM

HON. VICTOR V. VEYSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1974

Mr. VEYSEY. Mr. Speaker, agriculture is the leading industry in the State of

California, and certainly it is the basic industry of the national economy. Agriculture shares all the pressures for change that mark a highly mobile, rapidly changing society. Increasingly, the well-being and vitality of this industry are determined by external forces. To prepare the leadership of California agriculture to relate to national problems and to understand how these forces im-

pinge on agriculture, the California agricultural leadership program was initiated in 1972.

Mr. Speaker, we are privileged to have 60 members from this select group visiting the Capital this week for a series of conferences. The list of officials they are slated to see includes HEW Secretary Casper Weinberger, Associate Justice William Rehnquist, Secretary of Labor

Peter Brennan, and the Director of the Ash. The balance of the itinerary for this group includes visits to a scientific Office of Management and Budget Roy forestry preserve in North Carolina, the TVA and the Atomic Energy Commission's Agriculture Research Laboratory in Tennessee, and the National Fertilizer Development Center in Alabama.

The California agriculture leadership program is an adult continuing education program. The primary goal is the continued development and expansion of a pool of trained, effective, and articulate spokesmen for the industry.

The program is managed by the Agriculture Education Foundation, Inc., in cooperation with the Council of California Growers; Fresno State College; California State Polytechnic University, San Luis Obispo; University of California, Davis; and California State Polytechnic University, Pomona.

Mr. Speaker, I include the names of these 60 outstanding young leaders of agriculture to be printed in the CONGRESSIONAL RECORD:

**CALIFORNIA AGRICULTURAL LEADERSHIP PROGRAM CLASS NO. 3**

Charles E. Boutonnet, Salinas; Dean E. Buchinger, Santa Ana; Michael L. Campbell, Clarksburg; William H. Colgate III, Fresno; H. A. "Gus" Collins III, Orange Cove; Byron T. Dennis, Gilroy; Ronald A. Enomoto, Half Moon Bay;

Eyvind M. Faye, Jr., Winters; Michael E. Fitch, Davis; Richard H. Greer, Claremont; Adin A. Hester, Stockton; Myron D. Holdendried, Kelseyville; Daniel F. Hollingsworth, San Jacinto; Timothy J. Indart, Clovis;

Donald Laub, Fresno; John A. Lewis, Elk Grove; Dale W. Long, Chino; Benjamin R. Olson, Jr., Bakersfield; Robert E. Parks, Tomales; Charles A. Pritchard, Santa Margarita; Robert C. Rathbone, Martinez;

Ernest E. Righetti II, Santa Maria; Ruben Rueda, Salinas; George C. Schmidt, Gustine; Michael J. Still, Porterville; Bernard Teunissen, Corona; Jeffry C. Thomson, Bakersfield; Richard Vaughn, Waterford; and Robert W. Wilbur, Tulare.

**CLASS NO. 4**

Rob Roy Beard, Corcoran; William Bonde, Sacramento; Richard Bozzano, Stockton; Steward Brown, Gasoline; John Casazza, Highson; Ralph Chaffee, Heber; Brian Davis, Sacramento.

Robert Demple, Santa Rosa; Paul Diener, Five Points; Jay Goid, Sacramento; Thomas Heffernan, El Centro; Daniel Hellbel, Pope Valley; DeWayne Holmdahl, Lompoc; Arden Kashishian, Bakersfield.

Lawrence Lempke, Manhattan Beach; Gene Lundquist, Bakersfield; Thomas McGrath, Oxnard; Phillip Mowbray, Blythe; Donald Nelson, Clovis; Melvin Oneto, Elk Grove; David Pinkham, Exeter.

Ronald Rodrigues, Hollister; Richard Russell, New Cuyama; George Soares, Sacramento; Lloyd Steuve, Oakdale; Henry Vander Poel, Chino, David Volz, Sacramento; Carl Voss, San Jose; Charles Williams, Napa; and Oscar Wineman, Santa Maria.

**GENERAL SERVICES ADMINISTRATION ACTIVE IN FEDERAL GOVERNMENT ENERGY CONSERVATION**

**HON. JENNINGS RANDOLPH**

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Thursday, April 4, 1974

Mr. RANDOLPH. Mr. President, if we are to achieve success in conserving valuable energy resources, it is imperative that the Federal Government take the lead. With this in mind, I bring to the attention of the Senate a March 20 statement by Arthur Sampson, Administrator of General Services, describing the Government-wide policies of the Federal Energy Office and the General Services Administration which have led to a 23.3 percent reduction in Federal energy consumption during recent months.

Mr. President, as chairman of the Public Works Committee, and as sponsor of the National and Energy Study, I feel a strong sense of urgency in exploring the new energy conservation methods which can be applied to our Federal buildings.

Committee members will meet with the General Services Administration to discuss the publication of its new "Energy Conservation Design Guidelines for Office Buildings." With 10,000 Federal buildings owned or leased by the General Services Administration in the United States, and with more under design or construction, the magnitude of possible energy savings through innovative methods, is recognized.

Mr. President, I ask unanimous consent that Mr. Sampson's statement, and the General Services Administration's Energy Conservation—Fact Sheet, be printed in the RECORD.

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

**STATEMENT OF ARTHUR F. SAMPSON, ADMINISTRATOR, U.S. GENERAL SERVICES ADMINISTRATION**

The purpose of this news conference is to give you a progress report of GSA's efforts to conserve energy today and tomorrow. GSA is moving ahead vigorously on three fronts.

**NEW BUILDINGS**

We have stopped designing buildings that devour and waste energy. New design guidelines based on comprehensive and effective research have been published and are being used now! These new design features can cut energy consumption by as much as 50%.

**EXISTING BUILDINGS**

We have reduced lighting. We have reduced heating. We have reduced cooling. This has saved a great amount of energy. More can be saved by retrofitting. We are doing research now and will soon issue guidelines for the conservation of energy in existing buildings.

**AUTOMOBILES AND OTHER VEHICLES**

The objective here is to save gas—lots of it. And, we are. This is a government-wide program. Instructions have been issued and are being followed that: reduce the miles travelled; reduce speed to 50 mph; require regular tune-ups; require carpooling; and

specify the use of compacts except when larger cars are fully justified.

With reduced heating, cooling, lighting and other measures in GSA operated buildings, we are saving 1.5 million barrels of oil annually. And, with our automobile programs, we are saving at a rate of 10,000,000 gallons of gas annually.

Last June, President Nixon directed that each federal agency reduce its rate of energy consumption by seven percent.

As winter set in, the President directed the federal government to take further energy conservation steps. He told the Federal Energy Administrator that "we in the government must intensify our efforts in setting an example for the nation."

President Nixon has asked all Americans to do what they can to help conserve our country's dwindling energy supply. At GSA, we are working to reduce energy usage by providing good government management, nationwide.

In January, Energy Administrator William Simon directed GSA to implement energy-saving steps which involve all federal vehicles, buildings, procurement and federal contractors. Since then, the FEO and GSA have developed a very close and highly effective inter-agency working arrangement.

On January 21, GSA issued energy conservation policies and procedures for the entire executive branch of government. The intent is to bring about a more efficient use of energy resources. We are doing this by revising federal motor vehicle management policies; by creating and assisting with federal employee carpooling and by a more judicious use of lighting, heating and cooling in all federal buildings.

On March 8, Mr. Simon announced that energy cutbacks by government agencies have saved the Nation 45 million barrels of oil over the last six months. In taxpayer dollars, this represents a savings of about \$360 million. That's an overall 23.3 percent savings in energy between July and December 1973, Mr. Simon reported.

Our Federal Energy Administrator gave most of the credit to "federal employees who cooperated enthusiastically" with the government's overall energy conservation program.

While we believe we have made progress in energy conservation, what we have done is to provide short term solutions to a long range problem. What then are we doing to help provide the long range solution?

Two years ago GSA organized a national meeting of experts to discuss energy conservation in buildings. The results of the meeting were dramatic and we decided to design and construct a model federal building to demonstrate what could be done. We selected a federal office building in Manchester, N.H. as our model.

The purpose of our seven-story Manchester demonstration building is primarily to provide a working laboratory for the installation of both recognized and innovative energy conservation techniques and equipment. It is GSA's first step toward a firm commitment to the conservation of energy in the design, construction and operation of all federal buildings.

The completed Manchester building is expected to operate with at least 40 percent less energy consumption than existing buildings of comparable size. One of its energy conservation features will be a solar energy collector on the roof for partial heating purposes.

In addition, GSA also is going to construct an environmental demonstration project building in Saginaw, Michigan, which will provide us with another type of working laboratory centering on environmental



innovations. At our request, 59 colleges and universities gave us some 250 brainstorming ideas for possible inclusion in the proposed Saginaw building. As a result, the completed building is expected to make a positive contribution to its urban surrounding and provide a pleasant interior environment for employees and visitors.

The Saginaw project will include a large solar heat collector to provide pollution-free energy for the building; greatly-reduced water consumption, including collection and use of rain water for lawn irrigation; energy-efficient design; and the use of recycled construction materials.

One of the things that we have learned from our efforts is that energy conservation and environmental quality in buildings go hand in hand. The environmental building in Saginaw will use many energy conservation techniques, and the Manchester energy building will include features to improve both the habitability and overall environmental aspects of the building.

Simultaneous with the design of these two buildings, GSA contracted with outside consultants and the American Institute of Architects Research Corporation to create design criteria for office buildings that would result in reduced energy consumption. GSA and the National Bureau of Standards worked with this team, and we are releasing today a publication containing the results of this effort.

The book is entitled "Energy Conservation Design Guidelines for Office Buildings."

The guidelines, the first comprehensive criteria ever printed for the construction industry, highlight more than 185 ideas for conserving energy in the design, construction and operation of office buildings. They were prepared by a partnership of Dubin-Mindell-Bloome Associates, consulting engineers; Heery and Heery, architects; and the American Institute of Architects Research Corporation, under a professional services contract with GSA's Public Buildings Service.

This book is available for use by anyone. We are going to promote its use by private industry and expect to be successful in doing so. In almost every instance, energy saved is money saved.

Commercial buildings in the U.S. consume the equivalent of 5.5 million barrels of oil daily.

Existing buildings are a different problem. They were designed and constructed to waste energy. However, a great deal can be done, at minimal cost, to save energy. Here are some of the steps taken by GSA that have reduced energy usage in buildings by 15%:

1. We have removed 1.2 million fluorescent lamps from our buildings as of December 31, 1973.

2. We have reduced lighting to approximately 50 foot candles for normal employee work station areas. This is now standard in all GSA buildings and offices, along with limitations of 30 foot candles for general work areas and up to 10 foot candles for hallways and corridors, except where safety hazards would result.

3. Additional energy savings are being provided by keeping GSA controlled space heated at between 65 and 68 degrees during normal winter working hours and cutting down to not more than 55 degrees during non-working hours. This summer, we are going to cool our offices to between 80 and 82 degrees during working hours, as compared to a 76-78 degree range last summer.

4. Our GSA buildings are now being cleaned during day-time hours whenever possible to save on night-lighting.

Your government is asking all Americans to travel less, both by air and automobile. Each year, federal employees have travelled

billions of miles on official business and, in doing so, consume more energy than any other body of travelers in the world. So we're doing something about that, too.

Recognizing the vast potential for energy savings, GSA has launched a campaign to have federal workers "travel by phone." In this campaign, government employees are encouraged to "take a ride on the FTS"—The Federal Telecommunications System.

Private citizens are being urged to drive fewer miles and to use carpools. The same demands are being made of federal employees.

During January and February of this year, the GSA Interagency Motor Pool system used an average 28 percent less fuel as compared to the anticipated consumption. And, because we've found that good maintenance of vehicles is a fuel saver, GSA's tune-up program is being emphasized nationwide.

Through the President's initiative in forming the Federal Energy Office to help cope with the energy crisis, GSA has been designated to coordinate a number of energy-saving programs. We are working with people as well as with buildings and cars.

First, to help better serve our people, GSA is working with all other federal agencies to increase carpooling. By allocating additional federal employee parking spaces around the nation to those government workers who use carpools, we are going to further save fuel, energy and space. In addition, along with the provision of more government-funded mass transit facilities, carpooling will help relieve our overcrowded urban highways and perhaps cut down on the staggering national auto death toll.

As for the government's use of cars, most VIP limousines and even the big sedans are now being phased out of the government fleet. We're now buying almost nothing but compact and sub-compact cars.

Since the inception of the President's program, 100 percent of the over 5,000 replacement sedans procured for use in the GSA Interagency Motor Pool system have been compacts. GSA also has assisted other federal agencies in buying smaller sedans to replace limousines, heavy and medium sedans.

The delivery to the government of the initial procurement of 500 compact vehicles has been completed. Delivery of the remaining 4,500 compacts is proceeding daily.

Energy conservation is nothing new to GSA. Long before the energy crisis was a reality, GSA was working to improve the management of all federal property and buildings with an objective to conserve energy as well as money. What we started doing years and months ago is now showing some impressive results.

While we know we have a good start, we also think it's only that—a start. There's more to do, there's more we can conserve, and that's what we expect to accomplish with GSA's good government management nationwide.

#### ENERGY CONSERVATION—FACT SHEET: BUILDINGS

GSA owns or leases 10,000 buildings in the U.S. containing 44% of all federal office space.

Lighting—1.2 million fluorescent light tubes removed by 12/31/73 (450,000 in Washington, D.C. area alone). Reusable tubes stored for replacement. Light levels now 50 foot candles at employee work stations (desks), 30 in general work areas, and up to 10 in non-work areas (some higher exceptions granted when justified). Exterior building lighting eliminated except for security purposes.

Result: Energy saving, 1st half FY vs. 1st half FY 73=88,000 bbls. crude oil.

Heating—Not to exceed 65°-68° during work hours, 55° in non-work hours.

Result: Energy saving 1st half FY 74 vs. 1st half FY 73=478,200 bbls. crude oil.

Cooling—Summer 1973: between 76°-78°. Now: 80°-82°. Other electrical savings from daytime cleaning and less weekend building use.

Result: Energy saving 1st half FY 74 vs. 1st half FY 73=244,800 bbls. crude oil.

Total savings: 811,000 bbls. crude oil in lighting, heating and cooling.

New Buildings—Energy Conservation Demonstration Building in Manchester, N.H., soon to be under construction, includes energy conservation design and operational features aimed at cutting consumption 40%. Environmental Demonstration Building in Saginaw, Mich., now under Congressional consideration, also includes energy saving systems.

"Energy Conservation Design Guidelines for Office Buildings," a publication being released today, offers 185 energy saving ideas for architects and engineers.

Existing Buildings—46 repair and alteration projects presently underway with expected result of up to 5% energy reduction. A document outlining energy saving improvements for existing buildings will be published soon.

#### VEHICLES

GSA operates 67,000 vehicles in the Interagency Motor Pool system. Total federal fleet is 420,000 vehicles.

Government-wide policy requires mileage reduction 20%.

All federal vehicles to observe 50 mph speed limit.

All sedans now being acquired by the GSA Interagency Motor Pool are compacts.

Of 211 limousines, heavy and medium sedans, 159 have been replaced by smaller cars. The number remaining will be reduced as soon as additional small cars become available.

Result: Energy savings by Interagency Motor Pool for Jan. and Feb. 1974=2.7 million gallons of gasoline or 58,200 bbls. of crude oil.

#### CARPOOLING

Objective is to significantly increase carpooling among federal employees. Where practical, 90% of employee parking to be used by carpools. Special additional provisions for the handicapped, motorcycles and bicycles.

GSA Central Office Building now has 476 employees in 103 carpools taking up 92% of employee parking spaces. Previously, 178 GSA employees used 123 spaces with only 32 carpools. (GSA went from 1.4 to 4.3 persons per car.)

If citywide carpooling would increase ridership from 1.2 to just 2 persons per car, the result would be 220,000 cars a day taken off the streets in the Metropolitan Washington area, with a savings of 425,000 gallons of gas and five million miles of driving per day, according to the D.C. Department of Highways and Traffic.

#### TRAVEL

All federal employees encouraged to use long distance, conference calls, teletype and data links (services furnished by GSA) in lieu of official travel.

#### PROCUREMENT

Life cycle costing, including energy costs, will be considered in purchasing approximately 9,000 air conditioners annually.

Studies now are underway for application of life cycle and energy saving standards to purchases of other commercial products by the government.

Arthur F. Sampson, Administrator, March 20, 1974.

TRIBUTE TO FRANK HOGAN—  
"MR. D.A."

**HON. MARIO BIAGGI**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1974

Mr. BIAGGI. Mr. Speaker, it is with a deep and profound sense of sorrow that I join with millions of New Yorkers in mourning the passing of Francis S. Hogan, the venerable district attorney of Manhattan who died on Tuesday at the age of 72. The death of Frank Hogan signifies the end of a legendary era of excellence in the office of the district attorney.

"Mr. D.A." as Hogan was affectionately referred began his illustrious career in 1941 after serving with distinction on the staff of his predecessor, Thomas E. Dewey. From the outset, Hogan developed the respect of his colleagues based on his hard work, and unyielding sense of fairness and that excellent reputation remained untarnished for his entire 32-year term.

Frank Hogan was best known for his relentless pursuit of the forces of corruption which seem to pervade all major urban areas. He was responsible for the arrests and convictions of thousands of major criminals. Throughout the years the long arm of Hogan's office was feared by all elements of the criminal world.

Yet, beneath the hardened image of Hogan created by his profession, there was a fine and compassionate gentleman. He was a dedicated husband and fine family man. He maintained lasting relationship with his beloved Columbia University, and he grew to be one of their most distinguished alumni. Many of the fine lawyers in New York today once worked or had some contact with Frank Hogan, and many remained indebted to him for his wisdom and knowledge of the law. He taught both by the book and by example.

There was an endearing quality about Frank Hogan which I will always remember. He was a man who pursued his work with tremendous vigor, never once sacrificing his unimpeachable integrity. He handled the awesome power he possessed with compassion and dignity but firmly as well.

Unlike many of his contemporaries his purpose as DA was promoting justice and not producing headlines. He established himself as a testimonial to what an exemplary public servant should be.

Mr. Speaker, New York City has lost one of its true giants in Frank Hogan. A most fitting testimonial to this man would be for his successors to maintain the tradition of excellence which he established in the district attorney's office. I know I speak for millions of New Yorkers as well as all friends of justice and law when I extend my deepest condolences to his widow, Mary, and assure her that the memory of Frank Hogan will endure for years to come.

STATEMENT OF REPRESENTATIVE  
JOEL T. BROYHILL OF VIRGINIA  
ON A BILL TO INCREASE THE ANNUITY PAYABLE TO RETIRED  
TEACHERS OF THE DISTRICT OF  
COLUMBIA

**HON. JOEL T. BROYHILL**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1974

Mr. BROYHILL of Virginia. Mr. Speaker, I am introducing legislation today which will increase the annuity payable to certain retired District of Columbia public school teachers. This legislation is designed to establish a minimum monthly retirement annuity for teachers which is not less than the minimum social security benefit and to bring the retirement benefits of pre-October 20, 1969 retirees and supervisor annuitants up to the standard applicable to present-day retiring teachers.

The first provision in this bill, that dealing with teacher retirees whose monthly annuity is less than the minimum social security benefit, would equalize the retired teacher benefit and the social security minimum benefit. This equalization of minimum benefits would be sustained and kept equal to any cost-of-living increase applied to the minimum social security benefit in the future. Under current law, this would be \$90.50 per month and would increase to \$93.80 in June. In addition, the monthly rate of annuity payable to a surviving child would not be less than the minimum social security benefit, including any cost-of-living increase added to that amount, or three times such minimum social security amount divided by the number of surviving children entitled to an annuity, whichever is the lesser.

The major provision of this bill deals with the pre-October 20, 1969 retirees. This date is used because it is the effective date when the teachers' retirement system was liberalized and otherwise improved the benefits of teachers who retired after that date.

The major improvement in the retirement system was that a retiree's annuity was computed after October 20, 1969 on the basis of his or her average salary for the highest 3-year earning. The pre-October 20, 1969 retiree's annuity was computed on the basis of his or her highest 5 years of earning. Consequently, individuals who retired before October 20, 1969 have generally received substantially lower annuities than those who retired after that date. This inequity is addressed in my bill by providing an increase of \$240 in the annuity payable to those teachers retired prior to October 20, 1969. In addition, an annuity payable to the surviving spouse of an annuitant who retired prior to the October 20, 1969 date is increased by \$132.

Mr. Speaker, this bill is truly a humanitarian effort, extending moderate benefits to those retired teachers, surviving

spouses and children who are most in need of the benefits this bill provides. This legislation does not provide a wind-fall but rather is intended to relieve the desperate financial plight of our elderly retired teachers who are faced with the unprecedented inflationary expansion of our economy and which has had a particularly devastating effect on them. They are not seeking handouts from the Government but like the elderly recipients of social security, they are only seeking financial relief and security in their retired years. Our commitment toward improving the quality of life for these deserving Americans is clear, and I urge early and favorable consideration by my colleagues of this bill which I have proposed today.

OUTSTANDING TAR NAMED

**HON. JAMES ABDNOR**

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1974

Mr. ABDNOR. Mr. Speaker, South Dakota takes great pride in the achievements of its young people. During the past year, one such fine young citizen has received national recognition for her many contributions to her school, her community, and the organizations of which she is a member. Her name is Cindy Ritter of Mound City, S. Dak., and her accomplishments were recently reviews in TARget, a national publication of the National Teenage Republicans:

OUTSTANDING TAR NAMED

Cindy Ritter, immediate past State Chairman of South Dakota, was selected as the "Outstanding TAR" in the Nation at the National TAR Leadership Conference in Washington last June.

In past years, two or three outstanding TARS have received this honor, but due to Cindy's exceptional record in TARS, she was the only recipient of this coveted award for the '73-'74 period.

Cindy became a member of Teen Age Republicans almost 5 years ago when she joined the Campbell County TARS. She held numerous Club offices and was elected Club President in 1972. Under her leadership the Club continued to grow at a very rapid rate and later Campbell County TARS was chosen as one of the three "Outstanding TAR Clubs" in the country.

During her senior year, Cindy was elected State Chairman of South Dakota and she immediately began to organize new TAR Clubs throughout the state and to help expand the existing ones. With the help of TAR Advisor, Alice Kundert, Cindy traveled across the state assisting South Dakota TARS in every way possible. By the end of her term in office, the number of TAR Clubs had doubled!

It was no surprise when Cindy was chosen "Outstanding TAR Girl" of South Dakota.

At Pollock High School, Cindy was involved in a wide range of activities. . . . everything from Student Council to serving on the Annual staff. She was a Cheerleader, a Class Officer, Homecoming Attendant, and Campbell County Snow Queen.

Cindy was President of Future Homemakers of America and the recipient of several FHA awards . . . excelled in High School De-



bate . . . and was an officer in South Dakota 4-H Club.

In addition, Cindy served as President of her Church Youth Group for 3 years and also was a Sunday School teacher.

There is no doubt that Cindy's warm personality and sincere interest in others are two of her greatest assets and we are confident that her years at South Dakota State University where she is a freshman, will be as rewarding as her high school days in TARS.

# TAX-CUTTING INSANITY

## HON. HARRY F. BYRD, JR.

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES

Thursday, April 4, 1974

Mr. HARRY F. BYRD, JR. Mr. President, the March 30 edition of Business Week included an excellent editorial concerning the proposal to reduce income taxes by \$10 billion this year.

While tax reduction is always politically popular, such a reduction in Federal revenues at a time of high inflation and huge Federal deficits would not be responsible.

Such a reduction could only worsen the inflation which already exceeds an annual rate of 10 percent and is eating away at the value of every worker's paycheck.

I ask unanimous consent that the editorial, "Tax-Cutting Insanity," be printed in the Extensions of Remarks.

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

# TAX-CUTTING INSANITY

It is hard to see how any rational man could seriously argue for more deficit spending at a time when inflation is hitting the explosive rate of 10% a year. But politicians in an election year are not rational men. So perhaps it should not be surprising that the Democratic majority of the Joint Economic Committee of Congress is recommending a \$10-billion tax cut to expand consumer demand this year.

Surprising or not, the proposal is deadly dangerous. It would push the federal budget deficit over \$20-billion in fiscal 1975. And this huge injection of fiscal stimulation would come on top of the inflationary \$61-billion deficit of the last three fiscal years.

The congressmen who signed the majority report obviously suffer from a special kind of tunnel vision. They are looking at the modest increase in unemployment and the decline in real income that has accompanied the slowdown of the economic boom in the first quarter of this year. They are ignoring the roaring inflation that flogged the economy to an unsustainable growth rate in 1973 and threatens to become totally uncontrollable in 1974.

Until that inflation slows down, both fiscal and monetary policy should lean strongly toward restraint. If consumer demand appears to need some reinforcement later in the year, Treasury Secretary Shultz already has pointed to a way of providing it without promoting still more inflation. He has suggested cutting the present levels of tax withholding to reduce overwithholding by about \$6-billion a year. Scaling down the withholding would give consumers immediate spending money, but it would not increase the cumulative deficit because the government would have to refund the money in any case.

The Shultz proposal deserves serious consideration. To go beyond that and cut taxes in the midst of the present inflation would be pure insanity.

MISS BERTHA E. EASTON HONORED

## HON. ROBERT O. TIERNAN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1974

Mr. TIERNAN. Mr. Speaker, all too often the efforts of citizens dedicated to helping the less fortunate go unnoticed. Just recently, however, the contribution of Miss Bertha E. Easton to the Rhode Island Tuberculosis and Respiratory Disease Association received deserved recognition.

This remarkable lady has given 25,000 hours of volunteer work to the association over the past 16 years. Her retirement from a career with the Internal Revenue Service only marked the beginning of what was to become a legendary effort in the fight against TB, emphysema, and other lung diseases. She has been a tireless worker for the association, giving each task unparalleled enthusiasm. Words and awards cannot fully express the importance of her service. We, in Rhode Island, are all so proud of her. I salute her and congratulate her for her most generous and outstanding contributions.

I include a recent story from the Providence Evening Bulletin to be placed in the RECORD at this point:

# EX-IRS EMPLOYEE MADE GOOD

(By Sonya F. Gray)

A small and smiling white-haired lady listened today as about 50 friends and admirers gathered to pay tribute for her contribution of 25,000 hours of volunteer work to the Rhode Island Tuberculosis and Respiratory Disease Association since 1958.

"She's a former Internal Revenue Service employee who made good," quipped John J. O'Brien, the district director of the IRS. Miss Bertha E. Easton worked there 32 years before her retirement.

"She is so thoughtless of her own convenience and comfort," said the Rev. William E. Anthony, assistant minister of Grace Episcopal Church, which Miss Easton attends.

He described the elderly volunteer, who lives at 123 Elmwood Ave., as having "this beautiful naivete" and "a rugged, determined resolution that goes on no matter what happens. She has this lovely innocence."

And throughout the party in the association's Westminister Mall office, Miss Easton smiled graciously and accepted with thanks a scrapbook of memories and photographs. When asked her age, she laughingly asked, "You don't have to put that in the paper, do you?"

One speaker estimated that the 25,000 hours of volunteer work by Miss Easton amount to more than 12 years of work, or about \$55,000 if she had been paid \$75 weekly.

Miss Easton said that if given that amount of money, "I really wouldn't know what to do with it."

She said that years ago a close friend died of tuberculosis, and her volunteer work for the association is, in a way, in memory of that friend.

# PER DIEM AND MILEAGE ALLOWANCES

## HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1974

Mr. WALDIE. Mr. Speaker, today I have introduced a bill to revise certain provisions of title 5, United States Code, relating to per diem and mileage allowances for Government employees and other individuals traveling on official business.

Under present law, an employee, while traveling on official business away from his designated post of duty inside the continental United States, is entitled to a per diem allowance of \$25. This allowance is to reimburse the employee for lodging, meals, and other necessary expenses.

As my colleagues are aware, \$25 a day for lodging, meals, and other expenses is totally inadequate to offset the actual costs for those items in many areas of the United States. Employees who are required to travel in the course of their official duties are suffering from this inadequacy as they must pay for expenses in excess of the \$25 limit out of their own pockets.

My bill would overcome the inadequacy of the present per diem rate by increasing it to \$35. I believe that this amount more accurately reflects the cost of lodging, meals and other expenses incurred by employees who must travel on behalf of the Government.

With respect to mileage and related allowances, my bill would provide a fair and equitable method for computing the rate of these allowances by requiring that the Comptroller General of the United States conduct a quarterly study to determine the actual cost to an employee or other individual performing service for the Government for the use of a privately owned automobile, motorcycle, or airplane, in the conduct of official duties. The results of this study would be submitted to the President or his designee to be used in revising regulations governing the authorized payments of the actual cost as determined by the study.

I believe that the method proposed in this bill to determine the actual costs to the employee of operating a private vehicle in the course of his official duties is fair and equitable. The energy crisis, as we are all painfully aware, has contributed to a general and substantial increase in the cost of petroleum products, and the long-term outlook for the cost of these products is upward. Therefore, such a method as I have proposed to reimburse employees for their expenses in this area is urgently needed to correct present inequities and to avoid them in the future.

H.R. 14000

A bill to revise certain provisions of title 5, United States Code, relating to per diem and mileage expenses of employees and other individuals traveling on official business, and for other purposes

Be it enacted by the Senate and House of

Representatives of the United States of America in Congress assembled, That (a) section 5702(a) of title 5, United States Code, relating to the per diem allowance of employees traveling on official business within the continental United States, is amended by deleting "\$25" and inserting in place thereof "\$35".

(b) Section 5702(c) (1) of title 5, United States Code, relating to reimbursement for actual and necessary travel expenses of employees under unusual circumstances in excess of the maximum per diem allowance, is amended by deleting "\$40" and inserting in place thereof "\$50."

(c) Section 5703(c) (1) of title 5, United States Code, relating to the per diem allowance of individuals serving without pay or at \$1 a year for travel inside the continental United States, is amended by deleting "\$25" and inserting "\$35" in place thereof.

(d) Section 5703(d) (1) of title 5, United States Code, relating to reimbursement for actual and necessary travel expenses of individuals serving without pay or at \$1 a year under unusual circumstances in excess of the maximum per diem allowance, is amended by deleting "\$40" and inserting in place thereof "\$50."

(e) Section 5704 of title 5, United States Code, relating to mileage and related allowances of employees and other individuals performing services on official business inside or outside the designated post of duty or place of service, is amended to read as follows:

"§ 5704. Mileage and related allowances

"(a) For the purposes of prescribing and administering the regulations authorized by section 5707 of this title, the Comptroller General of the United States shall conduct, beginning on July 1 of each fiscal year, a cost study to determine the actual cost a mile to an employee or other individual performing service for the Government, who is engaged on official business inside or outside the designated post of duty or place of service, for the use of a privately owned motorcycle, automobile, or airplane and submit to the President or his designee, not later than the beginning of the third month after such date, the results of such study. The President or his designee shall include the specific results of the study of the Comptroller General in regulations governing the authorized payment of the actual costs described above. The Comptroller General shall continue his study of the appropriate and current accurate determination of such costs and shall transmit his then current determinations at the beginning of the third month after the presentation of the results of each prior study. The President or his designee shall revise, maintain, and administer, on a current basis, the regulations prescribed under section 5707 of this title governing the reimbursement of such costs to the employee or individual concerned.

"(b) An employee or individual described in subsection (a) of this section shall not use a privately owned motorcycle, automobile, or airplane under the circumstances described in subsection (a) of this section unless specifically authorized in writing to do so in the travel authorization. Such written authorization for the use of a privately owned motorcycle, automobile, or airplane shall be made only in the interests of the efficient and effective conduct of official business of the Government and only if the use of public transportation by the employee or individual concerned would be a personal hardship or against the public interest."

## CONTROL OF UTILITY RATES

**HON. BENJAMIN A. GILMAN**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1974

Mr. GILMAN. Mr. Speaker, a rash of utility rate increase requests has flooded our Nation. Substantial rate increases in an essential commodity, such as electricity, cuts deeply into our pocketbooks, escalating the cost of living far beyond wage increases.

The utility companies contend that there are two main reasons for this sudden flood of rate increase applications. The first is labelled a "cost of fuel adjustment" in response to the rising price of crude oil and coal. The second has been euphemistically termed a "conservation adjustment" and outrageously seeks more revenue based upon decreased electric usage brought about by citizenry conservation.

I have recently submitted testimony at three separate hearings before the New York State Public Service Commission in opposition to utility rate increase proposals in my own region of southeastern New York. Among my recommendations for easing the burden of increased costs to the consumer were: first, a request that the PSC rescind its order which allows automatic fuel cost charges to be passed on to the consumer; second, a 3-month delay for increases related to fuel costs so that the prices in question can stabilize; third, the sharing of any valid increased fuel costs, with the consumer bearing 50 percent of the burden and the utility company absorbing the other 50 percent.

While these proposals are subject to New York State Public Service Commission acceptance or rejection, there is an area where Congress can act to alleviate the burden of high electricity costs for the consumer and that is the realm of "conservation adjustment."

In justification of their rate increase requests, the utility companies rely on the cruel hoax commonly referred to as the "conservation adjustment." For several months, the utility companies, in full page ads, beseeched the consumer to cut back on his use of electricity; to lower thermostats and to endure a chilly winter, in addition to his having obligingly waited in long lines at the gas pumps. In recognition of their well-meaning conservation, we are now asking these same good, patriotic citizens to pay exorbitant rates for electricity brought on by the decline in utility revenues as a result of these savings. This presents a serious public policy question—a question that Congress should rightfully address itself to.

Accordingly, today I am introducing legislation which places a 1-year moratorium on any utility rate increase based on a decline in electrical use resulting from consumer conservation. While I am reluctant to draw the Federal Government into the domain of the utility companies, which has long been a province

of State government, the continuation of excessive rate increase applications mandates congressional action.

Mr. Speaker, I insert the text of this bill in this portion of the RECORD and urge my colleagues to join me in this effort to unburden those citizens who have generously responded to our fuel shortages:

H.R. 13982

A bill providing for temporary controls of certain electric utility rates

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, that for the period one year after the effective date of this Act,

Sec. 1. No utility or power company licensed to do business in the United States shall institute an increase in electrical utility rates for any of its consumers based on a decrease in revenue caused by conservation efforts utilized by the consumers.

Sec. 2. This Act shall take effect 30 days after enactment.

Sec. 3. Officers and directors of companies who violate this Act shall be subject to a fine of not more than \$50,000 and imprisonment for a term not to exceed one year.

## MILITARY AID TO SOUTH VIETNAM

**HON. MARGARET M. HECKLER**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1974

Mrs. HECKLER of Massachusetts. Mr. Speaker, granting increased authorizations to the Defense Department to finance additional military supplies for the South Vietnamese army may trigger a cycle of greater involvement between our Government and Saigon when we should be actively disengaging from Indochina.

Our military investments in South Vietnam are already at a very high level. Additional increases in military assistance are unjustifiable in the face of rampant inflation and pressing domestic needs in this country.

I am opposed to the Pentagon's recent request for authority to provide an increase of \$474 million in military assistance to Vietnam for the remaining months in fiscal 1974 in excess of the amount authorized by Congress last year.

The Defense Department contends that the supplemental request for additional military aid to South Vietnam is necessary to offset inflation. We should begin addressing ourselves to curbing the skyrocketing costs of food and rent in this country before worrying about the effects of inflation in Saigon.

One year after the signing of the cease-fire agreement, we are still channeling over \$2 billion annually into South Vietnam and Indochina. This expense might be justified if these tax dollars were invested in projects designed to provide relief and rehabilitation for the millions of war victims in Vietnam. However, the bulk of this money is used



to fund a continuing war, rather than to finance reconstruction.

Last year Congress acted to cut the administration's request for \$1.6 billion in military aid to South Vietnam to an authorization of \$1.1 billion and appropriated only \$900 million in new money. If we authorize the transfer of an additional \$474 million in supplemental appropriations, military aid to South Vietnam will reach the \$1.6 billion level originally requested by the administration. This supplemental request comes only weeks before we are to consider the Defense Department's request of \$1.6 billion for financial aid to Southeast Asia for fiscal 1975.

We must begin to decrease U.S. involvement in Indochina and the Saigon Government's dependence on us by voting against this supplemental authorization for new military assistance to South Vietnam.

#### BINARY CHEMICAL WEAPONS

### HON. WAYNE OWENS

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1974

Mr. OWENS. Mr. Speaker, I would like to direct the attention of the Members to a letter addressed to the editor of the New York Times which discusses the issue of the Army's proposed procurement of binary chemical weapons. I think that the concern expressed in this letter is particularly pertinent, not just because it expresses views which I have brought to your attention, but because of the background of the person who wrote the letter. General Kinnard was, by reputation, an outstanding officer in the U.S. Army, and was intimately associated with some of the chemical operations which were conducted in Vietnam. He speaks from the military viewpoint, and very succinctly emphasizes the real dangers inherent in the proposal to begin production of the binary chemical weapon. I urge all of the Members to give the thoughts expressed in this letter their attention. Without objection, a copy of the letter is included for printing in the RECORD:

#### BINARY WEAPONS: COSTLY PROLIFERATORS

To the Editor: On March 25, The Times carried a news article outlining Dr. Julian Perry Robinson's position against the production of binary weapons by the Army. A binary munition differs from previous chemical munitions in one important respect: Instead of containing actual nerve gas, these munitions are designed to produce nerve gas by combining two nontoxic elements only after the weapon is on its way to a target. The technical advantages of these weapons in terms of safety during transport and storage are obvious. In addition, problems of maintenance and disposal would be lessened, since prior to use they consist of nontoxic materials.

It should be noted, though, that the pacing factor for this proposed modernization program is in reality not military but political. By stressing that binary weapons are safer, the Army expects to reduce present politi-

cal constraints on their storage and transportation. This is true not only in the United States but also in West Germany, where in all probability the Army wishes to increase the U.S. chemical-weapons stockpile.

Whatever the motivation, there are real disadvantages to procuring these weapons. One is cost, which, as Dr. Robinson has pointed out, could eventually go as high as \$2 billion. While one can view the opportunity costs of this sum differently, certainly most of us would prefer alternative programs, possibly in the defense budget, preferably elsewhere.

The most important disadvantages, however, are the encouragement of proliferation and the effect the program might have on undermining efforts at chemical-weapons limitation.

For several years chemical-weapons arms control has been one of the principal items under consideration at the 26-nation Conference of the Committee on Disarmament. The U.S. and the U.S.S.R. have taken leading parts in these discussions. While positions on the key issue of verification differ strikingly, the publicly affirmed common objective is the effective prohibition of chemical weapons.

Procurement (as contrasted to development) of binary weapons is likely to make the prohibition of chemical weapons almost impossible. The Army would no doubt strenuously resist giving up a binary-weapons stockpile once it is in hand. Nor can the Soviet Union be expected to refrain from modernizing and perhaps increasing its chemical-weapons stockpile if the U.S. procures binaries. In the end, the result may be to decrease U.S. national security rather than increase it.

The Congress should take a hard look at this issue. I hope it will conclude to hold off procurement of these weapons, which are both strategically destabilizing and tactically unnecessary at the present.

DOUGLAS KINNARD,

Brigadier General U.S. Army Retired.  
BURLINGTON, VT., March 26, 1974.

#### WILBARGER COUNTY RESIDENTS

### HON. ROBERT PRICE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1974

Mr. PRICE of Texas. Mr. Speaker, in order to maintain as close contact as possible with my constituents, I try, as time permits, to travel throughout my district and conduct nonpartisan townhall meetings with the citizens of each county. These meetings are informal and it gives me the opportunity to meet with constituents to exchange views of the 13th Congressional District of Texas on those issues they feel are of the greatest importance to their county, the State, and the Nation. It also gives me the opportunity to inform my constituents about the progress of proposals and programs of interest to them.

During the Easter recess I will be holding these townhall meetings once again. To inform my constituents of the time and place of the meetings, postcards are sent to those counties designated as meeting places, expressing the purpose, time, and place of the meeting.

I include the text of one of these postcards at this point in the RECORD. In addition, I sent a similar card to the following counties which I will visit: Childress, Carson, Dallam, Armstrong, Wheeler, Hardeman, Collingsworth.

The material follows:

#### WILBARGER COUNTY RESIDENTS

POSTAL PATRON,  
13th Congressional District, Texas.

As part of my continuing effort to stay abreast of the views of the citizens of Wilbarger County, I cordially invite you to attend a non-partisan, public town hall meeting in Vernon, Tuesday, April 16, at 7:30 pm in the Wilbarger Auditorium.

From 1:30 to 3:00 pm I will be holding a meeting at the Vernon Jr. College Student Center to meet with students and faculty members. I welcome the opportunity to meet with you and your neighbors to exchange views on those issues you feel are of the greatest importance of your county, Texas, and the Nation.

In the event you are unable to attend the meeting I hope you will not hesitate to contact me directly in Washington if I may be of assistance to you on matters affecting the Federal Government.

BOB PRICE,  
Member of Congress.

#### HOW TO CREATE AN OIL SHORTAGE

### HON. HENRY HELSTOSKI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1974

Mr. HELSTOSKI. Mr. Speaker, countless Americans throughout the Nation have been frustrated for many weeks by the enormous complexity of the energy crisis. As we know, certain inconsistencies, along with the lack of convincing data, have characterized the shortage since its "inception" a few months ago. Hence, in the wake of this outrageous situation, it is vital that we in Congress not shirk one of the major responsibilities now facing us—the obligation we have to the American people to take whatever measures are necessary to prevent this preposterous situation from recurring.

Furthermore, if we are to do this successfully, we must avail ourselves of every opportunity to learn as much as we can about the structure and monopoly of the oil industry. Hence within this context today I would like to share an article sent to me by one of my constituents, Stanley N. Bradley, of Tenaflly. The article, entitled "How To Create an Oil Shortage," appeared in the March issue of Consumer Reports.

In the article, one point in particular caught my attention. Now that the Arab oil embargo has been lifted, the author asks, "Will the heat for oil policy reform also vanish?"

Mr. Speaker, because of the relevance of this article and to help make certain that "the heat for oil policy reform" does not vanish—I would like to share "How To Create an Oil Shortage" with my colleagues:

## HOW TO CREATE AN OIL SHORTAGE

For decades now this country has operated on the assumption that what's good for the oil industry is good for America. Few industries in our history have enjoyed so many tax breaks and subsidies.

"Congress has given the oil industry tax benefits covering drilling costs, foreign taxes paid, depletion allowances, and numerous other benefits," Senator Thomas J. McIntyre, of New Hampshire, points out. Yet, Senator McIntyre adds, those preferential actions and billions of dollars of lost tax revenues "have only brought us to the crisis we face today."

That crisis, he notes, includes an inability to meet our own crude oil demands, an inability to refine enough oil at home, and a growing dependence on foreign rather than domestic supplies.

Two factors in particular have contributed to the current state of affairs: prorationing and the oil import quota. Prorationing, a system adopted by the large oil producing states such as Texas and Louisiana, limited oil production at the wellhead and matched it to monthly demand. By thus preventing a surplus, the states were able to keep the price of crude oil artificially high.

But prorationing also made domestic oil more expensive than foreign oil. So, at the urging of the major oil companies, a succession of Presidents (starting with President Eisenhower in 1959) consented to limit oil imports to approximately 12.2 per cent of domestic production.

That quota on imports has cost the public dearly—an estimated \$5.2-billion extra a year for gasoline, heating oil, and other petroleum products, according to a cabinet-level task force appointed by President Nixon to study the quota in 1970. However, consumers were supposed to suffer this burden gladly, because its purpose was said to be "national security"—that is, to prevent the United States from becoming overly dependent on foreign oil.

But in the bizarre world of Federal oil policy, the left hand often ignores what the right hand is doing. Thus, at the same time the Government was limiting imports, supposedly to protect and promote domestic oil development, it turned right around and gave American oil companies a massive tax break on foreign oil. The companies were allowed to deduct from their United States taxes the royalties they paid on overseas oil. Thus, while royalties paid on domestic oil production were treated as an ordinary business expense, royalties paid on foreign oil were treated as a direct tax credit. (Foreign governments accommodated the companies by calling the royalties "taxes.") Partly because of that credit, international oil companies often paid little or no United States taxes.

That tax bonanza, plus the lucrative profit that could be made on formerly low-cost foreign oil, spurred the major oil companies to concentrate on developing overseas oil—much of which then could not be brought into the United States because of the quota, but which could profitably be sold abroad. Accordingly, while oil development in the Middle East flourished, new drilling in the U.S. plummeted 43 per cent between 1959 and 1970.

In short, with the Government working at cross purposes, the import quota proved a monumental flop. By limiting imports of low-cost oil, the quota not only jacked up domestic fuel prices, but also discouraged construction of new refinery capacity. And, as the Arab boycott has painfully demonstrated, the U.S. still became vulnerably dependent on foreign oil. So much for the quota and national security.

By 1970, many considered the quota an idea whose time had passed. Indeed, a majority of the cabinet-level task force recommended in early 1970 that the quota be scrapped or substantially changed.

Nevertheless, President Nixon, again at the urging of the "majors," spurned the task

force's recommendations and maintained the quota until May 1973.

By that time, however, demand had already outstripped declining domestic oil production. Now, rather than having a surplus of oil, the domestic oil producing states, even at full throttle, were unable to meet refinery demand.

Hardest hit were the smaller, independent refiners, who traditionally relied on the majors for much of their crude oil supplies. Previously, whether the majors wanted to or not, they had little choice but to sell to independents. For, in the heyday of prorationing, an independent who found himself short of crude oil had only to contact the Texas and Louisiana oil production authorities and request an increase in production. That leverage enabled him to get supplies from the majors, who wanted to avoid an oversupply that might drive crude prices down.

But by 1972, Texas and Louisiana were approaching full production, so independent refiners could no longer exert pressure on the majors. Their only hope was to persuade the Nixon Administration to boost oil imports to levels that would guarantee a continuing supply of crude. However, the Nixon Administration refused to increase imports significantly, a decision that forced many independents to cut their production of gasoline and heating oil during much of 1972 and 1973.

Thus, by 1972, the majors were in an enviable position *vis-a-vis* the independents, who had previously served to keep a competitive lid on prices.

With the independents forced to reduce output—and with the nation's petroleum needs at an all-time high—the majors responded by cutting back their own refinery output. According to oil company data assembled by the staff of the Senate Permanent Subcommittee on Investigation refineries east of the Rockies operated at only 85.3 per cent of capacity during the first six months of 1972—compared to 89.7 and 86.6 per cent, respectively, during the same months of 1970 and 1971. (Allowing time for normal maintenance, refineries, on average, are capable of sustaining production at 92 per cent of capacity, well above the 85.3 per cent level they achieved.)

According to the same Senate staff study, the resulting drop in product inventories during the first half of 1972 can be attributed primarily to the actions of eight of the largest oil companies. At the end of this period, for example, Exxon's inventory had declined 8 per cent from that of the first half of 1971. American Oil's inventory dropped 16.9 per cent, while Standard of California's and Mobil's dropped 12.3 and 19 per cent, respectively.

During the third quarter of 1972, refinery runs increased to 90.3 per cent, but then declined to 88.7 per cent in the fourth quarter. The result, finally, was a shortage—the nation's first peacetime shortage of energy. The crunch came first in home heating oil in the winter of 1972-73, and was followed by a gasoline shortage in the spring and summer.

Although aware that a shortage was developing, the Nixon Administration did little to head it off. Its major thrust was to rely on the oil companies' public spirit and implore them to help out.

Ultimately, the job of chief supplicant fell to General George Lincoln, a former political science professor at West Point. The President had appointed General Lincoln to chair his Oil Policy Committee and had shifted responsibility for the oil import program to the General's authority. Next to the President, therefore, he was the individual most responsible for keeping a rein on the fuel situation.

Initially, General Lincoln's appeal to industry to increase refinery output was met with assurances that the situation was well in hand. In September 1972, he passed those

assurances on to the Senate Committee on Banking, Housing and Urban Affairs.

"There should be an adequate supply of No. 2 home heating oil during the coming winter," General Lincoln told the Committee. According to information he received from the majors, he testified, the industry "has the necessary refining capacity and necessary feed stocks to insure an adequate supply." All that was needed, he said, was for industry to operate at 93 per cent of capacity for the rest of the year.

By early November, however, the hoped-for increase in home heating oil hadn't materialized. Despite their earlier assurances, the oil companies had not found it sufficiently profitable, from their viewpoint, to boost production.

At this point, General Lincoln finally sensed that the nation was on the brink of a serious fuel shortage. But his solution for averting it was again the same. In a November 14 memorandum to the White House, he urged that the Administration "move quickly on the appeal to industry." If we fail to act now, he advised, "we would be subject to the criticism that we did not alert an appeal to the industry on a timely basis."

The memo to the White House was followed by a series of press releases in which the General again pleaded with industry to step up production of heating oil. That worked no better than before, though. By December 1972, General Lincoln was reduced to sending out a press release urging the public to reduce energy consumption. Such public effort was needed, the release stated, because of the "recent abnormally cold weather."

In short, government-by-appeal and government-by-press-release had failed. The next step was government-by-carrot. In January 1973, the Cost of Living Council granted the oil companies permission to hike the price of heating oil. Suddenly the oil taps opened. Refinery production east of the Rockies rose to 91.4 per cent of rated capacity, and inventories of fuel oil began to improve. But the step-up had come too late. Supply remained tight, and the shortage eventually extended to gasoline stocks, which could not be sufficiently built up to meet growing spring and summer demand.

By the fall of 1973, the public was again facing a tight supply—and climbing prices—of heating oil. Then the other shoe dropped. In October, the Arab nations clamped their embargo on crude oil.

The result, in addition to shortages, has been skyrocketing increases in gasoline and heating oil prices—and, at the same time, skyrocketing increases in oil company profits. The public, as is customary, is left to pick up the tab.

As this issue of CONSUMER REPORTS goes to press, the Arab boycott is still on and Congress is girding to debate various energy proposals. But should the boycott suddenly be lifted, will the heat for oil policy reform also vanish. Will the Government again ignore the fact that oil companies are, first and foremost, profit-making concerns?

On reviewing the industry's failures, Senator Henry M. Jackson, of Washington, put the question another way. "In the future," he asked, "can we allow the self-interested economic decisions of the major oil companies to create conditions that have an adverse impact on the economy, employment, and every American family?"

CU believes the answer is obvious. In an area so important as energy supply, the concerns of corporate boardrooms should not dictate public policy. Vital public needs must be met equitably. CU believes, even if that should mean regulating the oil industry as a public utility. Such a drastic measure may not be necessary, of course, but certain minimal steps by the Government are clearly demanded.

1. Oil companies must be required to provide accurate, reliable information on their operations for public scrutiny. (Until recently, the Bureau of Mines collected oil data



on a voluntary basis, with companies suffering no penalty for noncompliance.) A mandatory system of reporting, moreover, should be subject to regular verification by the Government. A study by the General Accounting Office concludes that such verification is essential to the "credibility of the data on which policy decisions are based." In response to a recommendation by CU president Colston E. Warne last December, William E. Simon, administrator of the Federal Energy Office, has appointed an independent committee to review the forecasting of fuel supplies by the oil industry. But legislative action is needed to force disclosure of industry data.

2. The huge tax benefits favoring foreign oil development must be eliminated. Oil companies should no longer be permitted to deduct royalty payments to a foreign government from Federal income taxes. Depletion allowances on foreign oil production should also be discontinued. It makes no sense, we feel, to encourage foreign oil development at the expense of domestic operations. All oil depletion allowances, in fact, should be eliminated, because the soaring price of oil now provides more than enough incentive for companies to seek new supplies.

3. Windfall profits realized from the energy shortage should be used for public benefit rather than for enriching the oil companies or their stockholders. The public is, and will be, paying many additional billions of dollars to oil companies because of steep increases in crude oil and refined product prices. Allowing oil companies to profit from the nation's hardship—which the industry helped create—would clearly add insult to injury. A variety of proposals for dealing with such profits are now in Congress. CU urges that they be debated on their merits, with public equity as the overriding goal.

#### TORRANCE UNIFIED SCHOOL DISTRICT RETIREES FOR 1974

#### HON. CHARLES H. WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1974

Mr. CHARLES H. WILSON of California. Mr. Speaker, on April 25, 1974, the Association of Torrance School Administrators will host their third annual employees recognition banquet for employees of the Torrance Unified School District.

These administrators, teachers, and members of the Torrance community have contributed many years of faithful and dedicated service which has resulted in developing our young children into responsible and intelligent citizens. I wish to add my personal appreciation to these deserving men and women for their diligent leadership and service to the children of the Torrance Unified School District.

I would now like to read their names into the CONGRESSIONAL RECORD so that they will know how much our country appreciates their selfless devotion to that greatest of careers: preparing our young people to be aware of the joy and possibilities of life. The retiring employees for 1974 are:

Mr. William E. Ament, Mrs. Edna A. Babcock, Mr. Leonard D. Babcock, Mr. Frank H. Baker, Mrs. Frances Beadle, Mrs. Irene H. Berger, Mr. Francis L. Briggs, Mrs. Margaret L. Briggs, Mrs. Olive Bonneau, Mrs. Ellen B. Booz, Mrs. Lucille M. Brown, Mrs. Muriel D. Cassidy, Mr. Ernie R. Coffman, Mrs. Svea E. Eklove, Mr. Edward R. Esko, Mrs. Florence M.

Geiger, Mrs. Dorothy S. Goldsmith, Mrs. Nadine Hammack, and Mrs. Pearl A. Hansen.

Mrs. Virginia Hendrex, Mrs. Ethel Hiller, Mr. William O. Hoy, Mrs. Dorothy M. Jacobs, Mr. Elbert S. Jones, Mrs. Frances H. Kaltriter, Mrs. Mary L. Lee, Mr. Albert Lewis, Mr. Gilbert Lowe, Mrs. Irene L. Marittimo, Mr. Willie H. Moore, Mr. Ivan E. Nesbit, Mrs. Frances W. Orsini, Mr. Charles P. Papotta, Mrs. Ruth G. Pearson, Mrs. Maurine B. Pool, Dr. Albert Posner, Mrs. Virginia L. Rice, and Mrs. Ethelyn L. Richardson.

Mrs. Edith M. Sanchez, Mrs. Mary A. Shimpino, Mrs. Gretchen M. Smith, Mr. Stanley W. Storms, Mr. Harry Tarr, Miss Marie E. Thomas, and Mr. Clyde Williams.

#### REPORT ON MILITARY SPENDING

#### HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1974

Mr. ROYBAL. Mr. Speaker, once again this administration has proposed a militaristic budget which requires an escalation in the United States-Soviet arms race. We are told that this approach is necessary to build a "lasting structure of peace." There is no way that any nation can achieve this serious goal by escalating its war potential with even more advanced nuclear weapons.

For the first time in American history, the end of a war has been followed by increases in military spending. This strange anomaly occurs at a time when U.S. troops are home from Vietnam, when our relations with the Soviet Union and China have considerably improved, and when the first phase of the Strategic Arms Limitation—SALT—talks have been successfully concluded with the second phase already initiated.

Despite these advances in world order, we are confronted with an ever-expanding military budget. The Nixon administration is requesting a total budget for military programs in fiscal 1975 of \$92.6 billion, plus a supplemental of \$6.2 billion for fiscal 1974. In short, we are faced with a \$98.8 billion request for 1974-75. The 1975 budget request alone overshadows the current 1974 appropriations by over \$12 billion.

The administration attempts to explain away the 1975 increases by shifting the supplemental to the 1974 budget even though Congress has yet to approve the additional \$6.2 billion request, and may even reduce the amount. According to a February 1974 congressional study, the new defense budget includes a real increase over 1974 spending of \$4.4 billion after allowing for inflation.

It appears that this spending spree in military programs is not likely to decline. By 1980, reports a recent congressional study, military budget needs will exceed \$114 billion.

The current request reflects the administration's belief that a major emphasis must be placed on military equipment, including a wide range of new strategic weapons. This is being translated into a \$2.2 billion increase over 1974 figures for research and development and procurement. Proposed is a starting array of new strategic weapons systems, the most extensive in 15 years. In fact,

the Pentagon, in detailing its procurement and research programs, has compiled a book of over 114 pages merely to highlight the major weapons systems, some of which will require tens of billions of dollars to complete. These include mobile ICBM's, air- and submarine-launched cruise missiles, advanced MX land-based missiles, advanced airborne tankers as well as ongoing projects like Trident and the B-1 manned bomber.

Further, it appears that the U.S. chemical warfare program has not been shelved as thought, but is still thriving. The Army plans to continue its binary nerve gas research and development program. According to a recent announcement, the binaries will be manufactured at the Pine Bluff Arsenal at Arkansas. Although precise cost analysis is difficult at this time, one analyst puts the price of a fully developed program at \$1.5 to \$2 billion and adds that the figure could be "perhaps more."

Not only is the cost of these war armaments disturbing but there is no sound rational basis for these expenditures. Have we so quickly forgotten the past? Nuclear weapons have a momentum of their own, provoking more advanced programs and further escalating the arms race among world powers, including the United States, the Soviet Union, China, and the major countries of Western Europe. It is time that we begin rethinking our nuclear and strategic options and give some sound direction to U.S. military policy, particularly in light of long-term domestic needs as health, education, employment, energy, and environment, social services.

Certainly this reevaluation must include scrutiny of our troop deployment overseas. Approximately 500,000 members of the U.S. Armed Forces are stationed overseas, with 300,000 in Europe and 200,000 in other parts of the world. The cost of maintaining these troops is a heavy one, and causes a drain on our balance of payments. Defense Department officials estimate the cost of U.S. forces in support of NATO at roughly \$17 billion for 1974. About \$7.7 billion of that figure relates to American combat forces stationed in Europe. On the basis of past figures, we can anticipate an increase in the costs of these forces for 1975.

Without complete and critical reevaluation, this country will continue to adopt military policies which generate morally divisive and inhuman wars as experienced in Vietnam and permit the escalation of the nuclear arms race. We cannot afford to repeat our past tragic mistakes and engage in the dangerous practice of nuclear brinkmanship.

#### IN TRIBUTE TO HANK AARON

#### HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1974

Mr. RANGEL. Mr. Speaker, with all of the problems facing the House of Representatives today, I ask my colleagues for a few moments of their time to pause

and appreciate one of the greatest achievements in sports history.

Henry Aaron has just hit a home run in the first baseball game of the 1974 season in Cincinnati. His home run is the 714th of his career and ties him with the legendary Babe Ruth at the pinnacle of baseball history.

In May 1935, 29 years ago, in Pittsburgh, Babe Ruth playing as a Boston Brave, hit the 714th and last home run of his fabulous career.

Today Henry Aaron has joined the immortal Babe with a feat that is made all the more remarkable by the realization that he has accomplished it with the immense pressures of modern publicity and the ever-present ghost of the Babe.

I salute Hank Aaron for his magnificent achievement and wish him a season as successful as its beginning.

#### RESPONSIBILITY IN TODAY'S WORLD

HON. LEO J. RYAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1974

Mr. RYAN. Mr. Speaker, I would like to introduce, at this point in the RECORD, an editorial from the Skyline Press by Claudia Jensen.

This editorial has a message for us all during these times of shortages and frustrations. All too often we have a tendency to blame "they" and "them" as Claudia points out, rather than shoulder our share of the responsibility for the condition of the world today.

The Skyline Press, for which Claudia writes, is the newspaper of Skyline College, a community college in San Bruno, Calif. An award winning newspaper, the Skyline Press is run entirely by students.

Claudia Jensen is a sophomore and a top student at Skyline College and comes from South San Francisco where she was an honors graduate from South San Francisco High School.

The editorial follows:

[From Skyline Press, Mar. 13, 1974]

VILLAINS "THEY" TAKE RAP FOR ALL IN AMERICAN BLAME SYNDROME  
(By Claudia Jensen)

In case you have not heard They are at it again. There is no stopping Them once They get started, the invidious creatures. They rob us of our gas and our government's virtue all at once. That's not all either. They make the fruit we buy both bright and bad-tasting. They color our meats, our juices and just about everything else. They corrupt the young if you are old and They warp the old if you are young. They raise our taxes and make war and babies. In short, They are everyone's common enemy, the convenient scapegoat for anything that is ever wrong anywhere.

Alice in her Wonderland expressed these sentiments exactly: "I don't think They play at all fairly," Alice began, in rather a complaining tone, "and They all quarrel so dreadfully one can't hear oneself speak—and They don't seem to have any rules in particular; at least, if there are, nobody attends to them". . ."

The logical follow-up to Alice's thought is that it's a pity. They can't be done away with once and for all. After all, if They would go away, that would leave—why Us, of course!

Despite the facetiousness, the fixation with the word They is very real. For example, we blame Them for cheating us of our gas and of lying to us in the first place about an oil shortage. Yet, whatever the truth actually is, we cannot deny that we, not the invisible vague They are the ones who indiscriminately bought polyester when we might have had cotton. We, not They, bought plastic spoons when we could have used metal; we, not They, succumbed to Saran Wrap when waxed paper would have done just as well. If we continue to buy oil-based products in the madcap way we have, the oil supply will naturally decrease. The earth cannot forever play fairy godmother to our whims. Sooner or later we will have to realize our own deep personal responsibility to the earth. In the meantime, They cannot be blamed and neither can They change a thing. Only individuals can.

When the world turns topsy-turvy, who else do we blame but Them? We are shocked when the SLA's anger with Them extends to kidnapping the daughter of a "corporate enemy of the people". Yet we, ourselves, blame Richard Nixon, one-man They in his own right, for just about everything. Both accusations are equally cop-outs because no one person or no one group is ever totally responsible for the problems around them.

They won't take responsibility because after all, They don't really exist—except in our dreams. Only we as individuals can refuse to buy or love wastefully, can refuse to name-call or to settle for second best in anything. Most importantly, we have the freedom of choice that They do not have, but we must begin to consider that choice worthwhile.

#### PLANS FOR A NATIONAL ETHNIC CONFERENCE

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1974

Mr. BIAGGI. Mr. Speaker, on February 25 and 26 of this year, the National Center for Urban Ethnic Affairs held a preliminary meeting to lay the groundwork for a national conference which will be held this month.

The goal of the national conference is to promote what has been called the new ethnicity which is a renewed effort for ethnic people to take pride in their tradition and identity and apply it to their lives today.

Mr. Speaker, the great melting pot which is the United States owes a great deal to the millions of people who entered our shores from foreign nations. They have through hard work and love for our Nation contributed toward making this Nation what it is today.

At this point in the RECORD, I would like to insert an article published in the Ukrainian Daily newspaper, Svoboda, which fully covers the conference:

[From Svoboda, Mar. 23, 1974]

#### ETHNIC CLERGY PLAN NATIONAL CONFERENCE

WASHINGTON, D.C.—Twenty-five leading ethnic clergy from almost as many cities met recently in Washington, D.C., to plan a national conference on ethnic parish community life for late April, which they anticipate will be the beginning of an ongoing network of national ethnic-neighborhood church, clergy, religious women, and lay leadership.

Among the conferees was Auxiliary Bishop Basil H. Losten of the Philadelphia Archdiocese.

The two-day planning session, held February 25-26, initiated by the National Center for Urban Ethnic Affairs (NCUEA), focused primarily on ethnic neighborhood concerns and the promotion of what was termed the "new ethnicity".

#### PRIDE IN IDENTITY

"The new ethnicity is not a nationalistic or anti-American spirit, or even basically an immigrant experience, but a respect for our backgrounds and traditions and a way of life which takes pride in our identity and culture and is an essential ingredient in family, church and community life," according to Msgr. Geno Baroni, NCUEA president.

"What we need is a coalition of ethnic leadership concerned about saving our ethnic parishes and the neighborhoods in which they are located," stressed Bishop Losten.

"Based on the enthusiasm of this clergy sponsoring committee, we anticipate several hundred ethnic clergy and lay parish leaders at the National Ethnic Church Conference and the beginning of a new exciting phase for the Catholic Church in America," according to church layman Jerome Benno Ernst, planning conference coordinator who is also NCUEA coordinator.

"With the enthusiastic commitment to this church endeavor from these key Polish, Italian, Croatian, Lithuanian, Hungarian, Slovak, Irish and Ukrainian bishops, pastors and order provincials, the Church will find a new key to the revival of religious life and neighborhood development," he added.

Three broad themes were discussed at the meeting and are scheduled to be the focus of the national conference: neighborhood development, ethnic identity and parish survival.

Problems were identified and methods explored whereby parishes can positively intervene in each of these areas.

#### SET PRIORITIES

Priority was given to: urban renewal as a destructive force in neighborhoods; ethnic studies legislation, senior citizen housing; liturgy and culture; role of language and traditional ethnic organizations in the "new ethnicity" and in parish identity, the new immigrants, particularly poverty and minority peoples, intercultural education in the parish, survival and development of basic Catholic institutions, the role of the parish to fulfill cultural and social as well as spiritual needs.

Members of the group said they felt that the conference and network will provide a sense of hope to the thousands of ethnic clergy, religious and laity across the country.

"Our so-called rundown parishes are the ones with the greatest vitality," said Rev. Joseph Spigolon, C.S., Provincial, Scalabrini Fathers Eastern Province, "because the pastor is forced to the conclusion that the only way to save the parish is to stress the ethnic parish aspects and meet the demands for ethnic consciousness and culture. In the process, he is forced to offer a proper service."

"Ethnic people expect more social life from their parish: this is an earmark of our parishes," noted Rev. Timothy Majit, O.F.M., Major Superior, Croatian Province.

The general tone of the Conference was that the ethnic parishes are strategically located at the frontiers of American church activity in terms of their urban location and their cultural contributions.

#### 11500 BANANAS ON PIKE'S PEAK

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1974

Mr. HOSMER. Mr. Speaker, H.R. 11500, the bill to make life impossible for



surface coal miners, gets so mixed up and zealous that it contradicts itself.

Section 210(b) (14) (D) says an operator must remove any silt dams following revegetation. This implies he has a right to put up the dams in the first place.

But hold it. Section 208(d) (5) will not let an operator get a permit until he convinces the regulatory authority that no watercourse will be dammed up during reclamation.

Does that mean that the only dams that can be built are those not intended to hold water? Or what?

H.R. 11500 is a silly mixed up bill. We can protect the environment and dig coal too. But not with that bill. It is as crazy as trying to grow bananas on Pike's Peak.

# NO GENERATION GAP IN NORTHERN VIRGINIA

HON. STANFORD E. PARRIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1974

Mr. PARRIS. Mr. Speaker, recently a questionnaire similar to that which I mailed to my constituents was distributed to the high schools in my district. About 5,000 students from 12 schools responded and the results demonstrate a remarkable similarity between the views of the young and the old in the Eighth District. Full Eighth District results are in the CONGRESSIONAL RECORD of April 3.

As were their parents, the students were substantially divided over whether President Nixon should be impeached and compelled to leave office. The majority favor the retention of daylight saving time and are against relaxing environmental requirements and standards to ease the fuel crisis. By a ratio of 4 to 1 they are against gas rationing.

The students were also evenly divided on the questions of whether campaigns should be federally financed with the prohibition of private contributions.

There was also an even split on the question of whether to legalize marijuana.

On the two major local issues asked in the questionnaire, students favored the completion of I-66 by 2 to 1 and they overwhelmingly felt that Lorton Reformatory was being improperly administered to by the D.C. Department of Corrections.

## RESULTS OF THE EIGHTH DISTRICT STUDENT POLL

### GAS RATIONING

1. Would you favor the mandatory rationing of gasoline? Yes, 1,062; No, 3,969.

### DAYLIGHT SAVINGS TIME

2. Do you favor retaining Daylight Savings on a year-round basis? Yes, 2,916; No, 1,991.

### ENVIRONMENT

3. Do you favor relaxing environmental requirements and standards in an effort to ease the fuel crisis? Yes, 1,713; No, 3,102.

### WAGE & PRICE CONTROLS

4. Do you believe the present wage & price controls have been effective and should be continued? Yes, 1,681; No, 2,676.

### ABORTION

5. Do you support changing the Constitution by adoption of a "right-to-life" amend-

ment which prohibits abortions? Yes, 1,951; No, 2,907.

### WATERGATE

6. Do you feel President Nixon has been fairly treated by the media in its coverage of Watergate? Yes, 2,523; No, 2,302.

### IMPEACHMENT

7. Do you think President Nixon should be impeached and compelled to leave the Presidency? Yes, 2,136; No, 2,712.

### ELECTION REFORM

8. Do you favor complete Federal financing of election campaigns and the prohibition of all private contributions? Yes, 2,418; No, 2,249.

### 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, 3,341; No, 1,423.

### LORTON REFORMATORY

10. Do you believe that the Lorton Reformatory is being properly administered by the D.C. Department of Corrections? Yes, 822; No, 3,767.

### MARIJUANA

11. Do you favor the legalization of marijuana? Yes, 2,470; No, 2,301.

## OCCUPATIONAL SAFETY AND HEALTH ACT—REFORMS

HON. ROBIN L. BEARD

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1974

Mr. BEARD. Mr. Speaker, realizing the tremendous need for changes in the implementation of the Occupational Safety and Health Act of 1970, last fall I introduced legislation, H.R. 10200, which would provide a number of these badly needed reforms.

Today, following 6 months of favorable responses, suggestions, and criticism, I am pleased to offer, on behalf of myself and more than three dozen of my colleagues, an omnibus bill, which, I hope will provide the vehicle for OSHA reform in the coming weeks and months.

Mr. Speaker, OSHA was designed to protect the American worker, to provide every working man and woman with a safe, healthy atmosphere in which to reform his or her daily tasks. This end, I feel, is one which few, if any, individuals can take issue with. The framers of the original act were determined to do away with excessively noisy, and oppressively hot and dangerous factories and mills.

Despite these noble aims, OSHA has turned out to be a bureaucratic nightmare to the small businessman. OSHA is, in too many businesses, a threat something to be feared and loathed, yet another example to them of the unresponsive Government in Washington.

In one way or another most of the Members of this body have had experience with OSHA. For many of us, the controversy generated since its enactment more than 2 years ago clearly indicated a need for reform to improve on-the-job safety for the American worker.

The vast majority of the complaints I have received about OSHA come from

small employers who are unfamiliar with Federal regulation and procedures and who resent the way the act is being enforced. This sentiment reveals itself all the way from calls for modification of Labor Department implementation of the law flagrant and outright disregard for OSHA standards. The net effect of which is to create a climate of hostility toward adequate standards of protection which many businesses have long sought to provide their employees as a matter of course. It is my firm belief that in enacting OSHA, Congress intended to get at those employers who willfully maintained practices detrimental to the welfare of their employees. The practical effect of OSHA standards has created an opponent-adversary relationship between employers and Labor Department officials.

What we must strive to achieve in reform of OSHA is a restoration of cooperation in attaining high levels of safety for employees. Certainly, the majority of American businessmen recognize that adequate and safe working environments are an important part of good employer-employee relations. In considering possible reforms, I believe Members on both sides of the aisle agree that many employers—especially small ones—have not been fairly treated by OSHA.

The question we must then ask ourselves is why OSHA is not accomplishing its prescribed goal. I believe this results from two major causes. First, the act lacks any incentive or emphasis on assisting employers—particularly small ones—to comply with its terms. Second, because of this, employers are openly hostile toward the Department and OSHA regulations.

Let there be no mistake—I fully believe employers have had a responsibility to comply with the law and that penalties should be dealt out where it is disregarded. But it is obvious that the objectives of the act cannot be achieved without cooperation by all parties. No amount of regulations, standards, or Federal inspectors to enforce them will coerce the employers of the Nation to compliance. Even if this were possible, it would be a sad day for America if we were to attempt it.

We must face the facts. OSHA has forced U.S. businessmen to react negatively to a policy—of providing a safe and quality work environment—which they under previous circumstances have considered to be an important element in productivity and positive worker relations. In this regard, OSHA enforcement has been counterproductive in attaining its stated goal. Moreover, we must accept that employers—especially small ones—require assistance in understanding and complying with the complex and all too often monolithic standards of the OSHA.

Through my introduction of this legislation, I have dedicated myself to trying to end this "adversary" relationship between the businessman and the Government. I feel OSHA must be a tool to help forge a tripartite partnership among business, labor and Government, working toward a single end—employee safety—in a realistic fashion.

Further, I call upon the Select Committee on Labor to act. While I commend the chairman and members of the subcommittee for taking the time to conduct the present and planned series of OSHA hearings, I feel that, if these hearings are to result in anything concrete, they must point toward the critically important reforms embodied in my bill. Mr. Speaker, the time to act is now. We can delay no longer.

Mr. Speaker, I am including in the Record the text of my bill:

H.R. 13925

A bill to amend the Occupational Safety and Health Act of 1970, and for other purposes

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as the "Occupational Safety and Health Amendments of 1974".

SEC. 2. Sec. 2(b)(10) of such Act is amended to read as follows: "(10) by providing an effective enforcement program;"

SEC. 3. (a) Section 3(5) of the Occupational Safety and Health Act of 1970 is amended to read as follows:

"(5) The term 'employer' means a person engaged in a business affecting commerce who has employees but does not include the United States, any State or political subdivision of a State, any nonagricultural employer who employed no more than twenty-five employees at any time during the preceding calendar year, or a small farmer."

(b) Section 3 of such Act is amended by adding at the end thereof the following new paragraph:

"(15) The term 'small farmer' means a person who owns or operates a farm who, it can reasonably be predicted on the basis of criteria prescribed by the Secretary, will not employ during the next twelve-month period more than seven man-years of agricultural labor for which compensation is paid."

SEC. 4. Section 5 of the Occupational Safety and Health Act of 1970 is amended by adding at the end thereof the following new subsection:

"(c) Notwithstanding any provision of the National Labor Relations Act, an employer may appoint, establish, and maintain a safety committee for the purposes of this Act without violating any provision of section 8 of the National Labor Relations Act."

SEC. 5. (a) Section 6(b)(2) of the Occupational Safety and Health Act of 1970 is amended by inserting at the end thereof the following: "The Secretary shall not propose any rule promulgating a new occupational health or safety standard before he (A) has, as part of each such proposal, reviewed and published in the Federal Register the financial impact of such proposed standard and (B) has determined with due regard for that impact that the benefit to be derived from such standard justifies such proposal."

(b) Section 6(b)(4) of such Act is amended by inserting "(A)" immediately after the paragraph designation and adding a new subparagraph as follows:

"(B) No standard adopted or promulgated under this paragraph shall require any employer to phase out, change, or replace existing equipment or facilities before the normal useful life of that equipment or facility has expired unless failure to so phase out, change, or replace that equipment or facility prematurely would result in a serious violation as defined in section 17(k)."

(c) Section 6(b)(7) of such Act is amended by inserting after the second sentence thereof the following: "Protective equipment and control or technological procedures other than those prescribed by such standard may be utilized by the employer

where (a) such other equipment and control or technological procedures will afford adequate protection to employees and (b) the use of such other equipment and control or technological procedures does not create a new hazard to the health and safety of the employees affected."

(d) Section 6(c)(1) of such Act is amended to read as follows:

"(c)(1) The Secretary shall provide, without regard to the requirements of chapter 5, title 5, United States Code, for an emergency standard to take effect thirty days after publication in the Federal Register if he determines (A) that there is clear and recognized evidence of employees being exposed to serious danger from exposure to substances or agents determined to be toxic or physically harmful or from new hazards, and (B) that such emergency standard is necessary to protect employees from such danger."

SEC. 6. Section 6 of the Occupational Safety and Health Act of 1970 is amended by adding at the end thereof the following new subsections:

"(h) The Secretary shall evaluate as soon as practicable after the date of enactment of the Occupational Safety and Health Amendments of 1974 existing standards established pursuant to subsection (a) or (b) of this section in order to determine the applicability of each such standard to each class of business concern within each industry or form of business. After such evaluation, the Secretary shall determine as a part of each standard, the class or classes of employers to which that standard is applicable and any class of employers to be excluded from the application of that standard, after a determination that the inclusion of any such class would be unreasonable. Such evaluation and determination shall be a part of the establishment of all standards after the effective date of the Occupational Safety and Health Amendments of 1974.

"(i) The Secretary shall prescribe, as soon as practicable after the date of enactment of the Occupational Safety and Health Amendments of 1974, as part of each existing standard adopted under the Occupational Safety and Health Act of 1970—

"(1) the estimated average and maximum cost per unit to the average employer who is subject to that standard for compliance with the conditions, practices, means, methods, operation, or process used or proposed to be used by that employer under that standard; and

"(2) the period within which it is, in fact, possible for such employers to meet such standard including, but not limited to, availability of required devices, and possibility of performance of required procedures.

If the Secretary cannot find that it is possible to comply with the standard within a specified period, he shall rescind the standard, or fail to establish it in the event of a standard proposed to be established. The requirements of this subsection shall also be applicable to the establishment of each standard established after the effective date of the Occupational Safety and Health Amendments of 1974.

"(j) Failure of an employer or employee to comply with an occupational safety and health standard which has been adopted or promulgated without compliance with the provisions of chapter 5, title 5, United States Code, with respect to administrative procedures, shall not in itself be used in any civil action or proceeding as evidence of negligence, or wrongdoing, on the part of that employer or employee, or give rise to a presumption, or inference thereof."

SEC. 7. (a) Section 8(a) of the Occupational Safety and Health Act of 1970 is amended by—

(1) inserting "(1)" immediately after the subsection designation "(a)";

(2) striking out "(1)" and inserting in lieu thereof "(A)"; and

(3) striking out "(2)" and inserting in lieu thereof "(B)".

SEC. 8. (a) Section 8 of such Act is amended by redesignating subsections (b) through (g) as subsections (c) through (h), respectively, and by inserting after subsection (a) thereof the following:

"(b) The Secretary shall provide reasonable advance notice to the employer to be inspected that an inspection will be made where (1) such notice would afford the employer an opportunity to have qualified management personnel or consultants present during the inspection and (2) where the Secretary has determined that such notice would not unreasonably hamper or defeat the purposes of this Act."

(c) Section 6(d) (as redesignated by subsection (a)) of such Act is amended by adding at the end thereof the following new paragraph:

"(4) In furtherance of the effectiveness of the provisions of this subsection, the regulations of the Secretary may require, or otherwise provide for, appropriate physical examinations of employees upon the inception of their employment in a particular activity, or the effective date of the regulation, as to those who are employed in such activities on that date. In prescribing such regulations, the Secretary shall take into account the type of activity, or industry, the hazardous nature of the particular employment and the benefits in connection with the purposes of the Act which may accrue by requiring such examinations. Records of examinations made pursuant to this provision shall be maintained by the employer and be available to the Secretary in performing his duties under this Act, pursuant to the regulations of the Secretary."

SEC. 9. Section 9 of the Occupational Safety and Health Act of 1970 is amended to read as follows:

#### "NOTICES"

"SEC. 9. (a) If, upon inspection or investigation conducted in accordance with the provisions of section 8, the Secretary or his authorized representative believes that an employer has violated a requirement of section 5 of this Act, of any standard, rule, or order promulgated pursuant to section 6 of this Act, or of any regulations prescribed pursuant to this Act, he shall with reasonable promptness issue a notice to such employer. Each notice under this section shall be in writing and shall describe with particularity the matter of violation including a reference to the provisions of the Act, standard, rule, regulation, or order alleged to have been violated. In addition, the notice shall fix a reasonable time for the abatement of the violation which reasonable time shall in no event be less than ninety days, and the notice shall contain with particularity a suggested course or courses of action which if taken by the employer will abate the violation. The Secretary may prescribe procedures for the notification in lieu of the notice required by this section with respect to de minimus violations which have no direct or immediate relationship to safety or health violations.

"(b) Each notice issued under this section, or a copy or copies thereof, shall be prominently posted, as provided in regulations of the Secretary, at or near each place a violation referred to in the notice occurred. Such posting shall not be required after (1) the date on which the violation is abated, or (2) thirty days after the Secretary has referred the matter to the Attorney General as provided in section 10(a), whichever occurs later.

"(c) No notice may be issued under this section after the expiration of six months following the occurrence of any violation.

"(d) Any employer inspected under section 8 who has been found to be not in compliance



with any rule or standard adopted or promulgated under sections 6 (a), (b), or (c) shall not receive a notice for such violation if he is able to show (1) that implementing such rule or standard would not materially affect the safety or health of his employees in the facility inspected, (2) that he has employed alternative procedures to protect his employees from the hazards contemplated by the rule or standard which are as effective in protecting the safety and health of his employees, or (3) that he has furnished adequate notice and exerted all reasonable efforts, pursuant to such regulations as the Secretary may prescribe, to obtain the compliance of his employee, that such violation was attributable to such employees, and that he could not otherwise have reasonably prevented such violation.

"(e) A citation which is not issued in accordance with the provisions of section 8(a) and 8(f) shall be of no force or effect."

SEC. 10. Section 10 of the Occupational Safety and Health Act of 1970 is amended to read as follows:

**"PROCEDURE FOR ENFORCEMENT"**

"SEC. 10. (a) If the period specified for the abatement of any violation in a notice issued under section 9 has passed and the employer has failed to correct the violation for which the notice was issued, the Secretary shall refer the matter, together with all relevant information, to the Attorney General for the institution of proceedings under this Act.

"(b) Any civil action brought under this section shall be brought under the name of the United States in the United States district court for the district where the violation was alleged to have occurred or where the violator has his principal office. In any action brought under this section, trial in the district court shall be de novo.

"(c) In assessing civil penalties in accordance with section 17 of this Act, the court shall give due consideration to the appropriateness of the penalty with respect to the size of the business of the employer being charged, the gravity of the violation, the good faith of the employer being charged, and the history of previous violations.

"(d) Whenever an employer has corrected a violation subject to a notice under section 9 in the period specified in that notice, no action shall be brought with respect to that violation for the enforcement of penalties under section 17 of this Act.

"(c) (1) No person shall discharge or in any manner discriminate against any employee because such employee has filed any complaint or instituted or caused to be instituted any proceeding under or related to this Act or has testified or is about to testify in any such proceeding or because of the exercise by such employee on behalf of himself or others of any right afforded by this Act.

"(2) Any employee who believes that he has been discharged or otherwise discriminated against by any person in violation of this subsection may, within thirty days after such violation occurs, file a complaint with the Secretary alleging such discrimination. Upon receipt of such complaint, the Secretary shall cause such investigation to be made as he deems appropriate. If upon such investigation, the Secretary determines that the provisions of this subsection have been violated, he shall bring an action in any appropriate United States district court against such person. In any such action the United States district court shall have jurisdiction, for cause shown to restrain violations of paragraph (1) of this subsection and order all appropriate relief including rehiring or reinstatement of the employee to his former position with backpay.

"(3) Within ninety days of the receipt of a complaint filed under this subsection, the Secretary shall notify the complainant of his determination under paragraph (2) of this subsection."

SEC. 11. Section 11 of the Occupational Safety and Health Act of 1970 is amended to read as follows:

**"AFFIRMATIVE DEFENSES"**

"SEC. 11. (a) It shall be an affirmative defense to any proceeding under this Act that—

"(1) the employer furnished adequate notice and exerted all reasonable efforts, pursuant to such regulations as the Secretary may prescribe, to obtain the compliance of his employees and the violation of the Act was attributable to such employees and the employer could not otherwise have reasonably prevented the violation;

"(2) the employer did not receive at least thirty days prior actual notice of a standard not adopted pursuant to title 5, chapter 5, United States Code, when the violation charged relates to such a standard; or

"(3) the standard which is the subject of the violation charged, would not have effectively constituted an improvement of occupational safety and health in the circumstances under which the charged is brought."

SEC. 12. Section 12 of the Occupational Safety and Health Act of 1970 is amended to read as follows:

**"COMPLIANCE AGREEMENT"**

"SEC. 12. Whenever the Secretary determines the purposes of this Act will be best served by so doing, he is authorized to enter into an agreement with an employer believed to be in violation of an occupational safety and health standard promulgated pursuant to section 6 of this Act under which enforcement and penalty provisions are waived or deferred upon condition that the employer will voluntarily comply with the applicable standard upon such terms and conditions as the Secretary determines appropriate under the circumstances. Failure of an employer to abide by such an agreement may be taken into account in resulting enforcement and penalty procedures."

SEC. 13. Section 14 of the Occupational Safety and Health Act of 1970 is repealed.

SEC. 14. (a) Section 17(b) of the Occupational Safety and Health Act of 1970 is amended to read as follows:

"(b) Any employer who has received a notice for a serious violation of section 5 of this Act, or any standard, rule, or order promulgated pursuant to this Act, or of any regulation prescribe pursuant to this Act and has failed, within the time prescribed in such notice, to correct such a violation, shall be assessed a civil penalty of up to \$1,000 for each such violation."

"(b) Section 17 of such Act is amended by striking out subsections (c), (f), (j), and (l), and by redesignating subsection (d) as subsection (c), subsection (e) as subsection (d), subsections (g) through (i) as subsections (e) through (g), respectively, and subsection (k) as subsection (h).

"(c) Section 17(c) (as redesignated by subsection (b)) of such Act is amended by—

(1) striking out the word "citation" and inserting in lieu thereof the word "notice"; and

(2) striking out "(which period shall not begin to run until the date of the final order of the Commission in the case of any review proceeding under section 10 initiated by the employer in good faith and not solely for delay or avoidance of penalty)".

SEC. 15. Section 18(c) (2) of such Act is amended by striking out "at least as effective" and inserting in lieu thereof "identical".

SEC. 16. Section 21 of such Act is amended by changing the heading thereof to read as follows:

**"TRAINING, EDUCATION, AND TECHNICAL ASSISTANCE"**

and by adding at the end thereof the following new subsection:

"(d) (1) In order to further carry out his responsibilities under this section, the Sec-

retary shall visit the workplaces of employers for the purpose of affording consultation and advice to such employers. Such visits (A) may be conducted only upon a valid request by an employer for consultation and advice at the workplace on the interpretation or applicability of standards or on possible alternative ways of complying with applicable standards, and (B) shall be limited to the matters specified in the request affecting conditions, structures, machines, apparatuses, devices, equipment, or materials in the workplace. Where, after evaluating a request by an employer pursuant to this subsection, the Secretary determines that an alternative means of affording consultation and advice is more appropriate and equally effective, he may provide for such alternative means rather than onsite consultation.

"(2) The Secretary shall make recommendations regarding the elimination of any hazards disclosed within the scope of the onsite consultation. No visit authorized by this subsection shall be regarded as an inspection or investigation under section 8 of the Act and no notices or citations shall be issued nor shall any civil penalties be proposed by the Secretary upon such visit, except that nothing in this subsection shall affect in any manner any provision of this Act the purpose of which is to eliminate imminent dangers.

"(3) Nothing in this subsection shall be deemed to require the Secretary to conduct an inspection under section 8 of the Act of any workplace which has been visited for consultative purposes. The failure of the Secretary to give consultation and advice regarding any specific matter during a consultation visit shall not preclude the issuance of appropriate citations.

"(4) In prescribing rules and regulations pursuant to this subsection, the Secretary shall provide for the appropriate separation of functions between officers, employees, or agents who conduct visits pursuant to this subsection and officers, employees, or agents who conduct inspections or investigations under this Act."

SEC. 17. (a) The heading of section 28 of the Occupational Safety and Health Act of 1970 is amended to read as follows:

**"ASSISTANCE TO EMPLOYERS"**

(b) Section 28 of such Act is amended by adding at the end thereof the following new subsections:

"(e) (1) Whenever it appears to the Secretary that it is necessary to assist employers with less than one hundred employees during the preceding calendar year to comply with the applicable standards promulgated pursuant to section 6 of this Act or standards adopted by a State pursuant to section 20 of this Act, the Secretary shall provide technical advice, assistance, and consultation, either directly or by way of a grant, to such employers to assist them in so complying.

"(2) The assistance provided by this subsection shall not include the actual cost of devices or procedures required by this Act.

"(f) Upon the application of an affected employer, the Secretary is authorized to make a grant to that employer for the cost incurred by him in complying with a standard adopted or promulgated without compliance with the provisions of chapter 5 of title 5, United States Code, if that standard was replaced by the Secretary with a standard which could have reasonably been adopted at the time the replaced standard was adopted or promulgated and the affected employer was required to comply with the later standard. Grants under this subsection to the employer shall be equal to the costs incurred by the affected employer which would not have been incurred if the later standard had been adopted or promulgated

initially. For the purpose of making such grants, the Secretary is authorized to adopt schedules based upon average cost data of complying with any such standard."

Sec. 18. The amendments made by this Act shall take effect on the first day of the month beginning sixty days after the date of enactment of this Act.

### CONGRESSMAN WYDLER DEMANDS HALT TO DUMPING OF SEWAGE SLUDGE NEAR LONG ISLAND

**HON. JOHN W. WYDLER**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1974

Mr. WYDLER. Mr. Speaker, all of us have been deeply concerned with the problems of pollution of our Nation's water's in the past few years. We, in the Congress, have passed many programs establishing Federal policies to clean up and protect the precious natural resources that we possess as a Nation.

We have passed restrictions on ocean dumping and imposed strict requirements on any proposals to drill for oil in our waters, in order to protect the people in the New York and Long Island area.

#### A GROWING MENACE

My Fifth Congressional District has many miles of precious beaches in the Long Beach and Atlantic Beach areas and many stretches of ocean waters which are affected by the dumping of any materials into the ocean. For years the city of New York has dumped sewage sludge about 10 miles from the Long Island shore. While no immediate problems to our beaches were evident before, there are indications that this situation is a growing menace to the health and beauty of the beaches in the Fifth Congressional District.

#### PROTECTING THE FIFTH CONGRESSIONAL DISTRICT

I have demanded, from the appropriate Federal agencies, that an end to this practice be a matter of urgent national priority, and have received assurances that there will be attempts made, at once, to change the site of this dumping to an area much farther from the Long Island shore, where there will be no danger to our beaches and waters.

#### EARLY ACTION ON PROBLEM

The background of this matter is as follows: In December of last year, I, like most Long Islanders, read with concern the story in the New York Times relating to the spread of sewage sludge toward Long Island.

As I reported on December 24, 1973, the newspaper story stated that the sludge had moved to one-half mile off Atlantic Beach, and a map showed the spread from the dumping area 10 miles off our shore almost to our shoreline.

I read the story on a flight to Washington, and immediately on arrival, called the Environmental Protection Agency, which issues permits for the sludge dumping. I arranged for a meeting the following morning with representatives of the EPA and the National Oceanic and Atmospheric Administration—

NOAA—which is studying the sludge dumping problem.

The next morning the heads of the EPA and NOAA met with me, as arranged, and we discussed the emergency. Little was known about the actual situation, although since last summer NOAA has been making a comprehensive survey of the water and ocean floor in the area. I asked for some immediate and preliminary results, and also discussed moving the dumping site many miles further out to sea. The danger in doing so, however, would be that the new location could be affected by currents that might carry the sludge more quickly to our shoreline.

That same afternoon, I had the preliminary results of NOAA's survey. They were inconclusive, but did not indicate any general movement of the sludge area closer than 6 miles to our shores. A written report was promised me in a few days.

I then called Prof. William Harris of Brooklyn College, who lives in Woodmere, and spoke to him at length. It was his findings which lead to the original newspaper story. He told me that he found one sludge spot about one-half mile off Atlantic Beach, but that the areas both closer to shore and further from shore were clean sand. His theory was that there might be a narrow belt of sludge running parallel to the beach about one-half mile off shore, in the direction of the Silver Point Jetty. His theory is that the sludge had been carried there by the tides.

I asked that steps be taken to get more facts, as the basis for action that could help. NOAA also sent out a special ship, the *Rorqual*, to investigate the situation. The main report was speeded up; and I requested that a study be made of a new dumping site further from our Long Island shore so we can move to it if it is necessary.

We on Long Island have opposed offshore drilling to protect our beaches from oil pollution, but the dumping of sewage sludge from New York City presents a clear and present danger to our waters and beaches that requires more than anguished cries and demands for action. It requires action itself to preserve our precious natural resources of clean ocean water over a clean ocean floor.

#### MOVING THE DUMPING SITE AWAY FROM LONG ISLAND

During the emergency meeting with the representatives of the Environmental Protection Agency's ocean disposal program and the people from NOAA, I suggested that immediate steps be taken to move the dumping site further from the Long Island shores. I stated quite clearly that this should be done without delay so that the appropriate governmental agencies could plan accordingly for the future and not claim surprise. Subsequent to this meeting, I had Mr. Richard T. Dewling, Director of Surveillance and Analysis for the EPA's Region II in New York, fly to Washington, D.C., to meet with me on the problem. At this meeting, I completely reviewed the matter with Mr. Dewling and although hearings were imminent on the renewal of dumping permits, I impressed upon him my de-

mand that new sites be immediately considered and chosen for the future.

It has now been announced that such new sites are being considered and the involved Government agencies have been put on notice that the present site close to the shores of Long Island will not be approved in the future. In addition, I have contacted the U.S. Corps of Engineers and obtained their agreement to meet with and work with the EPA and State and local authorities for the purpose of establishing alternate courses of action to be taken in this matter. I am convinced that all parties now understand the seriousness of the situation and wish to move affirmatively to bring to an end the sewage sludge dumping close to our shore. I will continue to see that such action is taken.

#### SAFETY FIRST

My special aim is to see the sewage sludge dumping site moved to Area Two, which would be five times further from the Long Beach and Atlantic Beach shores than the current site. In the meantime, I will see that the biweekly monitory program for our bathing beaches is continued so that people using our facilities will be safe and secure. They deserve nothing less.

### THE DUAL BANKING SYSTEM—ITS FUTURE IN DOUBT

**HON. RICHARD T. HANNA**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1974

Mr. HANNA. Mr. Speaker, one of the hallmarks of our Nation's financial structure has been the Dual Banking System whereby commercial banks may be chartered and regulated by either the Federal Government or by the several State governments. While the general public may, by and large, be unaware of this distinction, it is, nonetheless, an important factor in the protection of the public interest. The dual system is a structural feature which encourages competition in the banking field.

My concern, Mr. Speaker, is that the value of the dual system not be lost sight of in the weeks and months ahead as the Congress and the Federal regulatory authorities look to general financial institutional reform. There are already signs of an attempt to weaken, if not abandon, the system. I refer to the Federal Reserve Board's desire to require State chartered banks to "affiliate" with the national system. Leaving aside for the moment the obvious questions of constitutionality and violation of the spirit of existing statutory law, the practical consequences for the depositing and borrowing public is of very real concern to me. It is unwise, Mr. Speaker, for such a fundamental policy change as the Fed proposes to be made by anyone other than the Congress. If a case can be made for the abolition of the dual system, let it be made in the public forum afforded by the legislative process wherein all interested viewpoints will be heard. Backdoor policymaking such as is engaged in by Federal regulatory agencies from



time-to-time should not be tolerated by the Congress.

# THE SORRIEST SPECTACLE OF ALL

**HON. FRANK J. BRASCO**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1974

Mr. BRASCO. Mr. Speaker, some few astute observers of the contemporary scene have predicted that the future domestic cost of our Vietnam involvement will cost us far more in every way than what we actually paid for that bungled misadventure. That view was at least proven partially true last week in Washington because of events surrounding Federal treatment of the 2.5 million veterans of that conflict.

Americans are civic-minded; do-gooders, if you will. They like to express their concern for things, good and bad. Such sentiments are reflected here in the Congress. Resolutions are passed. We exhort our fellow citizens to give to one charity or another, to aid in the conquest of one or another affliction, to eat more or drink less of some substance. And Congress goes on record as being for God, mother, and country in a variety of forms, belaboring the obvious and charging with loud cries against and through doors which are already open.

Nor is there anything wrong per se with such behavior, although it has at times reduced the meaning and effectiveness of a general expression of congressional sentiment. Recently, among our expressions of concern, there was something about Vietnam era veterans.

In turn, the White House proclaimed a day embodying similar expressions of good will and feeling. Again, a thumping series of non sequiturs which on the surface harmed no one while benefitting no one. Meaningless mouthings of nice thoughts. Little did anyone realize how outraged veterans would react as a result of all this.

However, looking at it from the veteran's side of things, their rage becomes suddenly understandable, highlighting a situation some of us suspected but none of us truly understood, until now.

As the veterans tell it, with increasing frequency and outrage, they are not attaining access to a full range of veteran's benefits previous generations of returned service personnel obtained. At first, when such claims were made, most Americans dismissed them as aberrations. I do recall a time last year when air-conditioning was shut off in all or many Veterans' Administration hospitals. When Congress voted to shut off all air-conditioning at the Office of Management and Budget, suddenly the air-conditioning at the hospital facilities was restored to the budget. But again, most of us dismissed such signs as an aberration. We should have known better.

Last week, these veterans, numbering several thousand, came in outrage to Congress, and more of the true state of affairs came to light. None of these men were draft dodgers seeking a free ride

of any kind. All had served honorably. Many had been wounded. Some were in wheelchairs. Many had also been decorated for bravery. And what they told Congress has shocked me to my very core, as an American, as one who has served in the military and as an ordinary man.

What these men complained of was a lack of delivery of the most vital services. All of them are seeking to carve out new lives. Many are married with children—small children. A number are pursuing educations of various kinds. Not only are their money benefits not enough to help them make ends meet while educating themselves; many of them are not receiving their benefits on time. As a result of this nondelivery of what are proving to be inadequate benefits, they are not able to pay tuition, feed their families, and maintain roofs over the heads of their families. We could send those men to war, but we cannot deliver their benefits on time. What is Mr. Johnson, the VA Administrator, running downtown? Certainly it is a national shame and scandal that his agency cannot deliver checks on time to these people. Do the Russians fail to deliver such benefits to their veterans? This is a disgrace for us before the entire world.

It is my understanding from what many of these veterans said that conditions in VA hospitals around the Nation leave more than a little to be desired. Also, that such complaints have been inundating the Veterans' Administration for some time, and that little or nothing has been done in response.

I have cosponsored, supported, and voted for the full range of veterans benefits over the years I have been here in the Congress, always in good faith and without partisanship. This is one of those issues, like pensions and benefits for the elderly, which is a national, non-partisan responsibility. Once these measures pass Congress and are funded, it has previously seemed that we have done our duty and fulfilled our responsibility. Evidently, it was erroneous for people like myself to believe that the programs were adequate and would be honestly and fairly administered. Certainly they are not being competently administered, for obviously it is too much for the VA, with its vast resources, personnel and facilities, to get checks out in time to these people.

What chokes me most is the spectacle of the leaders of the Nation, out before the media, spouting pious mouthings about how right Vietnam was and how much we should honor our veterans. This is the rankest kind of cant, and goes far to explain, to me at least, the extreme outrage expressed by so many of these young men last week. To ask so much of them, to promise so much to them, to deny most of it to them and then to spout off about how much we owe them is noxious and hypocritical. Rather, let the President tell his political appointees at the VA to get those benefits out on time, and to use punitive measures upon any ranking person who does not fulfill his responsibilities.

I am not a senior Member of this House. I have no power to call a committee or even a subcommittee into session. What I do possess is a vote and a voice.

The leadership of this body can convene the appropriate committees concerned with veterans and with appropriations powers. Legislative oversight hearings have not been unknown in the history of Congress, and I believe the time has arrived for such a probe into what is going on at the Veterans' Administration. Perhaps it might do for some of the powers-that-be here to make Mr. Johnson come up and explain, step-by-step, how checks are mailed and why this situation is uncorrected at this time. Just once, let Congress act and prevent the buck from being passed and passed again. Simple justice requires such an initiative. If not, then in spite of what the President has done, the blame is equally ours.

## THE 56TH ANNIVERSARY OF BYELO-RUSSIAN INDEPENDENCE

**HON. ELLA T. GRASSO**

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1974

Mrs. GRASSO. Mr. Speaker, on March 25 the 56th anniversary of the proclamation of independence of the Byelorussian Democratic Republic was celebrated.

This date was truly an important milestone for the freedom-loving people of Byelorussia and for their many friends throughout the world.

The gallant people of this state, now under the iron hand of the Soviet Union, have for many centuries been victims of invasions and oppression. Byelorussia attained statehood through unification in the 13th century. Foreign domination came first from the Mongols, then the Teutonic knights, the Poles, the Germans, and finally the Russians. Yet, through all their trials, the valiant citizens of Byelorussia passed on the torch of liberty from generation to generation striving always to become a truly free people.

Independence came fleetingly in 1918, when the Byelorussian Democratic Republic was established. Yet, soon the infant nation was overrun by the Soviets. Throughout Russian domination, the people have continually sought to regain their freedom, mounting bloody insurrections in 1920, 1922, and 1944, in an effort to make Byelorussia once again an independent state. A harsh period of retaliation by the Soviets followed the 1944 uprising, yet attempts to wipe out Byelorussian culture, language, religion, and nationalism failed.

Byelorussians throughout the world retain their determination to make their state free and independent again in the future. The hard-working and diligent character of these people is reflected admirably in the accomplishments and valuable contributions made by Americans of Byelorussian descent in Connecticut and through the Nation.

Let us take this opportunity to renew our commitment to freedom for the captive people of Byelorussia, who desire and deserve a restoration of basic human rights in their country.

## YOUTH OF THE 1970'S

## HON. RON DE LUGO

OF THE VIRGIN ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1974

Mr. DE LUGO. Mr. Speaker, it has become vogue to classify the youth of the 1970's as a generation of apathetic children. I would like to bring to the attention of my colleagues an example contrary of this harsh generalization.

Recently, a group of Charlotte Amalie High School students noticed that a walk of historic value was being concreted over by the Department of Public Works. The students became actively disturbed over the cultural destructiveness and evident illegality of this act. After an organized demonstration and subsequent unsuccessful confrontation with the St. Thomas Administration, these teenagers sought the advice of a teacher, Mrs. Edith Woods, and a local attorney, Mrs. Edith Bornn. The student group approached the planning board and pointed out that the aforementioned walk was in a historical district and, therefore, required board permission to be altered. The Board concurred and ruled the action of the Public Works Department illegal.

I wish to salute these students who have shown us all their personal commitments and provided a lesson in positive citizen action. Their concern, motivation, and determination resulted in a success that proves the power available to an organized group of individuals striving to see the law fulfilled.

A detailed account of their activities and an editorial comment follow:

## ART STUDENTS WIN SIDEWALK PROTEST

A group of Charlotte Amalie High School art students has won a victory over the government in an attempt to salvage a historic sidewalk.

The students had noticed several weeks ago that a blue-stone walk in front of Memorial Moravian Church was being paved over with concrete by the Department of Public Works.

They made unsuccessful attempts to draw the attention of various government officials to the situation and finally demonstrated on the site last week.

After a run-in with St. Thomas Administrator Richard Maguire, they sought aid from concerned adults and attracted the attention of Mrs. Edith Bornn, local attorney.

Mrs. Bornn and one of the group, Myron Jackson, approached the planning Board and pointed out that the walk is in the Historic District and cannot be altered without the Board's position.

The Board concurred, noting it had not been informed by the government of the paving, and ruled that the government's action had been illegal.

They further invited Commissioner of Public Works John Harding to appear with any of his staff to discuss ways of removing the paving and restoring the sidewalk.

One of the group's teachers, Mrs. Edith Woods, who had been advising them on the matter, noted that the walk had also included marble plaques of historic value.

Mrs. Woods further stated that the students have organized into a group called Students for the Preservation of Historic Sites and intend to maintain their watch on alterations in the district.

Mrs. Bornn commented that the students had spent two weeks going from one Government office to another, with no success.

"Even if they had not won their case," commented Mrs. Bornn, "to have gained such a group of concerned young citizens is worth it all."

## AN ENCOURAGING LESSON

A group of Charlotte Amalie High School students this week won a favorable decision from the Planning Board in a dispute concerning the meaningfulness of the Historic District, and at the same time, we trust, received a hopeful and encouraging lesson about citizen participation in government.

The students, members of an art class studying examples of historic St. Thomas architecture as a special project, became concerned several weeks ago when Public Works paved over with concrete a blue stone walk in front of the Memorial Moravian Church. The students felt strongly that this example of 18th century stonework, which reportedly also includes marble plaques of historic value, should not have been simply paved over and obliterated. They felt even more strongly that this should not have been done by the government itself in the Historic District, where by law any such changes must be approved by the Planning Board.

The first government official the students ran into was the St. Thomas administrator, who was far from sympathetic and advised them to concentrate on picking up litter and forget about the sidewalk. They persevered, however, picketing and handing out leaflets and finally with the assistance of a local attorney were able to put their case before the Planning Board. The board ruled that the government had violated its own laws by doing such work in the Historic District without Planning Board approval, and has directed the Public Works to appear to discuss ways of removing the paving and restoring the sidewalk.

What happened here, as it does in so many other cases, was that one arm of the government didn't know what another was doing, and that one department was apparently unaware that it was breaking a law. The students deserve credit for sticking to their guns and insisting that the administration obey its own rules and regulations. Preserving the blue stone walk, if possible, is important, but even more important is the need for government itself to behave lawfully, for if the government is to set a pattern of flouting the law there can be little expectation that the private sector will respect the law.

We trust that the young CAHS students will have learned from their victory the power of an aroused and concerned citizenry, and that in the future they will continue to show such civic concern.

TREZEVANT HIGH SCHOOL GIRLS—  
TENNESSEE STATE CHAMPS

## HON. ED JONES

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1974

Mr. JONES of Tennessee. Mr. Speaker, I would like to take this opportunity to congratulate the Trezevant High School Girls' Basketball team on winning the Tennessee State Basketball Championship.

These girls have practiced and played hard all season and certainly deserve this coveted title. Much of the credit, however, is due Coach Richard Welch for

molding his team into the powerful unit it is.

The secret of a winning team in any sport is its ability to work together for the whole; which in the case of the Trezevant Lady Devilettes, was winning the State championship.

I am proud of these young women and of their spirit of fair play.

TESTIMONY FOR THE URBAN  
EMPLOYMENT ACT

## HON. JAMES V. STANTON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1974

Mr. JAMES V. STANTON. Mr. Speaker, in the past 2 days, I have inserted into the RECORD the testimony of leaders of business and Government that was given in conjunction with my own in support of H.R. 5808, the Urban Employment Act. I today insert the testimony of the distinguished labor leader who accompanied me at the hearings before the House Economic Development Subcommittee, Sebastian Lupica, executive secretary of the Cleveland AFL-CIO Federation of Labor.

The testimony follows:

PRESENTATION TO THE HOUSE PUBLIC WORKS COMMITTEE IN BEHALF OF H.R. 5808, THE URBAN EMPLOYMENT ACT

Mr. Chairman, members of the committee—I am Sebastian Lupica, executive secretary of the Cleveland AFL-CIO Federation of Labor.

I represent more than 130,000 union members and their families.

I urge you to support H.R. 5808, which would provide for the establishment of industrial land banks.

I want to speak particularly about the ways unemployment has hurt the Cleveland area. Passage of this legislation would help the current employment picture in the greater Cleveland area. And—we need that help.

We need to be able to keep industry in Cleveland. We need the jobs—but that is only one of the reasons. Figures show that the city of Cleveland has lost more than 4 million dollars in tax money as the result of industries moving away. This tax loss has affected city services and our Cleveland school system.

The city of Cleveland is operating on a near deficit level because of income tax revenue being substantially lower. This again is partially the result of the loss of industry.

You may question why an employee does not follow his employment. There are several important reasons. Usually, it just is not possible for him to do so. Many industries move into suburbs far removed from public transportation and as a result some employees find it impossible to reach the job. Or, because of the length of time it would take for an employee to reach his employment, it makes holding the job a physical impossibility. In a city the size of Cleveland a move to the suburbs could create the necessity for a worker driving 40 to 50 miles a day. Many times a move is combined with a merger of companies and the subsequent elimination of departments and workers.

When the industry moves out of the area most workers are not able to pull up stakes and follow the employment. Unlike the transfer of management personnel, companies do not pay for moving expenses, al-



lowances for losses on the sale of property, etc. for the blue collar workers.

One of the other major factors is that many of the employees of an established industry are older workers. They can't find a place of new employment in an already declining job market because of their age.

All of this Mr. Chairman adds up to unemployment.

Unemployment figures in Cleveland during the last quarter indicate some 45,000 persons unemployed. There are figures to indicate that there is an approximate unemployment rate in the inner city at the present time of 18%. This is the largest figure in the State of Ohio and possibly one of the highest in the Nation. When considering our total community, this rate drops, of course, but all indications are that the rate for the area is about 10%—which again is substantially higher than national average.

We all know and recognize that unemployment causes a drain on the State unemployment compensation funds; creates a loss of purchasing power, with all of the resulting factors, including the additional unemployment that results therefrom; creates higher welfare rolls, because when the unemployment compensation runs out a person usually has no other recourse; and, unfortunately, for many it means the loss of fringe benefits earned over the years such as pensions, severance pay, and vacation pay. The severity of the situation in connection with vested pension rights is such that there is now proposed legislation in Congress which would establish guidelines in this regard.

H.R. 5808 could serve to help large cities such as Cleveland stem the tide of fleeing factories. Our people—who are suffering from unemployment—need this help. We plead with you to give this legislation your support.

**LA TRIBUNA AND CLUB ESPANA—  
HAPPY ANNIVERSARY**

**HON. PETER W. RODINO, JR.**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1974

Mr. RODINO. Mr. Speaker, the weekend of March 23 and 24 was indeed a time of great festivity and celebration for a number of Spanish families throughout my district. Saturday night marked the ninth anniversary of Club Espana and Sunday afternoon, Carlos Bidot, director of the well respected North Jersey Spanish newspaper, La Tribuna, held a luncheon and dance to honor his publication's 12th anniversary.

When we ask ourselves what is the thread that ties one generation to the next, how do we pass down the beauty of our traditions, customs, culture, and history to our children, we need look no further than the events of this March weekend. For what better place than the Club Espana to share and to develop the richness of the Spanish legacy? And, what better way to keep in constant touch with the events, past and present, of a people than through a newspaper dedicated solely to emphasizing activities of interest to the Spanish-speaking men and women in our communities.

One organization complements the other. And, I have no doubt that both anniversary celebrations were filled with much happiness. It is my hope that for many years to come, Club Espana and La Tribuna will continue

their invaluable contributions to the preservation of these precious gifts which our citizens of Spanish descent have brought to all Americans.

**COMMANDER OF VFW CALLS FOR  
REPLACEMENT OF VETERANS' AFFAIRS  
ADMINISTRATOR**

**HON. GLENN M. ANDERSON**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1974

Mr. ANDERSON of California. Mr. Speaker, on April 2d the commander in chief of the Veterans of Foreign Wars, Ray R. Soden, sent a telegram to President Nixon expressing his indignation over the administration's lack of sufficient leadership capable of providing adequate benefits to our war veterans.

In his telegram Commander Soden urged the President "to place competent leadership at the helm of the Veterans' Administration." Therefore, I am joining him and many of my colleagues in urging the prompt replacement of Donald E. Johnson as the Administrator of Veterans' Affairs; and replacing him with someone who has not only the heart to understand some of the current inadequacies but also the experience and skills to solve them.

Mr. Speaker, I insert into the RECORD the entire contents of Commander Soden's timely telegram:

WASHINGTON, D.C., April 2, 1974.

The President,  
The White House,  
Washington, D.C.

I was completely baffled by the contents of your recent address to the nation concerning veterans and veterans benefits.

It was announced several times by radio news personnel that you would speak on legislation. You reiterated your recommendation of a stingy 8% increase in education rates when it is well known the Congress will enact legislation authorizing substantially greater increases.

The recommendations of your administration concerning the national cemetery system are grossly inadequate. They fail miserably to provide the honor of burial in national cemeteries reasonably close to areas of veterans residences. The proposal to eliminate the VA burial allowance is a shame on the Nation.

The pension "reform" program as proposed in your message to the Congress and by the administrator of veterans affairs would in reality deny pensions to 75% of new applicants in the future because of retirement pay and earnings of spouses. This recommendation is inconceivable.

GI home loans for Vietnam veterans are practically nonexistent. Unemployment for Vietnam veterans is on the increase. The least your administration could do for veterans in need of jobs is to insist that governmental contractors—all of them—be required by law or executive order to give veterans preference to Vietnam veterans; and, in addition, teeth must be placed in the law or the order that would require fine and/or imprisonment if found guilty of violation. This type consideration was, and is being used today for certain segments of our society—why not for our Vietnam veterans?

The establishment of a committee of cabinet members chaired by the administrator

of veterans affairs offers no hope of effective recommendations for solutions of existing problems in the administration of veterans benefits. Their personal knowledge is essentially nil and it can be presumed they will merely vote on a final report prepared by designated underlings who are likewise without the knowledge and judgment skills in this area essential for accurate conclusions and effective recommendations.

After administering large scale educational programs since the end of World War II, it is contemptuous for the Administrator of Veterans Affairs to offer ridiculous excuses for check delays which in many instances have caused young veterans to discontinue educational pursuits. How Office of Management and Budget Personnel can contribute to the solution of this continuing and inexcusable problem is certainly not evident. The answer is hard work and innovative approaches. Including placement of VA personnel—perhaps Vietnam veteran students employed for this purpose—on campuses to insure prompt submission of institutional certifications and reports as required.

It is absurd to assign the Administrator of Veterans Affairs to personally check and personally report on VA hospital and medical problems. This is somewhat analogous to the fox inspecting the chicken coop. It would be insane to expect the Administrator of Veterans Affairs to submit an adverse report on hospitals and medical programs for which he has been responsible for five years.

The needs of the Veterans Administration hospital system and medical programs are evident and no further study is required. They include increased funds, additional staff personnel, higher salary rates for many physicians, more special medical programs, effective admission system which will insure the admission and treatment of each veteran sufficiently ill to warrant hospitalization, a crash construction program to add hospital beds and skilled nursing home beds, revised domiciliary facilities, and modernization of existing facilities including air conditioning, and, perhaps even more important, the reestablishment of the integrity and authority of the position of chief medical director.

Shortly after your message to Congress, and revelation of the VA 1975 fiscal year budget request, I addressed you to emphasize the inadequacies of your legislative recommendations and the inept administration of veterans benefits, particularly the multitudinous delays of veterans payments, particularly educational program payments. No response has been received to date.

I again urge you to reconsider and revise your legislative recommendations and to place competent leadership at the helm of the Veterans Administration and in other vital positions in that agency to insure availability of first quality medical care and apt administration and prompt payment of direct benefits.

I respectfully request a prompt response.  
Sincerely

RAY R. SODEN,  
Commander-in-Chief, Veterans of Foreign Wars of the U.S.

**THE HONORABLE WILLIAM  
MAILLIARD**

**HON. WILLIAM A. STEIGER**

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1974

Mr. STEIGER of Wisconsin. Mr. Speaker, the departure from the Congress of the distinguished and able gentleman from California, Bill Mailliard, is a loss to the House of Representatives and to the United States.

During his 21 years of service to his district and his country, Bill Mailliard has exemplified the kind of committed and dedicated leadership with which this country has been so blessed. His service as a member of the Foreign Affairs Committee and the deep and abiding interest he has had in the Congress as an institution will long be remembered by all of us who had the opportunity to serve with him. Most especially, I shall miss him as a friend and counselor, one to whom you could go for advice.

Mrs. Steiger joins with me in extending our very best wishes to the Ambassador in his new career and our sorrow at his departure from the House of Representatives.

### NIAGARA FRONTIER'S HERO COMES HOME

#### HON. HENRY P. SMITH III

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1974

Mr. SMITH of New York. Mr. Speaker, the Niagara Frontier will be bursting with pride on Monday as it welcomes home a "native son" who has become a real 20th century hero.

The son of Mr. and Mrs. Calder Gibson of 37 Deerhurst Park Blvd., town of Tonawanda, our hero was born in Buffalo on November 8, 1936. As a child, he was repeatedly hospitalized with potentially crippling osteomyelitis, but was cured when penicillin became available when he was eight. Encouraged by his father, he became proficient in athletics—running, football and swimming. As an 18-year-old lifeguard, he met his future wife, a hometown girl, Julie Anne Volk. They were married August 22, 1959 and now have four children, Jannet Lynn, John Edward, Julie Ann and Joseph Michael. He received a bachelor's degree from the University of Rochester in 1959, a master's degree in 1960 from the California Institute of Technology and a doctorate in engineering and physics from Cal Tech in 1964.

He joined the aeronautic research lab of the Philco Corp., Newport Beach, Calif., in 1964 as senior research scientist. He was obviously a talented and special young man, but not yet one whom schoolchildren would look up to with awe and Presidents congratulate.

Then his wife showed him a newspaper article about the National Aeronautics and Space Administration's search for scientist astronauts. Edward George Gibson was on his way to becoming a national hero.

In June 1965, Dr. Gibson, a specialist in plasma physics—the study of ultrahot gases—was one of six men chosen to be scientist-astronauts. He was sent to Williams Air Force Base, Ariz., for a year of pilot training. He then served as a member of the astronaut support crew and a capcom for the Apollo 12 flight. He participated in the design and testing of many elements of the Skylab Space Station, and wrote a textbook on solar physics, entitled "The Quiet Sun."

The rest is well known. Dr. Gibson was the science-pilot for Skylab 4—the third manned flight of the Skylab program. SL-4 was launched at 8:01 a.m., November 16, 1973. Splashdown was at 10:17 a.m., February 8, 1974. The crew holds all the individual and space endurance records with its 84 days, 1 hour and 15 minutes in space. Other record accomplishments include: 1,214 revolutions of the Earth, 34.5 million miles of space travel; completion of 56 experiments; performance of 26 science demonstrations and 22 hours and 18 minutes outside the spacecraft.

I think the Niagara Frontier is justifiably proud of its native-born hero. I will be joining the Buffalo chamber of commerce, the village of Kenmore, the Tonawandas and other area groups and localities on Monday as we salute Dr. Edward G. Gibson at a welcome home luncheon at Buffalo's Statler Hilton Hotel. Dr. Edward G. Gibson Week will be observed in the town of Tonawanda, April 7 to 13, and legislation was passed by the New York State Legislature to declare Monday, April 8, as Edward Gibson Day.

It has been said that the young people of today are given no heroes. The Niagara Frontier is proud to offer Dr. Edward G. Gibson to today's youth as an outstanding example of intelligence, courage, and patriotism.

### VIRGIN ISLANDS WILL REMEMBER HER

#### HON. RON DE LUGO

OF THE VIRGIN ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1974

Mr. DE LUGO. Mr. Speaker, March 29, 1974, witnessed the closing of an outstanding public career of dedication to the Virgin Islands, library science, and historical preservation. For on that day, Miss Enid Baa, director of Libraries, Museums, and Archives of the Virgin Islands, retired from public service.

Miss Baa's published research and professional activities have received the acclaim of her colleagues throughout the Caribbean and the Nation. But it is in the Virgin Islands that she is most dearly loved and will be so warmly remembered.

Enid Baa is the individual most directly responsible for the successful development of the Virgin Islands Public Library System. In 1933, she was appointed head of the Department of Public Libraries—the first woman to hold a cabinet level office in the Virgin Islands Government—she began to improve the quality of our libraries. Due to her tireless efforts, the library system has increased in size and services.

But Miss Baa is also responsible for the largest and rarest collections of Virgin Islands historical materials. This Von Scholten collection was designated so in 1959, by Miss Baa. Since then it has grown in size to include hundreds of books, periodicals, and documents. It forms one of the most widely used research sources for scholars in the field of Caribbean studies.

Miss Baa's contribution to the Virgin Islands community surpasses these professional accomplishments. She has provided us all with a sense of our history, a preservation of a culture and unique identity that may have passed into oblivion without her. By preserving our past, she has helped to point us more confidently into the future. Through her work and the beautiful example that is her life, she has provided us with an immeasurable gift.

At this time, I would like to bring to the attention of my colleagues the following detailed biography of Miss Enid Baa:

BAA, ENID MARIA—SEPTEMBER 28, 1911

One of Virgin Islands' most scholarly citizens, Enid Maria Baa, was born on St. Thomas to Orlando Baa and his wife, Sarah nee Bufford.

Her formal training at Hampton Institute and later at Columbia University fortified her into receiving highest recognition in her field not only in the Caribbean but in continental United States as well as in the international library world.

Miss Baa's interest in Library Science was developed at an early age. Being one of the four first high school graduates in the island, she participated in the establishment of the first high school library, and took particular interest in this activity after class hours and during summer and Christmas holidays. To join the library club was a thrilling experience for Miss Baa as she not only enjoyed reading the books but also working with them. She demonstrated such keen interest in her studies on the whole that after graduation from High School in 1931 she was selected for the first Interior Department Scholarship and matriculated at Howard University in Washington, D.C. But she was destined to spend only a school year there because she was chosen by Governor Pearson and the Carnegie Foundation for another scholarship to the Graduate Library School at Hampton Institute. This Graduate School was discontinued at Hampton in 1936 but relocated at Atlanta University, Georgia where it is still functioning. Despite the fact that she was only in her second year as a university undergraduate, she completed this graduate course among the top third in the class of 1933 and returned to the Virgin Islands to be appointed by Governor Pearson as Supervising Librarian for the Virgin Islands. She was the head of the then Department of Public Libraries and the first woman to hold a cabinet level office in the Virgin Islands government.

From 1933 to 1943 Miss Baa worked with greatest of interest and zeal to improve the library system. The libraries of all three islands grew in size and the services they offered were widely accepted.

In January 1943, Miss Baa was selected as exchange librarian between the University of Puerto Rico and the Virgin Islands during which time she served for five months at the University of Puerto Rico.

In the fall of 1943, only ten years after her appointment in 1933, she returned to the U.S. and was matriculated at Columbia University to complete her undergraduate college work which was interrupted when she accepted the Carnegie Corporation scholarship to enter the graduate library school as a special student. Because of her professional librarian status she was employed as such at Columbia University Library as a preliminary cataloger, a position she held from 1944-48 while studying in the field of English literature and the humanities for which she received the B.S. degree in 1949, and from the Graduate School of Library Science was simultaneously conferred on her. She held various positions while in the U.S. following her Columbia University post: Fellow Li-



brarian at Queen's College, Flushing, New York, 1948; Head of Serial Cataloging Section at the United Nations Library, Lake Success, New York, 1949-50, where she worked in English, Spanish, Portuguese and French languages; Reference Librarian and Cataloger of the Woodrow Wilson League of Nations Documents presented in July 1950 to the United Nations; Specialist in Cataloging of Spanish or Portuguese materials at the New York Public Library, Reference Division, at Fifth Avenue and 42nd Street in 1950-51.

A later but significant position offered to Miss Baa by Governor Morris de Castro was Library Consultant to the Governor of the Virgin Islands, August to December 1950 and again from 1951 to 1954. With the reorganization of the V.I. Government under the Revised Organic Act, she was appointed Director of Libraries and Museums under Governor Archibald Alexander, 1954, a position which she still holds.

In 1955 Miss Baa was awarded the John Hay Whitney Foundation Fellowship on the basis of her contribution to the preservation of the Sephardic Jewish Records of the Virgin Islands and the reorganization and indexing of these records in a card file. Her proposal was to continue graduate studies in this field. Unfortunately, she was unable to avail herself of its benefits and relinquished the Fellowship. This Index is an invaluable reference source to genealogists. It is here that one finds the family records of Virgin Islands outstanding Sephardim, such as Judah Philip Benjamin, Camille Pissarro, Da Costas, Montanos, de Castros, de Solas, Yulees and other greats, who lived in these islands from 1880 to 1954.

She continues to work in this field and has published a paper entitled "Preservation of Sephardic Records" in American Jewish Historical Society Publications, v. 44, No. 2, December 1954.

This work organized the births, deaths, and marriages of this ethnic group who migrated to the Virgin Islands from Spain and Portugal via France, Netherlands, Denmark and Great Britain in the 17th century.

In 1960 Miss Baa represented the Virgin Islands Government at the 3rd UNESCO conference on Latin American and Caribbean Bibliography held at Mexico City.

In January, 1961, during the administration of Governor John David Merwin, Miss Baa was seconded by the Virgin Islands Government as Librarian in Charge of Caribbean Organization Library at San Juan, Puerto Rico. In this position she was also editor of the Current Caribbean Bibliography. Also in this capacity she served as Library Specialist for the Caribbean. Her secondment was graciously continued during the administration of Governor Ralph M. Palewonsky who was considerate of all efforts to further closer Caribbean cooperation and development.

At the termination of this Caribbean Organization in June 1965, she resumed her substantive post in the Virgin Islands as Director of Libraries and Museums and again represented the Virgin Islands Government at the First Conference on Caribbean Archives held in Mona, Jamaica in September 1965, and in October at the First Conference on Conservation in Eastern Caribbean held at Caneel Bay, St. John.

She has traveled through most of the Caribbean countries, in Europe and the United States. Today, as Director of Libraries, Museums and Archives of the Virgin Islands, Miss Baa is credited with the initiation and preservation of one of the rarest collections of Virgin Islands materials housed in the Public Libraries.

This collection, known as the Von Scholten Collection was so designated by her in 1959 as a tribute to the courageous Emancipator of Danish West Indian slaves in 1848. The

collection developed from a legacy of about thirty books in 1933 to its present stage of hundreds of rare books, newspapers, periodicals, & government publications in several languages, records, family photographs, Bibles, manuscripts, coins, etc. This room is probably the only memorial to the Danish Governor who was so deeply committed to the welfare of the slaves for whom he introduced free and compulsory education in 1839 and various other social & economic legislation. The collection is constantly growing and is very much used by students from all schools and colleges as well as scholars in the field of Caribbean studies.

She is a member of the American Library Association and was on that Association's governing body called the ALA Council from 1965 to 1967 and is still on the Committee for American Association of State Librarians. She was the first representative at ALA for the Puerto Rican Library Association of which she was a member while living in Puerto Rico. Miss Baa has been an affiliate of other professional associations, such as The Library Association (British), and the Association of Special Libraries, Institutions and Bibliographers (ASLIB). She is also active in Council on the Arts, Friends of Denmark, Caribbean Historical Association, of which she is the Treasurer, Virgin Islands Conservation Society, American Jewish Historical Society, International Platform Association, and was elected in 1970 to Centro Studi e Scambi Internazionali di Rome, Italy for her contribution in Caribbean bibliography.

#### SELECT COMMITTEE ON COMMITTEES' MISCONCEPTION IN DECIDING TO PLACE THE JURISDICTION OF SEABED RESOURCES IN THE PROPOSED COMMITTEE ON ENERGY AND THE ENVIRONMENT

**HON. LEONOR K. SULLIVAN**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1974

Mrs. SULLIVAN. Mr. Speaker, on March 21, 25, and 26, and on April 1, 1974, I inserted articles in the RECORD in which I discussed the faulty decisions of the Select Committee on Committees in transferring the existing Merchant Marine and Fisheries Committee jurisdictions over Panama and interoceanic canals, oceanography, marine mammals, and the national sea grant college program to other committees. Today, I would like to discuss the select committee's incorrect recommendations with respect to deep seabed mining which has always been under the unified oceanography and related ocean-oriented jurisdictions of the House Committee on Merchant Marine and Fisheries.

The deep seabeds in question are the vast oceanic plains lying beyond the continental margins and under the high seas, the last unclaimed areas of the world. In many places the surface of the deep seabed is covered with manganese nodules containing manganese, copper, cobalt, and nickel which, it appears, can now be recovered commercially from several thousand feet below the water. There may also be other mineral resources not as yet discovered, or, ones, such as siliceous oozes, not yet examined in detail. The lack of sedimentary formations, such as found on the continents

and their shelves, gives little promise of oil and gas and coal.

Questions of jurisdiction over U.S. companies which seek to exploit these resources on the high seas and outside the jurisdiction of any nation have been raised in the Congress by several bills seeking to establish a pattern of regulation of enterprises engaged in these activities. Regulation of this type of activity has much in common with the regulation of other activities on the high seas, such as navigation and fisheries, which fall within the jurisdictional parameters of the Merchant Marine and Fisheries Committee.

In discussing the question of deciding where to place responsibility for legislation concerning deep sea mining, it was stated in part:

Mr. . . . I know, for example, you have as a question unresolved jurisdiction over the deep seabeds. For reasons unknown to me, the Judiciary Committee got involved in that some years ago, and is using that as a springboard to decide whether oil is being pumped adequately out of the Gulf of Mexico. I doubt if that is a legitimate Judiciary Committee responsibility. (Select Committee mark-up, February 20, 1974, p. 275).

Later, the following exchange occurred:

Mr. . . . Deep seabeds belong in Energy and the Environment.

Mr. . . . If you have a Maritime Committee, it would go there.

Mr. . . . If you have a Maritime Committee, yes.

Mr. . . . That is not the issue. The rights to deep seabeds will be resolved on an international basis. This Congress will not legislate everybody else's rights into that deep seabed. It belongs right here in the Committee on Foreign Affairs, I would think.

Mr. . . . I would second his motion. (Select Committee mark-up, February 20, 1974, p. 277).

Later, the discussion again touched on the international aspect, and the following exchange occurred:

Mr. . . . My thinking in suggesting that it be in Foreign Affairs is with respect to the great unresolved issue and that is whether the United States has exclusive or any jurisdiction over the deep seabeds, which I suspect is going to be resolved only by international agreement. It should be for the resolution of that question in the Committee on Foreign Affairs.

Mr. . . . I agree with you on that as far as the treaty is concerned, and then I don't agree that the Foreign Affairs Committee should have jurisdiction after that over the development for that for oil exploration and so on.

Mr. . . . I agree with you. (Select Committee mark-up, February 20, 1974, p. 279).

Chairman. We are talking about something else now, the deep seabeds. But if an international treaty gives the United States jurisdiction over something besides the Continental Shelf, beyond whatever limit now exists, you are going to have a comparable situation and there is already a guide to what you do about the energy aspect about that. That is all I was suggesting.

Mr. . . . No problem.

Mr. . . . I don't think there is a problem. It is like mineral leases now in the Continental Shelf beyond the State jurisdiction. A committee of the Congress is concerned about that but it is not Foreign Affairs. If we ever establish sovereign jurisdiction over the deep seabeds and we are concerned with staking out leases in the deep seabeds, I think the same committee probably would

have jurisdiction with respect to that aspect of the problem.

Mr. . Under our plan, would you see that as being the Energy and Environment Committee?

Mr. . I would see it to be the same committee that is handling leases now, for example, with regard to minerals in the Outer Continental Shelf subject to Federal jurisdiction. If that is the Energy and Environment Committee, I suppose the same committee would assert its jurisdiction. (Select Committee mark-up, February 20, 1974, pp. 280, 281).

As I understand it, the select committee, in fact, put the jurisdiction over deep seabed mining in the proposed Committee on Energy and Environment.

The question of present committee jurisdiction over the minerals of the deep seabed was resolved by the Speaker in the 92d Congress with the referral of proposed legislation on the subject to the Merchant Marine and Fisheries Committee. Legislation on the same subject was again referred to the Merchant Marine and Fisheries Committee in the 93d Congress and is even now being considered in hearings before the Subcommittee on Oceanography.

Although the proceedings of the select committee indicate some confusion as to present jurisdiction over the Outer Continental Shelf Lands Act, that legislation in fact originated in the Committee on the Judiciary. The simple fact is that the control of U.S. operations related to deep seabed minerals has no connection with the Committee on the Judiciary since the deep seabeds, by definition, are located beyond the Outer Continental Shelf and outside the jurisdiction of the United States. Contrary to the impressions of the select committee members, it has little relation to the oil and gas leases on the shelf because the minerals of the shelf are within the jurisdiction of the United States, are exploited from fixed platforms within defined tracts, and in general are treated as if they were located on other public lands of the United States which are above water. It has no direct relation to the proposed Energy and Environment Committee, since there is little likelihood of the presence of oil, gas, or coal in the deep seabeds, and the minerals available there are not energy related.

In fact, the deep seabed minerals fall within the general category of ocean resources which are outside the jurisdiction of the United States and which presently are regarded as the common heritage of mankind. The pending legislation before the Merchant Marine and Fisheries Committee proposes to regulate the activities of the U.S. citizens in dealing with those resources. Legally, since they exist beyond the jurisdiction of any nation, they are similar to fish and other living resources of the sea.

An international regime for the deep sea bed is one of the subjects which will be considered by the United Nations' Conference on the Law of the Sea, the substantive session of which will convene at Caracas in June of 1974. If an international agreement is reached and subsequently ratified by the United States, then the jurisdiction relating to

the implementation of that agreement as it relates to the regulation of activities of U.S. citizens on the high seas, and in particular deep sea mining, is also a matter for the committee involved in shipping and ocean resources, that is, the Committee on Merchant Marine and Fisheries.

Until an international agreement is reached and is ratified by the United States, interim regulation of U.S. deep sea mining activities is also properly a matter for the Merchant Marine and Fisheries Committee in its responsibility over ocean resources generally. As to the Committee on Foreign Affairs, there is no question that that committee has jurisdiction in relation to international negotiations and to the extent that such negotiations are involved, the Committee on Foreign Affairs is involved.

It is clear that in its deliberations the select committee misconstrued the deep sea bed problem and its relationships. Once again the select committee failed to appreciate the unity of the oceans and their various uses.

#### BILL TO REQUIRE LICENSED UNDERTAKERS IN THE DISTRICT OF COLUMBIA TO FURNISH FINANCIAL STATEMENTS WHEN FUNERAL ARRANGEMENTS ARE MADE

**HON. JOEL T. BROYHILL**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1974

Mr. BROYHILL of Virginia. Mr. Speaker, I am introducing today a bill to require licensed undertakers in the District of Columbia to furnish financial statements when funeral arrangements are made.

This important measure will require the furnishing of a written statement at the time a funeral is arranged showing the price of the funeral selected and the services and merchandise included in the funeral; separate prices for each of any additional items of service or merchandise to be purchased; the amounts of money to be advanced by the undertaker for specific accommodation items; and the method of payment. A violation of the act would be punishable by a fine of \$300 and suspension or revocation of the undertaker's license.

For the first time in the District of Columbia, the bill will assure consumers helpful and constructive information about funerals and funeral pricing. At the same time, its provisions should not prove unduly burdensome for those required to comply with its terms.

The intent of the bill is to require full disclosure of each component element of service or merchandise comprising the funeral selected and the total firm price of that funeral. For example, a basic funeral may consist of the following:

Professional services and services of the undertaker's staff; preparation and care of the body; use of funeral home facilities; use of funeral coach and car

for family; guest register and acknowledgment stationery; and casket.

Under the bill, where these or similar components comprise the funeral unit, the undertaker must furnish a statement disclosing the fact that such components are included in the price of the funeral. Thus, where a family may not desire to utilize a particular component, knowledge gained from the written statement will enable the family to request an appropriate downward adjustment in the unit price.

The purpose of the bill is to assure that the consumer is informed of what is included in the funeral. However, it does not require separate price quotations for each and every component item of service or merchandise. As in other fields, a la carte pricing would only result in higher total prices and the elimination of lower priced units. Of course, where the family requests a specific additional item of merchandise or service, the price of that item must be shown separately on the written statement before the family is committed to pay for it.

In Virginia, as well as in such other States as Maryland, statutory and regulatory requirements paralleling the disclosure provisions of this bill have worked well and have proved of major value to consumers.

The penalties for violation of the bill's requirements are severe. It would be my expectation that all undertakers in the District will comply fully and promptly in the public interest. I urge my colleagues to give this measure favorable consideration.

#### WHITTEN GIVES UNITED STATES BEST GIFT OF YEAR

**HON. DAVID R. BOWEN**

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1974

Mr. BOWEN. Mr. Speaker, I wish to insert into the RECORD a very fine editorial which appeared in the Tupelo, Miss., Daily Journal, on March 28, pointing up the outstanding work and leadership of my distinguished colleague from Mississippi, the Honorable JAMIE L. WHITTEN, in the area of budget control legislation.

Responsible action by Congress to bring Federal spending within the bounds of fiscal sanity, to live within our means as a government and nation, has been one of the major issues of our time. I think it speaks well for the 93d Congress that under the leadership of such dedicated Representatives as JAMIE WHITTEN we have succeeded in taking a giant step toward getting a handle on the Federal budget in future years.

I insert the editorial at this point in the RECORD:

[From the Tupelo (Miss.) Daily Journal, Mar. 28, 1974]

#### WHITTEN GIVES UNITED STATES BEST GIFT OF YEAR

The most important development to emerge from Congress during 1974 will not involve efforts to impeach the President,



changes in tax rates, enactment of a national health program, or any other move which has most consistently been making the headlines.

Rather it will be adoption for the first time in history of effective congressional controls over spending, with the legislative branch at last recapturing from the President power over the purse.

And the man responsible more than any other for this tremendously significant achievement will be our own congressman, Jamie Whitten.

Congressman Whitten not only has served as senior co-chairman of the joint House-Senate committee which is undertaking to provide Congress with effective controls over spending but he actually wrote most of the bill that currently seems certain of final approval and presidential signature.

After the thirty-two members of the House and Senate serving on the joint committee unanimously approved a bill to bring federal spending under effective controls. Congressman Whitten rewrote certain portions of the measure. And Rep. Bolling of Missouri, who handled the bill on the House floor, has been quoted as saying that eighty-five per cent of the Whitten proposals were eventually adopted.

The measure then passed the Senate in somewhat different form. And in the House-Senate conference on the two versions, ninety per cent of the Whitten proposals reportedly have been accepted in the measure finally agreed upon.

Thus sometime before summer Congress can be expected to pass and send to the President a bill which for the first time in recent history provides Congress with its own means of controlling federal spending without having to rely solely on the President to prepare and present a budget setting out what he thinks the country needs and how much should be spent to obtain it.

The new spending control measure will be built around two basic features.

One is creation of a congressional Office of the Budget similar to the White House Office of Management and Budget, which now has sole responsibility for recommending expenditure figures to Congress.

The other is the setting of an over-all spending target for the year, a feature recommended by Congressman Whitten.

With this target before it, the dozen or so individual congressional committees which recommend appropriations will take a look at the total spending picture for the year, weigh this figure against anticipated revenue, and then as the session progresses, decide how much, if any, deviation should be made from the target figure.

At present every committee goes its own way in approving appropriations without regard to the needs being considered by other committees. The result is almost always a major overrun in spending with a corresponding boost in the federal deficit which has become so large that it now costs \$29 billion a year just to pay interest on the national debt.

Congressman Whitten has done such a sound job of designing the proposal to give Congress effective control over federal spending that even though the measure actually takes away from the President much of the power he has possessed as the nation's sole budget planner, Mr. Nixon is reported agreeable to signing it.

Thus thanks to the skill and judgment of our Mississippi congressman in shaping a bill which has won near unanimous approval of every group which has considered it, America in 1975 for the first time in modern history will benefit from Congress' knowing at all times where it is headed in the area of spending and how big the deficit will be if it ignores the targets set by its own Office of Budget Management.

CXX—625—Part 8

Not only will this procedure tend to eliminate much of the friction created by presidential refusal to spend funds voted by Congress but it is almost certain to save American taxpayers two or three billion dollars a year through keeping Congress better informed on where it is headed and how it can get there most economically.

And for that great windfall America owes thanks more to our own congressman, Jamie Whitten, than to any other member of the House or Senate.

## MAKING CONGRESS EFFECTIVE

### HON. RICHARD BOLLING

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1974

Mr. BOLLING. Mr. Speaker, one of the most respected editorial pages in the country is the Des Moines Register. It has long been a disinterested yet clear voice for effective reforms in all branches of government.

Recently the Register published an editorial commenting on the work and report of the Select Committee on Committees. This was most gratifying since it reflects the objectives sought by all 10 members of the committee.

I was pleased, too, that the editorial makes special mention of the contribution made by Congressman JOHN CULVER of Iowa. As the editorial suggests, Mr. CULVER was one of the principal animating forces in the establishment of the select committee and in its subsequent deliberations. His contribution was a major one and a highlight of the decade he has spent with us in the House of Representatives.

I insert this March 28, 1974, Des Moines Register editorial at this point in the RECORD:

[From the Des Moines Register, Mar. 28, 1974]

## MAKING CONGRESS EFFECTIVE

One of the most important observations to be drawn from the Watergate scandal, the accusations against President Nixon for abuse of power and the impeachment process itself, is the glaring weakness of Congress. The U.S. House is beginning to do something about this through a Select Committee on Committees.

This committee, of which Representative John Culver (Dem., Ia.) is a leading member, reported last week and introduced a resolution to reform the structure, jurisdiction and procedures of the House.

The Select Committee has not attracted much attention, and its reforms will face tough sledding in the House unless public concern is aroused and makes itself felt. The committee is made up of prominent members of both parties who serve on several other important committees. The only way it has been able to do its work is to take weekends, evening and other spare time.

This fact in itself exposes a fault of the committee system where powerful members serve on several major bodies. Under the Select Committee resolution, each member would be held to one of the 15 major committees, such as Agriculture and Forestry or Appropriations. Each member might also serve on a lesser committee.

Under the reform plan, committee jurisdictions are shuffled into a more logical breakdown for modern government. For ex-

ample, the naval petroleum reserves would be placed under the Energy and Environment committee instead of Armed Services. Agricultural colleges would be put under the Education committee instead of Agriculture.

The infamous Internal Security Committee (formerly Un-American Activities) would be abolished and its duties assigned to Government Operations. Education and Labor would be split into two committees.

All such proposed changes strike at the foundations of power of certain key congressmen who may be expected to fight against them.

Another controversial recommendation is a new procedure to permit the speaker to refer bills to more than one committee, split legislation for referral and, subsequently, to refer bills to other committees.

The Select Committee has made a number of recommendations to strengthen the oversight functions of the House. The Government Operations Committee would be required to assemble an annual oversight agenda and to conduct investigations into matters under the jurisdiction of other committees.

Congressman Culver was influential in stressing the oversight matter. He said Congress not only needed to improve its capacity to pass laws but also to evaluate them and to get rid of obsolescent or ineffective ones.

The principal lesson to be learned from the rise in executive power in recent times, and the abuse of that power by presidents, has been the inadequacy of the people's representatives in Congress. Bringing the President to task for his failures and for his overreach of authority will do no good unless Congress itself resolves to become an effective lawmaking body.

The House Select Committee has shown the way to begin.

## THE AMERICAN WAY OF LIFE

### HON. JERRY L. PETTIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1974

Mr. PETTIS. Mr. Speaker, though we are loathe to admit it, our American society is undergoing changes that threaten values and institutions that once seemed immutable. These are times, in fact, when it seems that the very fabric of our culture is coming apart. It is, therefore, appropriate that we pause in the welter of crises and problems to identify and recognize elements in our community and national life that tend to resist those forces that would bring on weakness and decay.

At a time, Mr. Speaker, when philosophers, economists, and political scientists describe this troubled age as a time of dissolution, I am proud to direct your attention to an organization that is committed to the healing and strengthening of our Nation—a movement, manned by thousands of volunteers working throughout the Nation, not only to preserve what we have called the American way of life, but to deal effectively with specific contemporary ailments resulting from the traumatic upheaval now jeopardizing civilization. I refer, Mr. Speaker, to the American National Red Cross.

The unique and comprehensive function of this long-established voluntary

agency was recently brought home to me when Red Cross volunteers in my district performed heroically to provide shelter and sustenance for hundreds of people trapped and immobilized in our mountain areas by the heaviest snowfall in 40 years.

A few years ago, when floods ravaged and nearly destroyed several communities in San Bernardino County, it was the Red Cross that delivered the goods in the provision of life saving, shelter, food, and reconstruction services.

I need not remind you that our Nation along with several other nations, has recently suffered one major disaster after another. Floods, earthquakes, tornados, and fires have threatened the lives and well-being of thousands of people. In each disaster, the American Red Cross has responded with qualities of compassion and expertise that must be recognized as outstanding.

But as noteworthy as its response to disaster may be, the role of the Red Cross in meeting ongoing needs is even more impressive. My colleagues are, I am sure, aware of the mandate of this House, authorizing the American National Red Cross to provide "voluntary relief and communication between the American people and their Armed Forces." This duty, along with disaster-related duties, are specifically defined in congressional charters implemented in 1900 and 1905.

The problem that now presents itself derives from the fact that the Red Cross has performed an impressive range of services to military families so admirably and consistently that most people take them for granted—not realizing that these services are totally dependent on voluntary action and volunteer dollars.

But this is only the beginning. The Red Cross pervades other areas of American life in the provision of services designed to prevent personal as well as group disasters. It comes as a surprise to many to realize that almost every law enforcement officer, ambulance attendant, bus driver, and fireman in our Nation received first aid training from certified volunteer Red Cross first aid instructors. And think of the thousands of lives that are saved each year as a direct result of local Red Cross first aid and water safety courses provided school-children and swimming pool and beach attendants.

Red Cross services to patients in thousands of hospitals and convalescent homes are too often taken for granted as is the provision of blood for millions of patients undergoing surgery.

I suggest, Mr. Speaker, that my distinguished colleagues take time to explore other types of community services now being performed by well-trained, dedicated Red Cross volunteers. I was profoundly impressed upon learning that in my own district Red Cross is providing invaluable services in the event of single as well as multiple family fires. Red Cross volunteers have, for some time, delivered food supplies to elderly or disabled citizens. They provide library books for shut-ins. They regularly drive the blind to clinics, hospitals, and recre-

ation centers. The Red Cross volunteers serve as staff aids in convalescent homes and hospitals. They conduct special projects for senior citizens. They maintain centers designed to cope with problems peculiar to inner-city problems. They carry on programs to rehabilitate drug abuse victims—the list seems endless.

In the troubling times of today, the American Red Cross embodies the traditional concerns for our fellow man and the voluntary actions to help one another which are the basis for our society and which will continue to carry these United States through the toughest of periods. I commend the dedicated Red Cross volunteers serving in every corner of the Nation and trust my colleagues here in the House will join in this salute to an outstanding organization.

#### REACT AGAINST CRIME

### HON. HAROLD T. JOHNSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1974

Mr. JOHNSON of California. Mr. Speaker, in considering applicants for Academy nominations I noted one fine young man listed among his achievements an award given by the Chico, Calif., Exchange Club for an essay entitled "React Against Crime."

Since law and order and problems of crime are a major concern for many of us in the Nation I thought it would be interesting to see what a young man, obviously a highly qualified young man, had to say about crime and what should be done about it. Therefore I contacted Mark Bruton Johnson and asked him for a copy of his essay.

I was tremendously impressed that the essay had been written at a time when young Mark was 14 years old and was a student in the ninth grade at Bidwell Senior High School. I believe you all will appreciate from reading this essay that here is a young man with a great potential for good in this country.

I am impressed, especially, that he feels that the fight against crime should start in the home with the training of parents and then goes next to the community and finally to government and of course back to what one should do as an individual. I urge each of my colleagues to consider and ponder the voice of youth in this fine essay. It not only gives you one young man's views on crime but that it gives me added confidence in the future of the Nation whose well being will be in the hands of young men such as this.

I insert in the CONGRESSIONAL RECORD at this point the essay entitled "React Against Crime" by Mark Bruton Johnson:

#### REACT AGAINST CRIME (By Mark Johnson)

What is crime? A crime is "an act or commission of an act that is forbidden, or the commission of a duty that is commanded by the public law and that makes the offender

liable to punishment by law", Webster's Seventh New Collegiate Dictionary. This is what you are to react against.

There are four areas that I am going to cover in this report:

1. React against crime in your home.
2. React against crime in your community.
3. React against crime in your government.
4. React against crime you witness.

To react against crime in your home, you should know the law thoroughly, so that you do not break the law through negligence. By the careful training of your children in their formative years, you can eliminate future thieves, shoplifters and other such criminals. This is one of the best ways of reacting against crime. By eliminating criminals you can exterminate crime at its origin.

To react against crime in your community, you should fulfill your duties as a member of the community. You should not shug off your responsibilities and let the next man bear the burden. Your community is only what you make it. If you do not actively support it, it will become a crime infested slum. You should back your police department because it needs your help, and is hampered and cannot do its job efficiently without your backing. You have an obligation to assist those people who need help, such as, those who are impoverished, dwell in undesirable living conditions, of those with inadequate education. These are the people who are most likely to commit a crime. We have to help them see that crime does not pay. In order to do this, we should provide the opportunity for a person to get a decent education, and the encouragement to use this knowledge to better his economic situation. Every precaution should be taken by the community to eliminate the need for a person to resort to crime for the necessities of life.

To react against crime in the government, you should vote whenever an election is held, for the official whom you think is most worthy of the position. These officials who you place in office are there to represent you, to make your voice heard, and to help fight against crime.

To react against crime you witness, you should get the facts and events straight and then immediately notify the police. You should assist the police in any way that you can. In the event that the police cannot come you can make a citizen's arrest. If you see a crime being committed, do not be afraid to assist the victim of the crime because you do not want to get involved. Maybe next time, it might be you, who needs the help.

If everyone reacted against crime, there would be no one to commit a crime. So do your part to cut down crime. "React Against Crime."

#### GETTING A PERSPECTIVE

### HON. BILL ARCHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1974

Mr. ARCHER. Mr. Speaker, we read much in the newspapers about charges and countercharges against President Nixon. Sometimes it takes time for the real facts to catch up with the charges. The Houston Chronicle recently dealt with this matter in an excellent editorial which I wish to enter in the CONGRESSIONAL RECORD.



[From the Houston Chronicle, Mar. 26, 1974]  
GETTING A PERSPECTIVE

The nation is beginning to get a much-needed perspective concerning some of the charges against President Nixon.

The charges were unfolded with great drama and much fingerpointing. The facts have been slow to come out, as usual, and have not received as much fanfare.

Over a period of time, however, the rhetoric is wearing thin and the facts are showing through. Two examples of recent days are the milk fund charges and the claims concerning the President's California and Florida homes.

Involvement of the dairy industry in politics is proving far from unique. The President increased dairy price supports in 1971, and the charge was made that he did it in response to pledges of political contributions.

Subsequently, it has been pointed out that there was great pressure for an increase in price supports from Congress, particularly from the Democratic side of the aisle. Now we are learning how the milk fund affair extends into the Democratic camp.

Sen. Hubert Humphrey says through a spokesman that he can shed no light on the dairy industry payment of \$25,000 for computer lists for his 1972 presidential primary campaigns. Sen. Harold Hughes says he didn't know about \$50,000 in dairy money spent for a list of rural Iowans. Rep. Wilbur Mills says he has been unaware that milk money was used to support his brief presidential campaign. Sen. Humphrey sponsored a bill seeking higher parity for the dairy farmer. Sen. Hughes was one of the sponsors of a similar bill. Rep. Mills several times contacted the President's counsel for congressional relations to urge a higher support price. Thirty separate bills were introduced in the House favoring the price support hike and 28 senators introduced legislation to support higher parity. There was intensive lobbying activity which in some cases apparently went beyond the bounds without the knowledge of some candidates. In perspective then, the charges against the President become more of a generality and have none of the specifics that stand up under scrutiny.

Facts are beginning to catch up with charges concerning the President's homes in California and Florida. A charge that campaign funds were used to help pay for the President's San Clemente residence was proved totally false. There was an allegation that the President's daughter avoided taxes on the sale of the Florida property. That was demonstrated to be totally false.

There are charges that \$17 million was spent at the two homes, and over the weekend the General Services Administration labeled that report a distortion of the truth. Efforts to give the appearance that the money was spent on construction and improvements at the homes are not supported by the facts. The GSA says the inflated figure was arrived at by including costs of personnel assigned to governmental installations in support of the President for such necessary function as communications. The GSA says only about \$205,000 has been spent for installations at the homes for such security devices as bullet-proof glass and smoke detectors. And the GSA points out that an act of Congress dictates maximum security for the President and the GSA would be negligent not to follow that mandate.

These recent developments are cited as examples of what The Chronicle has consistently urged—that all of the facts should be known before any conclusions are reached concerning the allegations against President Nixon.

We are dealing with a spectrum here ranging from pure truth to political innuendo of the worst sort, and only the facts can

point the right way through the tangle. And pending the time the facts are fully known, judgment must be reserved.

CONGRESSMAN DRINAN JOINS WITH  
COMMANDER IN CHIEF OF THE  
VETERANS OF FOREIGN WARS,  
RAY R. SODEN, IN DEPLORING GAP  
BETWEEN PRESIDENTIAL RHETORIC  
AND ADMINISTRATION ACTION  
ON BEHALF OF VETERANS

HON. ROBERT F. DRINAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1974

Mr. DRINAN. Mr. Speaker, 2 days ago Commander-in-Chief of the Veterans of Foreign Wars, Ray R. Soden, sent a telegram to the President urging an administration commitment to an equitable and viable legislative program for veterans and calling for new leadership within the Veterans' Administration.

On January 28, 1974 President Nixon used the first anniversary of the ceasefire in Vietnam to boast the accomplishments of his administration on behalf of Vietnam Veterans. On February 26, speaking with regard to Vietnam Veterans Day, the President expressed gratitude for those who served.

But this administration has shown its appreciation in strange ways. Are we to assume that the President's recommendation in his January veterans message to Congress for an 8-percent increase in the rates of GI bill payments is a gesture of gratitude when just 2 weeks ago the Department of Labor announced that living costs have gone up 10 percent over the past 12 months?

Mr. Nixon's January 28th message took credit for reducing veterans' unemployment from 9.9 percent in 1971 to 4.4 percent this year. His message neglected to state that during the year in which President Nixon took office, 1969, the rate was 4.5 percent.

Are we to see gratitude in the announcement of the Secretary of Labor on January 29, 1974 that the concerted effort to place Vietnam era veterans in civilian jobs had succeeded and hence this special action would be terminated when the unemployment rate for young veterans age 20-24 is over 10 percent? This proclamation of great success was I am sure questionably received by the 28,000 veterans of Vietnam who are walking the streets daily seeking work and by the great number that have been so discouraged that they have given up their search and wait in welfare lines.

These young veterans who have given up 2 or more years to military service are met with administration resistance to congressional efforts in their behalf under the guise of combating inflation. It is ironic to note that these veterans are being denied encouragement and assistance due to administration talk about inflation which was largely brought about by the war in which they served.

Most of them have encountered difficulty in completing and even beginning

their educations; many cannot find jobs and some cannot get adequate health care for their disabilities. What gratitude have they known?

Although GI bill benefits are better than they were they remain inadequate in meeting the high cost of education. Veterans' Administration hospital care may have improved but low morale and inadequate staffing persists.

Unfortunately the Veterans' Administration has exercised no moral leadership for educating public opinion and acting in the veteran's interest. What has happened to this agency that is charged with the responsibility for veteran's affairs? It has become a hapless, helpless giant. Almost without exception this enormous Federal establishment created for the sole purpose of providing services and benefits for veterans and being their spokesman, has spoken with a negative voice.

The Veterans' Administration has said "no" time and time again to congressional initiative to provide equity in GI bill benefits, disability compensation, pension rates and modernization and improvement of the Veterans' Administration hospital system. The Veterans' Administration staunchly opposed congressional efforts which resulted in adding one-half billion dollars above budget requests to hire more hospital staff.

Late, missing and incorrect payment checks and insensitive treatment by the Veterans' Administration have been chronicled in the mass media so intensely of late that there is no need to dwell on it here. I assume that my colleagues have had enough experience with this type of constituent inquiry to recognize the scope of the problem. If we have had some measure of success in breaking through red tape for our veterans let us remember the vast numbers who have not contacted us and let us question the service we are providing—service which is a matter of the veteran's basic right from an agency which is supposed to be unpolitical and serving his interests.

Providing equitable benefits and responsive service to our Nation's veterans is a cost of war that we can no more avoid than the cost of waging war.

I would like to submit into the RECORD at this point the telegram of Commander Soden whose group represents 1.8 million veterans and whose concern extends to all veterans:

WASHINGTON, D.C.,  
April 2, 1974.

The President,  
The White House,  
Washington, D.C.:

I was completely baffled by the contents of your recent address to the Nation concerning veterans and veterans benefits.

It was announced several times by radio news personnel that you would speak on legislation. You reiterated your recommendation of a stingy 8% increase in education rates when it is well known the Congress will enact legislation authorizing substantially greater increases.

The recommendations of your administration concerning the national cemetery system are grossly inadequate. They fall miserably to provide the honor of burial in national cemeteries reasonably close to areas

of veterans residences. The proposal to eliminate the VA burial allowance is a shame on the Nation.

The pension "reform" program as proposed in your message to the Congress and by the Administrator of Veterans Affairs would in reality deny pensions to 75% of new applicants in the future because of retirement pay and earnings of spouses. This recommendation is inconceivable.

GI home loans for Vietnam veterans are practically nonexistent. Unemployment for Vietnam veterans is on the increase. The least your administration could do for veterans in need of jobs is to insist that governmental contractors—all of them—be required by law or Executive order to give veteran preference to Vietnam veterans; and, in addition, teeth must be placed in the law or the order that would require fine and/or imprisonment if found guilty of violation. This type consideration was, and is being used today for certain segments of our society—why not for our Vietnam veterans?

The establishment of a committee of Cabinet members chaired by the Administrator of Veterans Affairs offers no hope of effective recommendations for solutions of existing problems in the administration of veterans benefits. Their personal knowledge is essentially nil and it can be presumed they will merely vote on a final report prepared by designated underlings who are likewise without the knowledge and judgment skills in this area essential for accurate conclusions and effective recommendations.

After administering large scale educational programs since the end of World War II, it is contemptuous for the Administrator of Veterans Affairs to offer ridiculous excuses for check delays which in many instances have caused young veterans to discontinue educational pursuits. How Office of Management and Budget personnel can contribute to the solution of this continuing and inexcusable problem is certainly not evident. The answer is hard work and innovative approaches, including placement of VA personnel—perhaps Vietnam veteran students employed for this purpose—on campuses to insure prompt submission of institutional certifications and reports as required.

It is absurd to assign the Administrator of Veterans Affairs to personally check and personally report on VA hospital and medical problems. This is somewhat analogous to the fox inspecting the chicken coop. It would be insane to expect the Administrator of Veterans Affairs to submit an adverse report on hospitals and medical programs for which he has been responsible for five years.

The needs of the Veterans Administration Hospital System and medical programs are evident and no further study is required. They include increased funds, additional staff personnel, higher salary rates for many physicians, more special medical programs, effective admission system which will insure the admission and treatment of each veteran sufficiently ill to warrant hospitalization, a crash construction program to add hospital beds and skilled nursing home beds, revised domiciliary facilities, and modernization of existing facilities including air conditioning, and, perhaps even more important, the re-establishment of the integrity and authority of the position of chief medical director.

Shortly after your message to Congress, and revelation of the VA 1975 fiscal year budget request, I addressed you to emphasize the inadequacies of your legislative recommendations and the inept administration of veterans benefits, particularly the multitudinous delays of veterans payments, particularly educational program payments. No response has been received to date.

I again urge you to reconsider and revise your legislative recommendations and to place competent leadership at the helm of the Veterans Administration and in other vital positions in that agency to insure avail-

ability of first quality medical care and apt administration and prompt payment of direct benefits.

I respectfully request a prompt response.

Sincerely,

RAY R. SODEN,  
Commander-in-Chief, Veterans of Foreign Wars of the United States.

#### TRIBUTE TO DR. JOHN HANESSIAN, JR.

#### HON. GEORGE E. DANIELSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1974

Mr. DANIELSON. Mr. Speaker, we are all aware of the tragic crash of a Turkish airliner outside Paris on March 3 in which 345 people were killed. What some of us do not know is that this accident, the worst in aviation history, also claimed the life of one of America's most gifted, dedicated, and hard-working citizens, Dr. John Hanessian, Jr.

A resident of Washington, Dr. Hanessian, 49, was with the National Science Foundation as program manager in the Office of Exploratory Research and Problem Assessment at the time of his death. He had been on leave for 2 years from George Washington University, where he was a professor of international affairs as well as the director of international studies in the program of policy studies in science and technology. He was also a consultant to the United Nations and the State Department.

Dr. Hanessian was a well-known authority on political science and international affairs. He was highly regarded as an educator, lecturer, researcher and author. On February 18 of this year, he left on a trip to Europe for the National Science Foundation which took him first to a conference on direct broadcast satellites in Italy, then to a meeting with U.N. officials in Switzerland, followed by meetings with officials of UNESCO and the Organization for Economic Cooperation and Development, in Paris. On March 3, he was on his way to London, which would have been his last stop before returning home.

Dr. Hanessian began his academic career at Syracuse University, where he majored in chemical engineering. As an engineer, he traveled to both the North and South Poles during the International Geophysical Year, on a research project for the U.S. National Academy of Sciences. Dr. Hanessian's interests began turning to political science, however, and he took up graduate work in that field at Johns Hopkins University and the University of Strasbourg. Later, he received his doctorate in international law from Cambridge University in England. During his career as a professor, Dr. Hanessian taught and lectured at the American University of Beirut, the Universities of Hawaii and Alabama, and the California Institute of Technology. He also traveled extensively in the Middle East, Russia, and Europe on various research projects.

The untimely death of this great young scholar is without a doubt a terrible loss for this country. His talents are

irreplaceable. However, it is the Armenian community in the United States that feels the greatest sense of loss at this time. For Dr. Hanessian, in addition to his multiple academic roles, was also deeply involved in Armenian-American community life. He was a member of the board of directors of the National Association for Armenian Studies and Research, and vice president of the Washington chapter of the Armenian General Benevolent Union.

Dr. Hanessian's greatest contribution to Armenians in this country and to those scattered throughout the world, is the Armenian Assembly. He put his formidable talents to use to create, with the assistance of other dedicated people, a national organization which serves the Armenian people in America as a unifying voice. Seeing the fragmentation, antagonism, and political divisiveness among the Armenian people, Dr. Hanessian realized that in order to promote the common interests of Armenians, leaders of different factions would have to begin working together. He traveled from city to city talking to community leaders, and obtained their support for a unified Armenian organization. The result of his efforts is the Armenian Assembly, an organization which will bring together American Armenians and, hopefully, all Armenians, through devotion to their common cause.

Dr. Hanessian felt the need for Armenians to communicate and act together; he felt the need for education so that real communication might take place. As chairman of the national steering committee of the assembly, he was succeeding in implementing his ideas.

Now he is gone, and I do not need to say again what a tragedy this is. But his goals are not gone, his devotion is not gone. The Armenian Assembly's tribute to him says: "Professor Hanessian has left a legacy of the spirit of dedication to the purposes of the Armenian Assembly. His colleagues feel that legacy strongly and will continue his work in that spirit."

#### ST. NICHOLAS WINS CITY HOOP TITLE

#### HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1974

Mr. GAYDOS. Mr. Speaker, St. Nicholas School in McKeesport, Pa., recently captured that city's Catholic grade school basketball championship by defeating its previously unbeaten opponent, St. Robert's, 43 to 40.

This team, coached by Charles Isenburg, Michael Matwick, and Charles Kiss, went on to compete in the Diocesan class B playoffs in Pittsburgh, Pa., and while they did not win the title, they nevertheless distinguished themselves in the competition, bringing great credit to themselves, their school, their families, and their community.

The members of the championship squad include Keff Kiss, Tony Brajdic, Brian Meharra, John Glusic, George



Pazuchanics, Jim Fedor, Dave DeFelice, Charles Murn, Gene Hornicsar, Dennis Orenyak, Todd Maturkanic, Bill Rozzi, John Rozzi, Albert Elko, James Goga, James Glusic, Ray Stipanovic, Paul Rupcic, David Hornicsar, Michael Kiss, Jeff Glusic, and Andy Popovich.

Mr. Speaker, I commend the St. Nicholas' team and their coaches on the accomplishments of the past year and wish them continued success next season.

#### AMBASSADOR MARTIN'S REAL PROBLEM: IS ANYONE LISTENING?

**Hon. PETER H. B. FRELINGHUYSEN**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 3, 1974

Mr. FRELINGHUYSEN. Mr. Speaker, for an executive branch official to take on the third and fourth estates simultaneously—represented in this instance, by a Senate subcommittee and the New York Times, respectively—is perhaps a sign of courage bordering on the foolhardy. It is, however, a refreshing demonstration of intestinal fortitude which is all too often missing from public life.

I refer, of course, to the recent publicity involving our distinguished Ambassador to the Republic of Vietnam, the Honorable Graham Martin. Having just returned from an official visit to that country on behalf of the Committee on Foreign Affairs, I feel some remarks are in order to place the Ambassador's recently-publicized, internal recommendations to the Secretary of State in their proper perspective.

In so doing, however, I want to make my own position clear. I believe that "honest and detailed" answers to questions—even "loaded" questions—about Vietnam and that country's real need for economic assistance at this juncture can—indeed, must—be made to the Congress. Moreover, the Ambassador is fully capable of presenting that case if—and this is a big if—the Congress is willing to listen.

The problem, of course, has been that listeners are not always easy to find—especially listeners who are reasonably open-minded and receptive to arguments which, I realize, are not always popular on the home front.

It is important to note, I believe, that Ambassador Martin's so-called declaration of war on certain elements in Congress and the press is based on hard, and at times embittering, experience. It also reflects a mood of understandable frustration. Like the farmer who beats his own mule on the head, he must first get that stubborn beast's attention.

In all fairness to Ambassador Martin, it should be pointed out that he has, in the past, devoted considerable effort to reason with the unreasonable—to talk into deaf ears. The lengths to which he has gone in this direction—and failed—is apparent from a sizable document which I request, Mr. Speaker, be included in the RECORD at this time.

This document consists of detailed and painstaking memoranda of conversa-

tions between Ambassador Martin and members of his staff with a group of American citizens visiting Vietnam to investigate "Prospects for Peace." A careful reading of this material I believe, will convince a fair-minded observer that the Ambassador devoted much time and attention to this group, and that the group, in turn, indicated some degree of understanding for a few of his key arguments. Upon leaving Vietnam, however, this group issued a press release which could only have been drafted prior to their arrival in the country.

Mr. Speaker, I also include in my remarks a copy of a letter from Ambassador Martin to the Secretary General of an organization called Amnesty International, which tells a similar story. The points made in this communication are, I think, self-explanatory and extraordinary presuasive. They also reflect a degree of disillusionment and frustration over the attitude of "selective outrage" which the Ambassador has found so prevalent among so-called "peace groups" commend both of these documents to my colleagues' attention. I urge them to suspend judgment until they read them all the way through.

Mr. Speaker, I urge Ambassador Martin not to give up on Congress—or even on the press. The message he is trying to put across is an important issue. It deserves a fair hearing. I also urge all in this body who are concerned with real peace in Indochina to listen—and listen closely.

#### MEMORANDA OF AMBASSADOR MARTIN

Memoranda of Conversations on January 16, 17, and 18, 1974, Between Ambassador Martin, Embassy Officers, and a Group of American Citizens Visiting Viet-Nam to Investigate "Prospects for Peace."

Place: American Embassy, Saigon, Republic of Viet-Nam.

Participants: January 16—Ambassador Graham Martin; Henry S. Sizer, Political Officer; Hal W. Pattison, Political Officer; Mr. John Boone, Visiting Professor, Boston University; Director, Coalition for Corrections Change; Former Commissioner, Massachusetts State Department of Corrections; Ms. Ying Lee Kelley, Councilwoman, Berkeley, California; Women for Peace (East Bay); Asian American Community Alliance; Rev. George W. Webber, President, New York Theological Seminary; Chairman, National Steering Committee, Clergy and Laity Concerned; Former Pastor, East Harlem Protestant Parish, New York City.

January 17: Ambassador Graham Martin; Minister Hugh Appling; Henry S. Sizer, Political Officer; Rev. George W. Webber; Mr. Robert Ranson, IBM Executive; Gold Star Father.

January 18: Ambassador Graham Martin; Henry S. Sizer, Political Officer; Mr. John Boone.

During the initial amenities, Mr. Webber observed that when he was in the Navy he was always told to make courtesy calls on our Ambassador. Mr. Webber said that he had been in the Navy first as a gunnery officer and then decided to become a clergyman.

Fortunately, he said, he married his wife while he was still in the Navy and before she had any suspicion that he was going to permanently defect.

The Ambassador observed that this gave them two points of common ground from which to start, that he had served in World War II in the Army and in the Air Corps, and that his father had been a clergyman.

The Ambassador said that when he was a youngster his father had thought that he might possibly follow in his footsteps. Accordingly, he had received a very thorough grounding in classical studies, including Latin, Greek and history. He had also absorbed a lifetime conviction that one could never compromise with the truth. He observed that being a clergyman's son was perhaps good training for diplomacy. If one could surmount the divisions within the community and the parish, particularly if one's father was a man who felt compelled to speak out on issues which he thought were important, then one did get excellent lessons in diplomacy.

Mr. Webber remarked that clergymen's sons have a remarkable record of achievement when compared with those whose fathers had been in other professions. He said that his biggest problem when, for a long time he had been Dean of Students at the Union Seminary, was upset students, students who were there because their fathers and mothers decided that they were going to be clergymen at an early age. The students hadn't rebelled, and it didn't work out very well.

The Ambassador said that he thought he had successfully rebelled, but now and then he was not so certain that he had fully escaped. He recalled that in 1969, just after he had been appointed Ambassador to Italy, he had been called back to Washington to attend the National Conference on World Refugee Problems. The Ambassador recalled that Bishop Swannstrom of Catholic Relief Services was Chairman of the Conference and Countess Alexandra Tolstoy had made a special trip from New York to present to the Ambassador a plaque on behalf of the Conference praising his humanitarian services to world refugees. The Ambassador said that, although he had received more honors than he could have ever possibly deserved, this was the one that had touched him the most and the one which he appreciated the most. As he stood on the platform that evening he realized that, perhaps, he had not escaped his father after all.

Mr. Webber said that his parents were shocked when he made the decision to become a clergyman, but that when he goes back and traces what they did for him there is a coherence that they can't avoid. Mr. Webber said the group was grateful that the Ambassador would break into his busy schedule to receive them.

The Ambassador responded that he had always been deeply convinced of the necessity for most intimate relationships between the Foreign Service of the United States and the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives. Therefore, when he received the letter from Chairman Nix of the Subcommittee on Asia he was, of course, glad to respond to the Chairman's request that he receive them.

Mr. Webber said that all five of the group had only one common denominator, that three of them had met each other for the first time on this trip, but that all of them had been very much involved in the "Peace Movement" in the United States during the last several years. Mr. Webber said that they had all been very curious in the past year as they tried to read the newspapers and articles from various groups of one kind and another about what was really happening in Viet-Nam. They thought that they would come on this anniversary of the Paris Agreement to see for themselves.

So, Mr. Webber said, they had gotten themselves together and decided that they would come and spend a couple of weeks in Viet-Nam under the general heading of "prospects for peace" and just do everything they could to get another personal interpretation to send to their people in various circles at home as to what had really happened in the last year. Mr. Webber said they hoped that

they would find it was an encouraging prospect and that's what he thought led the five of them here from their very different experiences. Mr. Webber introduced Mr. John Boone, describing him as a professor and a professional corrections officer, and Ms. Kelley who he said was the only politician of the group.

The Ambassador said that Mr. Webber shouldn't use the word "politician" with such a disparaging tone. After all, in the old Greek sense of the word there is no more noble role. He recalled that even Ms. Bella Abzug had once said to him that "after all I am a politician".

Ms. Kelley said that she agreed that Ms. Abzug was indeed very professional. Ms. Kelley said that she was doing her very short term of service in this way, that she felt that in some way she could bring a greater understanding to people, and that she had a particular ability to "move people" and she hoped that this ability might prove useful. Ms. Kelley said that she also represented a newspaper and the organization "East Bay Women for Peace" which was very bitter about our policy here. She said that all Americans who have some control over Vietnamese affairs should exercise a responsibility to have the indignities currently practiced cease immediately.

The Ambassador said that he agreed that we had a responsibility but he was not certain that he would share the summary judgments, without the citation of any substantiating evidence, expressed in the letter from Ms. Laub, the Chairman of the organization to which Ms. Kelley had alluded. Ms. Kelley sharply asked what summary judgments. The Ambassador said that perhaps it would be better to read Ms. Laub's letter since he did not wish to misquote anyone. He then read the letter, which follows:

"DEAR AMBASSADOR MARTIN: East Bay Women for Peace, in the San Francisco Bay Area of California, have long been deeply concerned at the Saigon Government's arrest, torture, and lengthy confinement without trial of those who hold positions independent of President Nguyen van Thieu—neutralists, students, members of religious and civic bodies, and many others.

"We are aware that President Thieu officially denies the existence of these prisoners; but their presence is well-attested by many reliable observers, who agree in reporting the present government's widespread use of universal surveillance, frequent arrests, torture, and the virtual abandonment of even the forms of legality.

"We find it intolerable that our Government should support such tactics of repression. We have long supported the prompt formation of the National Council of National Reconciliation and Concord agreed to by all parties in signing the Peace Accords of January 27, 1973, but which President Thieu completely opposes.

"As our representative in Saigon, we strongly urge that you help in every way you can to bring the National Council of National Reconciliation and Concord into being. Only so can the long-suffering people of Viet-Nam exercise their unquestioned right to work out their own destiny.

"Sincerely,

"EDITH LAUB,

Chairman for the East Bay Women for Peace."

The Ambassador said that parts of that letter all Americans could completely agree with. The position of our government has been completely consistent in calling for the full implementation of the Paris Agreements, but he pointed out that, as his old friend Averell Harriman with whom he came into government service in 1933 had observed, it takes two to tango. The Ambassador said that the record was completely clear, that it is not the Government of the Republic of Viet-Nam or the Government of the United

States of America which is holding up the implementation of the provisions of the Paris Agreements. Above all, it is not the Government of Viet-Nam which is holding up the return of the civilian prisoners. It has fully agreed to implement that provision and has repeatedly advanced concrete proposals for so doing, and has just now, once again, requested the NVA/PRG side to stop stalling and get on with it. It appears, however, that the NVA/PRG side prefer to stall in order to keep the issue alive as a propaganda issue, so that people like Ms. Laub can be persuaded to complain about it.

The Ambassador called attention to the first paragraph of Ms. Laub's letter as a perfect example of what he meant by a "summary judgment". The second paragraph takes note of the denial by the President of the Republic of Viet-Nam but goes on to say the existence of these prisoners who, Ms. Laub infers are in prison solely because of their opposition to the Government, is "well attested by many reliable observers". The Ambassador doubted there had been any such "reliable observers" or that any truly objective and competent observers would "attest" any such thing.

The Ambassador said he did not know Ms. Laub. Therefore, he assumed her motives were pure and her concern was genuine and he could only conclude that Ms. Laub was another victim of the cleverly presented campaign of gross distortion being pursued by those whose emotional involvement in a North Vietnamese victory was, seemingly, as intense as ever.

The Ambassador said he too would find it "intolerable that our Government should support such tactics of repression" if, in fact, such charges were true, which they were not. He said that he did not know Ms. Laub's age but he suspected that, long before Ms. Laub was born, he had been actively engaged in opposing all such repression whenever it occurred and getting quite a few scars in the process. The Ambassador said he, therefore, felt very sorry for Ms. Laub and others like her whose decent and humanitarian impulses were being cynically and callously manipulated by those who were striving desperately to insure the victory of North Viet-Nam where the abuses about which she was concerned really did exist.

Ms. Kelley said that this is why the group had come. Viet-Nam is so far away and she agreed that they do not have all the facts and she would certainly appreciate being corrected. The Ambassador said that, in order to be as helpful as he possibly could, he was going to take some actions for which, undoubtedly, he would be criticized. However, he had taken at face value Congressman Nix's description of the group as distinguished citizens really concerned with objective determinations of fact. He also accepted at face value the statements which had just been made that the purpose of the group was to really determine facts as they really were. Therefore, he had with him here a series of intelligence reports which, perhaps more clearly than he himself could do orally, could give them an objective picture of what was actually happening. The Ambassador said that it covered most of the points when he thought, if he were in their position, he would very much want to know about. The Ambassador supposed the group shared his conviction that statements should be confirmed by documentation with some precision.

Mr. Webber said that they appreciated that attitude. He said that the three of the group who were men had all been in the military. He said that Mr. Robert Ransom had been in the OSS during World War II, he said that he thought they all believed in our country. He said objectivity is our problem. He said that we want to be objective. He said that we do accept the fact that we are

not experts. We really do want your help in understanding.

Mr. Webber said that he would be very much interested and grateful for anything that the Ambassador could share with them about what has happened in the last year in terms of the American role in Viet-Nam. He said he could mention three things that, just wandering around and talking to a variety of people, have distressed them because they do not understand. This is without any effort to say that they do understand, but the group has been very disturbed because the papers have said that President Thieu has reported that the war is escalating and the papers make that clear now. Mr. Webber said that that's a very distressing fact if a year after peace the war is heating up and he would be interested in anything that he could be told.

Mr. Webber said that another area of distress was that many people suggested that a major problem was the U.S. aid was not really reaching places where it ought to go. He said that, of course, in light of our record at home in the United States on corruption, that this perhaps is not as important as it might have once been.

And, Mr. Webber said, the third thing that distressed the group were the rumors that they have heard about the difference between the justice delivery system in this country and in our own. He said Mr. Boone had observed this in the Court yesterday. These, Mr. Webber said, are some of the matters that have distressed us and we would be glad to be helpful in correcting distortions at home.

The Ambassador pointed out that with the conclusion of the Paris Agreement a year ago, our role had completely changed. We were no longer involved in the war. We had hoped that the war would completely stop with the cease-fire which had been agreed to. Again in negotiations in May and June in which the Ambassador said he had participated along with Dr. Kissinger, another cease-fire was arranged. Neither time had it been observed by the other side. Nevertheless, the Ambassador said we were not engaged in the fighting, or in any way in an advisory role regarding the fighting. We had committed ourselves to replace equipment losses on a one for one basis and this was completely spelled out in the Paris Agreements. If the North Vietnamese had respected the Agreement it would not be necessary for the Americans to have a very large presence here at all. We had made vast reductions and had planned for even more.

Regrettably, however, the fact was that North Viet-Nam had not respected the Agreements. Therefore, a certain number of people in the Defense Attache Office were retained, engaged solely on logistics assistance to the military forces of South Viet-Nam. Although Hanoi propaganda, echoed by their colleagues in the United States, charged the U.S. with 24,000 disguised military advisers, the open record, available for anyone to see, completely "attested" to the fact that we had less than one thousand U.S. personnel engaged in anything remotely connected with the military, plus about 3,000 civilian contractors, teaching how to care for and repair equipment. The Paris Agreements prohibited any kind of advisory role and that prohibition was completely enforced. Perhaps it would be useful, the Ambassador said, if more of their colleagues who had been active in the peace movement would realize that it is their country, not ours.

The Ambassador said that Mr. Webber had observed that he had found it distressing that President Thieu had publicly said that the intensity of the violence was increasing, that to quote Mr. Webber "the war was escalating". The Ambassador said that it was a cold hard fact that the fighting was continuing and he was glad Dr. Webber found it "distressing".



The Ambassador said he trusted Dr. Webber's "distress" was over the fact of the fighting itself and was not the "distress" of some of his colleagues in the "Peace Movement" that the GVN, by daring to resist the continuing attacks of the North Vietnamese, was interfering with a complete North Vietnamese victory, in which so many of those colleagues had such a deep emotional involvement. The Ambassador said he had seen the same stories and had read them all the way through. He noted that after recording the fighting "was escalating" President Thieu had said the GVN fully intended to defend itself, but sincerely wished for a halt in the fighting which could occur immediately the moment the North Vietnamese ceased their murders of GVN officials and the slaughter of innocent civilians by their tactics of terror.

The Ambassador said that when Dr. Webber returned to the United States he might report that President Thieu shared his "distress" that the war "was escalating"; that he might report no one was fighting in North Viet-Nam, that it was the North Vietnamese who were still continuing their infiltration, it was the North Vietnamese who were stepping up the subversive activities and attacks on innocent civilians by the planting of mines and mortaring of villages with no military objective but to strike terror.

But, said the Ambassador, if one were really "distressed", the proper place to complain would be Hanoi. The mere fact that a guerrilla campaign was in progress in South Viet-Nam, the Ambassador said, was in and of itself a denial of the violent criticisms by some of their colleagues of South Viet-Nam as a repressive, closed society. By definition no guerrilla action of any consequence can be carried on in a repressive, closed society. There is no possibility whatever of any guerrilla activity in North Viet-Nam, in the People's Republic of China, in the Soviet Union, or in Cuba. Guerrilla action of this scale and magnitude can be carried on only in a reasonably free and open society. The Ambassador said that a free and open society can be described in many ways depending on the bias, prejudices or the degree of objectivity of the observer. There are those who would limit the characterization of any society as "free and open" unless it is wholly perfect and without blemish, overlooking the historical record that, except for a few moments in the Garden of Eden, the human race has not yet quite managed this accomplishment. However, to those addicted to the narcotic of "selective outrage", it is a convenient standard to use making it easy to concentrate on the warts of a society and extrapolate those warts as a picture of the total society. Fortunately, the Ambassador said, the great majority of Americans are more honest and objective observers. They can recognize the warts for what they are and put them in the total perspective. But the basic fact remains that no objective observer can possibly deny that any guerrilla operation can be effective except in a society which is basically free and open, and no objective and honest observer will come to any other conclusion than that South Viet-Nam, with all its warts and blemishes, is basically a free and open society and that North Viet-Nam is not.

The Ambassador said that there is one other basic fact which he thought just had to be recognized. For the entire period of this conflict, whenever people have had a choice amid the disruptions of the war, they have come only one way, to territory controlled by the South, never to the territory controlled by the North. The Ambassador said that he thought the group really ought to ask themselves why. Why have the refugees never gone to North Viet-Nam? Why have they never gone into the so-called PRG area? Why, when given a choice, do they always come to the areas controlled by the

Government of South Viet-Nam? The Ambassador said that dealing with refugees had been his business, that he knew the problems, that he had never seen a refugee camp that couldn't be criticized. Why, the Ambassador asked, when the refugees are pushed even out of these camps by NVA/PRG attacks do they still go further south to the areas controlled by the Government of Viet-Nam and never the other way?

The Ambassador said that he thought he knew what the answer was, that all over the world people of all races, all creeds, all religions had a basic instinct for freedom and that wherever there was a chance to make a choice they always opted for freedom, they always chose to make their way to a free and open society however imperfect it may be. Therefore, the Ambassador said he hoped the group would ponder this question and carry back as part of their objective appraisal their own version of the answer to this rather elemental question.

The Ambassador then turned to Dr. Webber's statement that another area of distress was that many people suggested that a major problem was that U.S. aid was not really reaching places it ought to go. The Ambassador said that Dr. Webber was delicately and elliptically referring to what should be more directly and openly termed "corruption". The Ambassador said, of course, the problem existed. It was difficult, as Dr. Webber pointed out in his reference to the United States, to wholly eliminate it under the best of circumstances. In times of war and great social turmoil, it was always worse. Reading the Hanoi papers one could see that even in that society, regarded as Utopian by some of his colleagues, there were increasing complaints about corruption. However, the Ambassador said, in regard to our own AID programs, he was pleasantly surprised to find that the controls that had been instituted and the constant checks on performance had resulted in our AID programs being far less affected than he would have anticipated on his arrival in Viet-Nam. Noting that Mr. Boone had been a public official in Massachusetts, the Ambassador said that, for purposes of comparison, he thought the general level of corruption in the RVN might be roughly but fairly equated with that existing in Boston and the Commonwealth of Massachusetts around the first decade of this century when "Honey" Fitzgerald was Mayor of Boston. The Ambassador noted that we might take some comfort as well as hope by noting that things were now better in Massachusetts and that one of Mayor Fitzgerald's grandsons had become President, another Attorney General of the U.S., and a third, now a United States Senator, was regarded by some of Dr. Webber's colleagues in the "Peace Movement" as the White Knight in Shining Armor, tilting his lance to battle corruption, and the sole guardian of the great American liberal and humanitarian tradition. Although other Americans did not quite accept that accolade from Dr. Webber's colleagues in the "Peace Movement" as the "revealed truth", the Ambassador thought the analogy did perhaps put the problem in a clearer perspective.

Turning to the comment of Dr. Webber about the difference between the justice delivery system in the Republic of Viet-Nam and the United States, the Ambassador reminded the group that the Vietnamese system was based almost wholly on the French system and the Napoleonic code. It was quite different from the United States system deriving from Anglo-Saxon tradition. The Ambassador said he had heard exactly the same expressions of shock from American visitors to France and Italy.

It might be helpful, the Ambassador thought, if many of their colleagues realized that the sense of values, deriving largely from Confucian traditions, as modified by French influence, are not wholly like our own.

The Ambassador said that he thought that some of their colleagues perhaps had been guilty of that "arrogance of power" which Senator Fulbright had so eloquently and correctly pointed out that we should attempt to avoid. Therefore, we should not sit in judgment on a system of values that is different from our own and insist that only by transferring our own can perfection be achieved. The Ambassador said that our own system had developed over two thousand years of trial and error, that it works reasonably well, but it can only work with the common acceptance of the ground rules that everyone observes and these cannot automatically be transferred all over the world. The Ambassador observed that if we really "objectively" look at what is going on today in Viet-Nam we would find that it works reasonably well in accordance with a condition which we ourselves considered vitally important two hundred years ago and that was the consent of the governed. Mr. Webber agreed and said that is where we began.

The Ambassador hoped the group would permit him to respond in some detail to a question about the "repressive police system and systematic use of torture". He first wished to say that he was revolted at the thought that any American, as many of their "Peace Movement" colleagues had done, would circulate charges that any part of any American AID Mission would participate in any way in advocating, advising about, or furnishing any equipment for, any measures that would be brutal, involve torture, or political repression of any kind. The very thrust of the AID Public Safety Advisers would automatically be the exact reverse. And the massive irony of the program of gross distortion which had been waged with such great skill was that those who had manipulated the decent instincts of their colleagues in the "Peace Movement" were the very ones who would smash any dissent of any kind once they achieved power.

Only a modicum of logical thought, the Ambassador said, leads to the inescapable conclusion that the greatest danger to any guerrilla operation or serious attempt at political subversion is an effective police system. Naturally, therefore, the primary target of the other side is to hamper, to emasculate, to destroy the police system of this country, or any other country they may wish to subvert and destroy. The Ambassador pointed to the stack of documents on the table to which he had previously referred and invited the group to look at the orders of assassination which had been issued by the other side principally directed against police officials wherever they might appear. Quite naturally the other part of the system of attack on a police system is to reduce all external aid. Therefore, the full weight of the propaganda machine must be turned loose to portray that police system as most repressive, most brutal, and to say that it engages in all sorts of torture.

The Ambassador said that he had been watching the evolution of events in Indo-China for more than a quarter of a century. During that period he said he had become utterly fascinated by the success of Hanoi in fashioning a propaganda apparatus which in its efficiency, in its pervasiveness, and its sheer perfection of technique has no parallel in recorded history. Herr Goebbels would whirl in his grave, the Ambassador thought, in complete frustration at the realization that he was the most callow, unsophisticated neophyte in comparison.

Of course, Goebbels did not have at his disposal the base of the worldwide communist apparatus with its ability on certain issues to coopt non-communist parties of the left and use this base for the formation of front organizations ostensibly without communist or leftist connections. From

such platforms, the Ambassador said, it is apparently easy to absorb that portion of the world wide community of alienated intellectuals driven by a compulsion to ensure that their individual intellectual hemlines are not one silly millimeter above or below the prevailing fashion.

And the final step, the Ambassador said, appears the easiest of them all, to devise the principal propaganda themes in terms of simple blacks and whites and then to reach out to enlist the decent instincts of well meaning people by persuading them by incessant repetition of gross distortions that the evils they have always opposed are clearly present in South Viet-Nam.

The Ambassador said that care is taken never to vary the simple themes of the propaganda. Thus the figure of 200,000 "political prisoners" is a consistent theme in the publications issued by the other side for well over ten years. Even those who believe this to be an exaggeration yield to the temptation to maintain their "credibility" by accepting a lesser number. For example, Amnesty International did so in June and the greatly respected, objective journal, the Economist, felt constrained to point out that not a shred of credible evidence was presented in support of Amnesty International findings.

To avoid confusion, the Ambassador said that it might be useful to make certain that we had a common definition of what was meant by the term "political prisoner". The Ambassador said that to him the incarceration and the long service in labor camps of Alesandr Solzhenitsyn warrants his classification as a "political prisoner". The Ambassador said to him that the six million European Jews, between the time of their arrest and murder, were "political prisoners" and that to him the 2,000 intellectuals and officials of Hue, between their arrest by the North Vietnamese in the 1968 Tet offensive and their summary murder, were "political prisoners". The Ambassador said that to him all those imprisoned anywhere only because of their opposition to the regime which governed them were "political prisoners". The Ambassador said that as one who had been termed an "old fashioned, liberal humanitarian" he was unalterably opposed to such oppression whether it comes from a regime of the right or a regime of the left, a regime of the center or from any other source. The Ambassador said that he knew full well that his lack of capacity for "selective outrage" violated the norms of the current intellectual modishness.

The Ambassador said that the campaign to eliminate aid to the police program had apparently been successful. Therefore, we would now see a slight variation in the propaganda themes. They would be twisted slightly in a manipulation that provides a better emphasis for the next goal, which apparently presently is to drastically reduce the volume of external aid, both military and economic, which the Government of Viet-Nam will need for the next year or two. The Ambassador said that it now seems certain that we will see the propaganda themes zero in on a reemphasis of repression, brutality, torture and the "200,000 political prisoners" and the conclusion that will be drawn is that "we really shouldn't be giving aid to this kind of people, should we?" It all sounds so reasonable, said the Ambassador, and it will be reasonably effective since a few zealous converts to the cause in the media and among the legislative staffers can carry such distortions to lengths which can permanently damage the delicate fabric of international relationships and can change American attitudes until we again turn inward into a retreat into the isolationism which was so damaging in the past.

The Ambassador reverted again to the question of "political prisoners". He pointed out that the figures in circulation vary from

200,000 on up or down. The Ambassador said that he could state with complete conviction that the total prison population within the Republic of Viet-Nam as of mid-January, including all prisoners from the smallest village detention facility through the largest central prison, does not exceed 35,000. The Ambassador said that he was absolutely certain of the correctness of this figure, that over six months had been spent using the not inconsiderable resources of this Mission to establish beyond any question of a doubt that this was a total which was accurate.

The Ambassador went on to say that he could not, of course, completely attest that within that total of 35,000 there are not included a few "political prisoners" however defined. Taking into account the hatreds that arise in a country torn by twenty-five years of conflict, whose system of values was one of Asian values, not Western values, it would be perfectly logical to assume that there would be "political prisoners". The Ambassador reiterated that in his use of the term "political prisoners" he would include only those who had been imprisoned solely because of their opposition to the regime. But the Ambassador said that he found to his utter amazement that in almost seven months of conversations with opponents of this government, with independent journalists, with representatives of the great humanitarian organizations of both our country and of other countries of the world, he had yet to be given the name of a prisoner who is incarcerated solely for his opposition to the present Government of Viet-Nam.

So, the Ambassador pointed out, the actual facts are that the total prison population in the country is less than 35,000. That is out of a total population of 19,000,000 people. The Ambassador said he was subject to correction by Mr. Boone who probably knew more about this than he did in the United States, but he understood that proportionately against our population of more than 200 million the ratio in Viet-Nam of the prison population against the total population was exactly the same as it is in the United States.

The Ambassador said he would be very grateful to the group, if while they were here, they could furnish him the names of people who they thought were in prison "solely for opposition to the present Government of Viet-Nam" and not for other reasons which would be a penal offense equally under the laws of the United States, Canada, Great Britain, Sweden, Denmark or any other country which we might regard as reasonably progressive. The Ambassador said that he had been given some names. He gave the group a list of three and he said that these had been recently identified by the North Vietnamese as "political prisoners" who should be released. The Ambassador gave them the copies of the confessions of these three individuals that they had been guilty of the assassination of Professor Bong, one of the most respected intellectual figures in the Republic of Viet-Nam. He showed them a picture of Professor Bong who had been horribly burned and mutilated by the explosives planted in his car. The Ambassador said he could accept the fact that people like this could be so motivated to perform these actions, but that he simply could not accept the definition that when you take political dissent to the point of murder that this deserves the classification of "political prisoner".

Ms. Kelley said that she was in total agreement with that, that they were not talking about that sort of thing. \* \* \* The Ambassador said that he did not think that it was any more a part of the Asian system of values to engage in torture or repression than the instances to which both he, and he assumed also Mr. Boone with his long experience in this field could attest, have been sometimes the results of our own investigative processes

in the United States, at least before we began to clean up this sort of thing over the last few decades.

Ms. Kelley thanked the Ambassador for his clarification and apologized for taking up so much of his time. The Ambassador said that he could not think of anything now that would be, or at least that he hoped would be, a more useful way for him to spend his time. Congressman Nix's letter had said that you were coming here to do an honest, objective job and the Ambassador accepted that recommendation and rejected other evidence that he had received that they were coming here to make already preconceived conclusions seem credible.

Dr. Webber responded that the group would not have had to come at all if their interest had been propaganda. The Ambassador said there was another version relating to the timing of their trip, noting the coincidence of the timing of their visit with that of another group which had been invited by the Vietnamese Council on Foreign Relations. Mr. Boone responded that his group was scheduled to leave the United States on November 25, but for practical reasons they just couldn't make it.

Ms. Kelley said that she was very much interested in the information that the Ambassador had given the group on the prison population and particularly his conclusion that it did not exceed 35,000. Ms. Kelley said that the numbers she had been given are about 200,000, but she did not want to argue about numbers nor what sort of prisons these are. She said that depending on which sources of information one uses there could be a wide variance of margin of error. The Ambassador asked her if she would mind stating the sources that she regarded as credible, that is, as evidence for the higher figure of 200,000.

Ms. Kelley responded that she could give a great deal of documentation but that her sources were exactly those of all other Americans, the New York Times, the Washington Post, the Indochina Resources Group, and the publications of the various Peace Groups. The Ambassador said that he doubted very much if the news columns of either the New York Times or the Washington Post had ever authoritatively reported such a figure to be correct. They may have very well reported that certain people have alleged this figure to be correct but that is quite a difference from establishing it as credible evidence. Of course, on the oped page of the New York Times there were occasionally signed articles from people like Mr. Fred Branfman who were entitled, of course, to give their own opinions but which the paper did not necessarily endorse. As for the Indochina Resources Group, the Ambassador said he had been told that members of the Congress had asked the GAO to investigate whether its directing mentor, Mr. Don Luce, had failed to register, as required by law, as a lobbyist and as an agent of a foreign power. Almost any objective observer would agree, the Ambassador said, that neither the Indochina Resources Group nor the "Peace Movement" publications could be regarded as either authoritative or credible.

The Ambassador said that they might turn to Vietnamese evidence which could very well be regarded as more credible. For example, the publication recently issued by Father Tin which claimed 200,000 "political prisoners". The Ambassador said that he had directed Mr. Sizer, an officer in the Political Division of the Embassy, to undertake a complete analysis of the allegations made by Father Tin, an articulate and determined opponent of the Government. He said that although it was a classified document, he had declassified this analysis to make it available to the group and he hoped that they would study it very carefully. It was an entirely authoritative examination of each of the allegations of Father Tin placed against all of the evidence that was available to us,



and this examination, different from the one to which he had previously alluded, also established that the total prison population within the Republic of South Viet-Nam did not exceed 35,000.

Mrs. Kelley said that she did not want to argue about the numbers, that she was perfectly willing to accept the figure of 35,000 and the sources established by the Embassy. But she did want to talk about these stories that steadily come through about torture and repression. Mrs. Kelley said that no one wants to talk about possible torture, repression, executions in the Democratic Republic of Viet-Nam because we have no control there. The Ambassador said that he could well understand Mrs. Kelley's disinclination to talk about torture, repression, and executions in the Democratic Republic of Viet-Nam. It would not be a very pleasant story to hear.

The Ambassador added that he was somewhat intrigued by the implications of Mrs. Kelley's remarks. It has never been his understanding of our policy that it was ever the American objective to exercise control over either North Viet-Nam or South Viet-Nam or any other country to which we have extended assistance. The Ambassador said that when he appeared before the Foreign Relations Committee of the Senate for its consideration as to whether or not it should recommend the Senate give its advice and consent to his nomination, he undertook at the request of Senator Javits and Senator Percy, among others, to make as thorough an examination as he was capable of making of these charges that have been made about Viet-Nam. The Ambassador said that he had carried out that request.

The Ambassador went on to say that over a career of service to the people of the United States, stretching now over forty years, he had established a reputation for total integrity which no one really questions. His own antecedents, the Ambassador said, were just too well known and the fact that he had taken on the establishment time and again when he thought it was wrong was also too well known. The Ambassador said that he felt under no compulsion whatsoever to defend in any way the Government of Viet-Nam. However, he did feel a compulsion to ensure that the American people be told the entire truth. Under no circumstances would he participate in any deception of the American people. Although he knew what he was saying to this group would almost surely unleash the wrath of their colleagues in the "Peace Movement," including those in the media and in the Congress, there simply were no pressures which could be brought from any source which could force him to participate in this deception of the American people which was now being carried on. These attacks had already been attempted in an effort to block his confirmation.

The Ambassador said that he had established to his complete satisfaction that the total prison population in Viet-Nam did not exceed 35,000. Therefore, on its face any figures about "political prisoners" which exceeded that number had to be totally false. The Ambassador pointed out that these figures included everyone in prison for every type of offense. It was the total prison population. The Ambassador said that he could not, of course, absolutely guarantee that there were no "political prisoners" within that number of 35,000, but just sheer plain old fashioned American common sense would seem to establish that, if there were any, it could only be a handful. If there was only one it was his deep conviction that was one too many but he reiterated that he had yet to be told of a name of an individual who was in prison solely because of his opposition to the current Government of Viet-Nam. He pointed out that he had asked the group previously for any names that may have come to their attention and they had not given him any.

Mrs. Kelley said that she would expect that when a government like the United States pays such an overwhelming share of another country's budget that they certainly ought to assume a certain sense of responsibility. She said that she was not talking of such programs as CIP and Food for Peace. She gathered that these were humanitarian programs where we were introducing valuable commodities needed by the Vietnamese people into Viet-Nam. The CIP goods, she said, and the money are totally turned over to the Government of Viet-Nam and after that there is no control whatever in the way the money is used.

The Ambassador said that this, of course, is simply not true, that under the aid program in Viet-Nam, as under aid programs everywhere, there was a general agreement as to the uses to which our aid would be put and end-use examinations had been carried out to see that the agreements had been met in full.

Mrs. Kelley said that there were several other points she would like to make. One is that because of American money, this immense infusion of American money and of military products into Viet-Nam, she felt we were definitely altering the situation in Viet-Nam. The Ambassador said if her statement meant that we were helping the Vietnamese to have the means to defend themselves from outside aggression, he would completely agree that our intention all along was to balance the aid being given by the Soviet Union and the People's Republic of China to North Viet-Nam.

Mrs. Kelley said another thing that has not been mentioned is the nationalist effort within Viet-Nam to arrive at a solution making it possible to travel freely about the country, to congregate freely, to have ordinary legal process, to have free elections, to move around without interference. The Ambassador said that he knew of no official of the Government of Viet-Nam, nor had he met any person in the Republic of Viet-Nam who did not wish precisely the same thing. Free elections had been proposed by the Government of Viet-Nam on many different occasions during the past year after the conclusion of the Paris Agreements. The elections had always been refused by the other side for the very simple reason that the so-called PRG could not possibly get 10 percent of the vote under a truly free election with the most rigid international supervision.

Although none of the freedoms Mrs. Kelley had mentioned were available in North Viet-Nam, the only reason that they were not now freely available in South Viet-Nam is that the country is still at war and not a war of its own choosing. The cold hard fact is that, no matter how hard your colleagues in the "Peace Movement" want to hide it, it is the North Vietnamese in South Viet-Nam who are still engaging in assassinations of officials, who are still planting mines that are killing innocent children, who are still using rockets and mortars indiscriminately which have no military purpose but are intended simply to cause terror and again the victims are almost always innocent civilians, not soldiers.

The Ambassador said if Mrs. Kelley really wants to understand the root of the trouble which causes some restrictions in free movement, he suggested she look at this stack of documents two inches high which he has put on the table which includes the assassination orders issued by the North Vietnamese authorities against particular village and hamlet officials and the police as well as the orders to infiltrate sappers to plant dynamite and explosives. The evidence is all there if she really cared to see some true facts for a change. Mrs. Kelley said that she did want to see it. The Ambassador observed that he didn't think that Mrs. Kelley could really say that any country faced with this kind of a situation can be criticized for taking mini-

mal action to protect its very existence. For example, would she tell the people who elected her that she would not take similar action to protect them against a similar threat?

Mr. Boone intervened to say that he could accept the documents to which the Ambassador had just referred, but that he is concerned about what has been happening since early last year. He said that he was dubious as a result of talking to so many people. It seemed incredible that what he had been told was true. Then he said he had sat in court all day yesterday listening with a person, who as at most a neutral, who had taken him there. In fact, Mr. Boone said he had not talked to anybody who claimed to be even sympathetic with the communists. The Ambassador observed that his hosts in Viet-Nam seemed to have done an excellent job of programming. But, Mr. Boone said, people he talked with seemed to be appalled at the flagrant examples of injustice. Mr. Boone said he sat in court all day yesterday and some people had been in jail (except for the military, the seven military people who were there for narcotic charges) for as long as two years without any kind of hearing. The Ambassador asked Mr. Boone if he had recently attended night court in any large American city and if he found things really all that different here. But, Mr. Boone said this is after the Paris Agreement. And, Mr. Boone went on, coming from one of the provinces down here, we were stopped five times, six times—six times the police got on the bus and tapped people to see if they were carrying weapons, and looked at papers. Wherever I go I see people stopped and of course you can accept this. As you said, the country is still at war, but it is sort of contradictory to what Article II implies.

The Ambassador said that he completely agreed that it was contradictory to what Article II would have hoped would occur, but that the people were moving and Mr. Boone himself and other members of the group had apparently moved freely throughout the Republic of Viet-Nam. Movement without checking was conditional, obviously, on the effective implementation of a ceasefire which the North Vietnamese had refused to implement. The Ambassador pointed out that the North Vietnamese have introduced large rockets which can now be fired from within twenty-two miles of Saigon if they are allowed to get in that close. On the table are the orders for the sappers with their dynamite and explosives to infiltrate into Saigon itself. Now, the Ambassador asked Mr. Boone, if he were in charge of protecting the people of Saigon, what measures of security would he take? Mr. Boone said, probably the same, but that he was sensitive to this kind of checking because he had grown up in the cities and, having been stopped so often himself and having been harassed and intimidated and beaten, he felt pretty close to this when people were stopped.

Mr. Boone said that he understood that they are realities on both sides. He said that some of us were talking to realized that we were coming to see the Ambassador and apparently there were neutralists or even pro-government people who wanted to say, will the American Ambassador be an Ambassador of peace or an Ambassador of war? Mr. Boone said what I'm saying is that since last year, how do you see us bringing these people to the conference table in some kind of reconciliation process?

The Ambassador said that he hoped very much that he would be remembered as an Ambassador of peace. He pointed out that Mr. Boone had also been a public official and he knew very well that if one broadcasts every move that one makes, particularly again when dealing with a sensitive and proud people, about persuasion that you may be bringing to bear, it will not be effective. The Am-

bassador said that he thought the results would have to speak for themselves.

The Ambassador pointed out that less than a month ago he had left on Tuesday morning, down to Paris, spent the day in session with Mr. Le Duc Tho and Dr. Kissinger, flew back directly here, arriving on Saturday afternoon. The Ambassador said he thought he was getting too old to do this kind of travelling, but his consistent effort, the consistent effort of Dr. Kissinger, and the consistent effort of the Government of the United States has been to bring an end to the fighting. The Ambassador said that there just couldn't possibly be any question about that, but again he observed that it takes two to tango.

The Ambassador said, let's take for example, the exchange of civilian prisoners which is called for by the Agreements. The South Vietnamese said that they had about 5,000 they were willing to turn over. The North Vietnamese and the so-called PRG said that they held 400. The South Vietnamese have a list of some 67,000 who are missing. Now an exchange of 5,000 against 400 isn't a very fair shake, but the South Vietnamese accepted that. They were supposed to be exchanged in the first months after the Agreements that were signed last January. The return to the other side was going on in a place called Loc Ninh which is in the so-called PRG territory. Some of the 5,000 prisoners being held by the Government of Viet-Nam said they did not wish to be returned to the other side. So the other side staged a great demonstration which forced a cancellation of the returns.

After the meetings between Dr. Kissinger and Mr. Le Duc Tho in May and June and the conclusion of the June Communiqué the process started again and again the same thing happened. Now the other side selects places where they want to exchange prisoners—there are 400 now, 400 prisoners. The places that they picked were ten places, ten places, to exchange 400 people, and those particular places were deep in South Vietnamese territory. So then if those points had been accepted they would argue later that because those points had been accepted as exchange points, the Government of South Viet-Nam would have admitted that this is PRG controlled territory. Now, after the meeting between Dr. Kissinger and Mr. Le Duc Tho in Paris on December 20, the process has gotten underway again.

The Ambassador said that he had with him at the table Mr. Hal Pattison who follows very closely the activities of the Two Party Joint Military Commission which handles these affairs and if the group was interested he could give them the present status of that. All the group said that they would very much like to hear it.

Mr. Pattison then pointed out that the prisoner exchanges were called for under Article 8 of the Paris Agreement. He said that last spring most of the return of military personnel was accomplished. At that time the communists had admitted to holding 5,428 military prisoners and the Government of Viet-Nam 27,000 prisoners of war. Although the Government of Viet-Nam has a list of 67,000 of their people who are unaccounted for, they finally decided to go ahead with the exchange and release almost all of their 27,000 prisoners, hoping that by setting this example, it would cause the other side to be more forthcoming in giving an accounting of these many thousands of people missing from the Government of Viet-Nam, both military and civilian.

Mr. Pattison went on to say that the precise number of those returned or released, that is the military prisoners, Viet Cong and North Vietnamese, totalled 26,750 over the February/March period. The so-called PRG side released just under 5,000 and they are still holding 410 who should have been released early in March in the last phase of the military exchanges. This, then, Mr. Pattison

said left the question of the civilian detainees. The Government of Viet-Nam gave a figure of 5,081. The so-called PRG side gave a total of 637. These exchanges were halted after some unfortunate incidents at the exchange site. They resumed again in July at which time the other side staged a demonstration to which the Ambassador has referred.

Mr. Pattison said that he thought it would be clear from our experience in Korea what the cause of these demonstrations were. The thing that held up the release and return of prisoners in Korea so long was the Communist insistence that all prisoners would be returned to them whether there were any who wished not to be returned or not. Since this would be a clear violation of human rights in the gross sense we refused to go along with this. Mr. Pattison said that in the Paris Agreements, accordingly, there was a provision for the ICOS to observe the exchanges and that any who did not want to be returned to the other side would have a choice. As a consequence at each release there were a number of both military and civilians who did not wish to be returned to the other side. This upset the other side very much and these demonstrations were against those who did not want to be returned to them and it was designed to bring pressure on those who were about to be released to accept the return. Again since this was a gross violation of human rights the Government of Viet-Nam broke off the releases.

Mr. Pattison said that over the past three weeks the Government of Viet-Nam have been attempting again to get these exchanges started. They still hold 3,506 civilian detainees and the other side says it holds 226 civilian detainees and 410 military prisoners. In addition, Mr. Pattison said, the GVN hold 33 military personnel still to be returned. The Government of Viet-Nam has made very specific, concrete proposals for the release of these people at specific times and places and their businesslike approach from the very beginning of this contrasts very sharply with the approach of the PRG which has been designed to cause delay so that they could exploit the issue of retention of prisoners. The Government of Viet-Nam is hoping to, as part of the resumption of these releases, to get the other side to give some accounting of these thousands of people which the Government of Viet-Nam has belief are still held by the other side. But the other side has totally refused to discuss this aspect. Nevertheless, the GVN is willing to go ahead with the remainder of this 3,000 exchange.

The Ambassador said that he hoped very much that this time, the third time around, this process might be completed. Perhaps by now the other side had realized that it was not going to be possible to exploit this as a propaganda issue forever. Therefore, the Ambassador said it seemed to him that the trip of this group to Saigon just at this particular moment might really have been most fortuitous. The Ambassador said that he assumed that the concern of the group was as universal as Congressman Nix had described it, that they were not a part of the propaganda operation of the other side. The Ambassador said that if your concern were truly universal it occurred to him that since the other side, of course, knows that you are here, an indication from this group expressed directly to them might be useful in speeding up the exchanges.

Ms. Kelley broke in to say that she did not understand the Ambassador's last sentence or the particular thoughts he was expressing. The Ambassador went on to say that in Saigon there are the delegations of the Democratic Republic of Vietnam in Hanoi and the delegation of the so-called Provisional Revolutionary Government of South Viet-Nam. These delegations are here in Saigon as part of the machinery which was set up un-

der the Paris Agreement and which was endorsed by the International Conference. The Ambassador said that he thought the most effective pressure that could conceivably be brought to bear to get this process of return of the civilian prisoners moving again would be for a group such as this to tell them that the American "Peace Movement" was seriously interested in some forward movement without any further delay. The Ambassador pointed out that, as Congressman Nix had described them, they were distinguished citizens of the United States and that since Hanoi was perfectly well aware of the positions they and their colleagues in the American "Peace Movement" have consistently taken, that your group had been basically friendly to the arguments which the other side has presented, they would just possibly be brought to believe that you are sincere and you are honest and that this is an issue that it is no longer possible for them to manipulate purely for propaganda purposes.

Mr. Boone asked the Ambassador if he was saying that the group could pursue an audience with the other side and put the hard questions to them that should be pursued. Mr. Boone wanted to know if this is realistic. The Ambassador replied that he didn't know whether this was realistic or not. If the purposes of the group were as they and Congressman Nix had stated them to be, the answer was yes. Certainly the credentials of this group as people who have professed a universal concern over prisoners, who have stated a concern with the lessening of the violence, an interest in getting both sides back to peaceful occupations might make such intervention extremely useful.

Mr. Boone said that what he was concerned about, for lack of another term, was that they might blow a good opportunity for peace. He said that, in the minds of the people out here, he heard everywhere over the past week that we have a great burden to bear. He said that the people he had talked to think we can do something to facilitate reconciliation. Mr. Boone asked if this was reasonable. He said, what are they talking about when they say, we can do it? Although the results would not be what Mr. Boone's question had in mind, the Ambassador said that Mr. Boone's remarks reinforced his own conviction that the group might perform a truly useful service if it were to get in touch with the two delegations as he had suggested and make known the views of the group that the other side should now proceed with the exchange of prisoners without any further delay.

The Ambassador said that the exchange of the remaining prisoners was one issue to which the group might make a contribution, but that at this moment there was also another issue on which they might make a significant contribution. He asked Mr. Pattison to explain it. Mr. Pattison said that there was a proposal made the day before at the Two Party Joint Military Commission by the Chief Delegate of the Government of Viet-Nam. Mr. Pattison said that as the group undoubtedly knew, there have been two joint appeals in the past for a cease-fire which unfortunately had led to nothing. The Government of Viet-Nam conclusion from this experience was that vague, general appeals are not likely to work because they are not specific. They did not call for any specific steps to make them effective. Therefore, rather than make another such appeal the Government of Viet-Nam proposed only yesterday to begin by agreeing to stop four types of acts—the use of indirect fire from mortars and other artillery, the cessation of the use of rockets, and the planting of land mines, and acts of terrorism, all of which serve no military purpose but resulted in the indiscriminate death of innocent civilians.

The Ambassador pointed out that this proposal did not cover the direct fire of combat



troops against combat troops. It was designed to avoid just the plain slaughtering of innocent civilians, the placing of mines where kids get their legs blown off. The Ambassador said after you see a couple of these your stomach sort of turns. The Ambassador said that he was deadly serious that he wanted the killing to stop, that a constructive proposal had been made, that the group had asked whether he was an Ambassador of peace. He had replied that he was. He was now asking the group if they were to be a delegation of peace.

The Ambassador pointed out that the Tet season was approaching which traditionally had been in Viet-Nam a period of peace and reconciliation. During this period, there had usually been over the years a lessening in the intensity of the violence. This proposal, the Ambassador said, was in effect to continue afterwards. Let us not again raise the intensity of the violence. The Government of Viet-Nam was asking the other side to agree that these things will not be done in the future.

The Ambassador said that he wanted to repeat again that the group may have arrived in Saigon at a most propitious time since what has happened in South Viet-Nam has turned out quite unlike the expectations of Hanoi a year ago. At that time the North Vietnamese, looking at the Republic of Viet-Nam through the screen of Marxist-Leninist dogma and ideology, had concluded that it would all now crumble as the Americans departed. The fact was that it had not. Hanoi had made no progress at all in taking over the country in the past year and it just might now be a time when it would be perceived by Hanoi to be in their interest to lessen the violence. The Ambassador said that it is quite obvious that they are not going to take over South Viet-Nam by force.

Ms. Kelley observed that they did not really have the force. The Ambassador said that it was true that they did not have the force to take over South Viet-Nam but that they do have the force to cause enormous damage, that they actually have more force here than they had in 1972 when they started the Easter offensive. Most of the armament which is now in their hands has been introduced into South Viet-Nam in total violation of the Paris Accords. They can use it if they choose to use it. It will not be successful, but they can mount this kind of attack which would mean enormous casualties and disruptions.

But, said the Ambassador, there has been one great change since the Paris Accords a year ago. The Soviet Union and the People's Republic of China are no longer capable of being whipsawed by Hanoi, neither daring to desert Hanoi in their own competition to be the new Rome of the Marxist-Leninist world, neither daring to be accused by the other side of deserting this tiny Socialist country fighting for its life against imperialist aggression. Now this is no longer a factor, thanks to Dr. Kissinger. Therefore, when the Soviet Union and the People's Republic of China now begin to look at Hanoi in terms of their own national interests, the interests of the Chinese state and the interests of the Soviet state, it is not to the interest of either one of them for Hanoi to have a dominant position in Southeast Asia. Therefore, they are not resupplying them with massive weapons of war as they have continuously over the past years.

This time, then, Hanoi has got to calculate that if they go for broke, as we used to say in Hawaii, it is an awfully risky business because the odds are that they won't make it again, and if they don't make it, it will be highly unlikely that they will have the resources to try again by pure military force. I think they now perceive, the Ambassador said, that the strength is here, that the people do accept the legitimacy of this government no matter what the criticisms or distortions which are circulated abroad, and when they vote, they vote with their feet by

coming this way. Now, the Ambassador said, the North Vietnamese have not been able to proselytize, have not been able to convert in the countryside, therefore, it just might at this time be in the perceived interest of the other side to accept a tacit lowering of the intensity of the violence.

The Ambassador said that the South Vietnamese could logically argue that with things really going for them, with the initiative on their side, they ought not to accept a lowering of the intensity of the violence. However, they do want peace. They want a chance to reconstruct their own country in peace. The Ambassador said that whatever influence Ms. Kelley has mentioned that we ought to exert, we are exerting. The result of all these combinations of factors is this very practical proposal that the Government of South Viet-Nam has advanced. It will be observed by the Government of South Viet-Nam if it is observed by the other side. Therefore, the Ambassador said he wanted to repeat, once again, that if the group was seriously interested in a lowering in the intensity of the violence, in avoiding further killing and maiming of innocent women and children by North Vietnamese terror attacks, in facilitating a climate where people can really begin to talk about reconciliation and national concord which he was convinced the Government of South Viet-Nam was prepared to do, this group really ought to seriously and prayerfully consider making an appeal to the delegations of Hanoi and of the PRG to accept the proposals which had been put forward, for both the exchange of prisoners and for the foregoing of mass destruction of civilians.

Dr. Webber said that in reading the ceasefire agreement it is really hard to see how, apart from getting American troops out, the details were adequate to solve the problem. The Ambassador said that might be true but said it was necessary that there be an intention on both sides to make an agreement work. The Ambassador reiterated that he thought the group was in a unique position here to exert influence on both these issues. He hoped that the group would get in touch with the North Vietnamese and PRG delegations and to make it very clear that they would see no excuse for their not getting on with it. The Ambassador said that this would have enormously more import coming from them than really from anyone else. The other side would be quite likely to conclude that there is danger that they would no longer be able to effectively exploit the propaganda they had been mounting all around the world. The Ambassador, therefore, thought that if the group's concern was as universal as they had stated and not selective, it seemed to him that, as a matter of conscience, they did not have much choice but to utilize the opportunity clearly in front of them to bring a cessation to the killing and to the violence.

Ms. Kelley said that she couldn't speak for the entire group but for herself her beliefs were not universal. She said she thought it would be extremely presumptuous of her to make any such representations. She said that her interests were selective, although she thought it flattering to think that she might have an effect on international arrangements, such as with the PRG and the DRV.

The Ambassador said that he thought Ms. Kelley was unduly modest, that Ms. Kelley might think it a reasonable assumption that his judgment of the effectiveness of what she might do would likely be more accurate than hers. After all, he observed, Ms. Kelley was not unknown to Hanoi and the positions your group and the "peace activists" groups in the United States have taken are certainly clearly and favorably known to Hanoi. Therefore, the Ambassador said, the fact that their group would be concerned that there be some progress on the things for which the Agreement called,

and on which the conscience of the world would demand some action would, he could assure Ms. Kelley, have a considerable effect.

Ms. Kelley responded that in that case she would make every effort, though the time was very short, to somehow reach these people. She said she was very concerned about the limited areas where they could be effective and these limited areas of assistance are in terms of American tax money at a time when the American budget internally was very tight and that she thought this was an area where every American had something to say.

The Ambassador said he agreed that every American always had a right to have something to say. He had exercised that right all his life. The Ambassador went on to say that it was with the deepest conviction and the utmost seriousness that he had made the suggestions he had just advanced. The Ambassador said he could speak with some feeling on the subject. Having been Ambassador in Thailand for four years and watching what was going on over here, he had engaged in a long and bitter four year battle with Washington arguing about the extent of the military involvement we were making in Southeast Asia. The Ambassador said that it was his conviction that, while he thought we should give materiel and training to match that being given to North Viet-Nam by the Soviets and the Chinese, it was only the local peoples of Southeast Asia who had to make the decisions that had to be made and only they who could do the actual fighting. The Ambassador said that in 1967, when people were losing their heads over Viet-Nam, he wasn't, because he was already carrying his around in a basket. It had been lopped off because of the persistence and bluntness of the expression of his opinions.

However, just at this point in time he thought it was enormously important for Americans to be able to look back a half decade from now and say that whatever mistakes we made in Viet-Nam, in the end we began to do things right and it came out all right. He thought that the price we will pay if we are not able to do this would be an inward turning of such enormous proportions that it can have a devastating effect on the influence we can exert, and have to exert, if there is to be peace in the world. Therefore, he did not understand how anyone would miss an opportunity to push for a settlement which is just and decent and which will permit the people of both North and South Viet-Nam to get on with the ordinary business of living.

The Ambassador said that he was puzzled and hoped he could make one observation which would not be taken as personal but that he wondered whether when Ms. Kelley said she was being selective, she realized that, whether this was her intention or not, she was involved in a campaign which is deliberately designed to force the American Congress to limit the economic aid to the Government of South Viet-Nam. Ms. Kelley broke in to say that she was worried that she may have created a misconception since she had a record of trying to persuade Congress to limit American funds to Viet-Nam.

The Ambassador said that he was well aware of that, but the point he was curious about was the real purpose of Ms. Kelley's efforts. There were some who opposed on the grounds of what they believed to be more serious and urgent priorities on the domestic front. The Ambassador thought this a mistaken view since he believed America had ample resources for both. However, he could respect the honesty and conviction of one who disagreed. However, the Ambassador said, he found it increasingly hard to stomach the activities of those whose emotional involvement in the total victory of Hanoi was so great that they would engage in the most gross and deliberate distortions to deceive the American people to achieve that goal. The

April 4, 1974

Ambassador said that his emotional interest was involved only in where America comes out a half decade or decade from now, that he believed with the deepest conviction he was capable of expressing that if this does not come out well we will have set in motion an inward turning which is going to be enormously more costly to the people of the United States and which can endanger the possibilities of keeping peace in the world.

Ms. Kelley said that she wished to be completely understood. She thought cruelty and death exist all over the world and that she was not so presumptuous to think that she or people who thought as she did could end this sort of suffering. But she said that she did feel that each one of us has an area of responsibility. She said that this may come from her Christian background. She said that she did feel that very often with American involvement in a foreign country the end result is always bad as a result of the money that we have put in. That is not to say, Ms. Kelley said, that without this money this particular country could not create the same system, but it should not be done with our money. She said that she was concerned about the usage of American funds to cause possible pain in countries where we do not, may not belong. This is possibly because we do not have enough understanding. Ms. Kelley said that she was concerned that in attempting to exert American control over this narrow strip of land in this part of the world that we were going to harm ourselves as Americans.

The Ambassador responded that control over this or any other part of the world has never been an American objective. Our objective had always been simply stated, that because the use of armed force in a nuclear world is dangerous to all mankind we thought it useful to help South Viet-Nam avoid being taken over by North Viet-Nam by force of arms. He also pointed out that, as of this moment, American policy had been successful because North Viet-Nam has not taken over South Viet-Nam by force of arms, nor is it likely to in the future, if we maintain our resolve to provide the necessary materiel assistance for the next couple of years.

Dr. Webber asked the Ambassador what in his opinion was the best thing America can do now and in the future about Viet-Nam. The Ambassador replied he thought that the best thing America can do now and in the future is to realize that only part of what Ms. Kelley says was true, that the problem of peace and progress at home really cannot be divorced from what happens elsewhere in the world; that how we finish our commitment here will inevitably influence both, that there was a certain residual obligation which had been clearly undertaken in January of 1973 to furnish both military and economic support for the next couple of years which will see this country over the attacks which are now being mounted from the other side and get it on its way economically. The Ambassador said he was now very certain it need not take longer than this, and that this should not involve any direct military participation. The Ambassador said that he simply could not understand the twisted and distorted logic of what purports to be American liberal thinking which has been so enormously and devastatingly critical of American actions taken here and now seeks to evade the only logical further conclusion that if their criticisms were only partly right it would leave us with a certain responsibility. The only credible explanation is that their emotional involvement in a Hanoi victory is so great that no lie, no distortion is too gross and revolting to accomplish this objective.

Mr. Boone said that he thought it all boiled down to integrity of the leadership of the Government of Viet-Nam and he said that's what people are confused about. The

Ambassador said that he thought Mr. Boone had every good reason to be confused, taking into account the massive and concerted propaganda campaign that had been going on for quite a few years. Mr. Boone went on to say that he thought that if it is half as corrupt as we have perused in the public press he thought by golly that we really are in a bind because work and new visions for the future and all could just go down the drain. The Ambassador said that was possible, but he did not think it probable. He recalled to Mr. Boone the analogy he had made with the Commonwealth of Massachusetts and the City of Boston, noting that Mr. Boone had been a former Director of Corrections for the State of Massachusetts.

The Ambassador said he wanted to return to the fact that the group did have an opportunity at this point of time to make a very great contribution to the lessening of the intensity of the violence and to the bringing about of peace. And at an absolute minimum it could not help to fail to create conditions where peace can return here. Now, perhaps, the Ambassador said, Ms. Kelley was right, that you really should not intervene. The Ambassador said he had never accepted the theory that God wound up the clock and threw the key away, and that human beings can't do anything about it. Perhaps they were right, but he himself thought that there was at least a compulsion to try to do things that were decent and good, and at this particular point in time an enormous contribution in his judgment could be made if they were willing to make the effort. The Ambassador pointed out that the decision obviously had to be theirs, and theirs alone.

The Ambassador handed Dr. Webber a card with the telephone numbers of the North Vietnamese delegation on the Four Party Commission in Saigon and the telephone number of the delegation of the PRG in Saigon. He told the group that if they thought they could make a contribution, and he thought in all conscience that they had to make the effort, they could reach either of the delegations or both of them on these numbers.

Dr. Webber said that when one first arrives in Saigon and somebody says, if you think you know what's going on around here you haven't been here long enough, that is probably true. But Dr. Webber said that the point is back in the States it is very easy to feel, like when we signed the peace with Japan and Germany, that the war is over, that we demobilize our troops, and we now move in with aid, the Marshall Plan to reconstruct the country. Dr. Webber said, as I understand we are now learning that the war is still going on and that America cannot avoid continuing involvement in supplying that part of it for the sake of permitting the South Vietnamese to defend themselves. He asked if that was correct.

The Ambassador said that Dr. Webber's understanding was correct, the fighting was still going on and everybody who knew very much about North Viet-Nam knew that it would for a while until they understood that they simply could not prevail by force of arms. It was also true, as Dr. Webber had said, that America had a commitment to continue supplying the sufficient means to permit the South Vietnamese to defend themselves, that this commitment had been made only a year ago, that it was universally accepted by the people and by the Congress of the United States, and that he, therefore, assumed that America would continue to keep that commitment. It was important to understand what the commitment was not. It was not a commitment to intervene again. It was a commitment only to replace the losses on a one for one replacement basis on the military side. If the other side sticks to that we certainly will stick to it beyond any question.

It is not, however, wholly automatic that

that commitment will be kept. The Ambassador said that he was well aware that the groups represented by Dr. Webber and his friends were doing everything within their power to see that America did not keep its commitment. Perhaps, the Ambassador said, they would be successful. If so, he thought the United States would pay an enormous cost, a cost in its own self respect, a cost in a turning inward in a new kind of isolationism which would provide enormous dangers for the people of the United States and for the people of the world. Only our grandchildren, the Ambassador said, would really be able to calculate the full measure of the cost of not keeping this commitment for the next two years.

Ms. Kelly told the Ambassador that as an elected official she knew how vulnerable sources of information could be. Whether they come to her or not with information she said depends on how much they believe in her. There are many people in America who believe the prisons here are repressive beyond what most civilized nations would accept and that our share of this is a disgrace, giving our money with or without strings.

The Ambassador said that he had previously mentioned his professional admiration of the propaganda apparatus Hanoi had been able to marshal. He said that he thought Ms. Kelley really probably was not aware of the full measure of the apparatus as it extended within the United States. For example, the Vice Chairman of the PRG delegation to the two-party talks in Paris had recently given a tongue lashing to the American peace activists who had met him there saying that the peace movement in the United States was disintegrating, and that they were falling down on the job in getting the propaganda campaign within the Congress that needed to be mounted for this next appropriation cycle. Names of prisoners were furnished the American peace activists. The names were carefully misspelled. Vietnamese names are difficult at best, but with this deliberate misspelling they are impossible to identify. These names are put out to the peace activists in the States along with a manual of instructions, including some samples of letters to be sent to Congressmen asking for information about particular individuals. Since the names were deliberately misspelled, when the response came that they could not be identified, this added to the credibility of the charge of an attempt to cover up. In view of this concerted campaign of distortion the Ambassador said that he fully understood that many of the people in the United States thought as Ms. Kelley said that they did.

The Ambassador said that he was indebted to Congressman Dellums, who he thought was from her own district, for having put into the Congressional Record on October 31 of last year the entire manual of procedure to be followed by the peace activists in getting these letters started as a lobbying campaign, one of the most sophisticated the Ambassador had ever seen. So here again, we have the mastery of technique, the repetition, after repetition, after repetition of gross distortions of the facts as they actually are, continuously spread to decent people who hate repression everywhere until they are really led to believe that what they have been told is the truth about conditions in South Viet-Nam.

The Ambassador said, however, he doubted that the process would actually be wholly successful. He said that he had a deep and abiding conviction that one of the miracles of the modern world is the common sense of the American people once they are informed of the true facts, and there is nothing that so revolts the American people as an attempt to deceive them. The Ambassador said that he understood that there were now people in the Congress sufficiently



concerned with the lobbying effort to peddle these gross distortions to press for a full scale investigation to be organized to uncover the entire extent of the mechanisms, including that part which reached into the Congressional staffs. The Ambassador was certain that when the true facts were put before the American people that they would, as they have always in the past, make the right decision.

Ms. Kelley told Ambassador Martin that she would like to ask him a very delicate question, a very direct question, since time was running short and that is, would it be possible with his influence to get a group of representatives, neutral Americans, even from the Congress, from well respected bodies to go to the prisons and freely inspect them. Ms. Kelley said that by the Ambassador's arguments if we really are trying to equip this country to defend itself against the DRV, if this country becomes stronger, respected internationally, if we are providing means whereby they defend themselves, then she thought one of the greatest weapons for South Viet-Nam would be some sort of respect which seems to be lacking. Ms. Kelley said she thought the Ambassador could certainly help facilitate this part. She said that back home, I think most people do think the cease-fire is working, that there is no more war. But I think that many people feel that the last few years of sacrifice have been very agonizing. Ms. Kelley said she would like to forget about Viet-Nam and yet she felt that somehow she could not. She said she wanted to believe the cease-fire, that she wanted to believe that there were no such things as concentration camps as there were in World War II. She wanted to be able to go home and say, let's forget about it. She said she could not stand pain. The Ambassador said that he was way ahead of Ms. Kelley, that he had been trying for a long time to have just this be done. But the real problem was how one would determine the composition of such a group. For example, did Ms. Kelley really think that the group she was with was qualified to be accepted as neutral or objective. The Ambassador thought not, and that it was a pity for if they were truly objective what they would have to say to the American people would show up a record of distortion so gross and monumental that it would indeed be shocking. Ms. Kelley asked the Ambassador if he really, honestly thought that was true. The Ambassador said that he knew beyond the slightest shadow of a doubt that it was wholly true and that he was able to describe in detail from beginning to end the whole sorry process and that he was going to do everything within his power to see that the entire story was made available to the American people.

Dr. Webber asked if there were people in the Vietnamese Government whom it would be helpful for them to talk to. He said that they had only two days now free. He said that they would be delighted to talk to anyone that the Ambassador thought might be helpful in giving them a perspective that would help, that might be a corrective. The Ambassador said that he did not know whether this would be possible. He noted that the group had been in Viet-Nam for more than a week and a half out of their two week stay before they had even contacted the Embassy. Usually when groups wanted such assistance, they informed the Embassy before they had left the United States. It was almost, the Ambassador said, as if they had delayed getting in touch with the Embassy, knowing that the Tet season was just beginning when Vietnamese offices were totally closed, in order to make a record that the Embassy had refused to request assistance for them in their quest for "prospects for peace."

Dr. Webber said that they knew only on Friday at 3 p.m. that they would be leaving

the next morning at 10. That's when, he said, they finally dug up enough money from friends all over the place to come. He said it was a very tight squeeze. He said that one of the letters that the Ambassador had received came in the mail today. They were fighting to get between \$7,500 and \$8,000 to finance the trip. Dr. Webber said that no group supported them. He meant that there were no FOR or Quakers or peace groups who had put up the money. He said they begged it from all over the country. He said that he thought 100 women in Massachusetts dug up \$25 apiece for John Boone.

The Ambassador said that he had not been aware that a senior attorney of IBM, who we understood was a member of the group, would have had so much difficulty. But to be totally honest with them, even if the Tet season were not just beginning with the Vietnamese offices closed, the unfortunate juxtaposition of their arrival with that of another group, with which again the United States Government or this Embassy had had nothing to do, was too close to be considered by many Vietnamese as pure coincidence. One supposition that he had heard was that the suddenness of their trip came from the determination to have your group here at the same time to issue a report or to have a press conference which would counter anything favorable that the other group could conceivably say. The Ambassador said that he did not know whether this was true or not, but said that perhaps the group could tell him. Unfortunately this was the supposition that he would face in trying to arrange appointments for them.

Dr. Webber said that, well, the group did not want to embarrass the Ambassador. The Ambassador said that there was no possible way they could embarrass him. The fact was that he would very much like to help. He had always been responsive to any request made by a member of the House Foreign Affairs Committee and also because he was totally convinced that if the Vietnamese were to throw everything totally wide open to them, accepting the premise even with their admission of part of the group of their selective concern, that if their concern was as the Ambassador's to tell the whole truth whether it goes against the conventional grain of their peer group or not, then it would be a very useful exercise. The Ambassador did note that they had had no difficulty in securing their visas, that they had been able to travel throughout the Republic of Viet-Nam, that they had apparently seen anyone they had chosen to see, and he called attention to the difference in North Viet-Nam where he said, as far as he knew, only Mr. Don Luce and Cora Weiss had recently been admitted. The Ambassador asked if they had made any effort on their own to arrange appointments with Vietnamese officials, either before they had left the United States or in the more than a week and a half they had been in Viet-Nam. Mr. Boone replied that they had not yet made any attempt to make appointments. The Ambassador said that the Embassy would see what it could do. In the meantime, however, he thought there would be no problem in the group's seeing the North Vietnamese and the PRG delegations to act on his suggestion that they urge those delegations to facilitate the exchange of the prisoners and to agree to the prohibition of the mass weapons which could only kill innocent civilians. The Ambassador said he would be extraordinarily interested if they decided that they would really like to make a contribution to peace, a contribution which he thought would be enormously effective if they would only try.

Dr. Webber said that the group appreciated the Ambassador's support and his candor and his integrity. They said they were grateful, tremendously grateful. They said that the Ambassador had been a great help. The Ambassador said as a matter of curiosity,

would the group be in favor of giving economic aid to North Viet-Nam. Only Ms. Kelley responded saying that she really hadn't given much thought about it on this trip, but she would be very loath to give economic aid to any country right now without a clear assessment of the unfilled priorities in the United States which should receive attention. She would say, Ms. Kelley said, let's take care of our own. The best thing America can do now is to concentrate on its own internal problems. Ms. Kelley said that she thought that perhaps she could be classified as an isolationist. The Ambassador said that he was sorry to hear that. If it would help America, he would be all for it himself, but it really wouldn't work and would be a great danger to the world. Ms. Kelley said that she had been a great supporter to the Marshall Plan and of all the different aid programs, but felt that our power is so great and our control certainly should be too. The Ambassador said that he had never understood that the American objective was to gain control of other countries by its humanitarian impulses to give aid. Ms. Kelley responded that she did not give her child \$2,000, even if she had that much money, just to do with as he might wish. The Ambassador said that he was not aware that this had ever been done under any of the American aid programs. He said there was a general agreement on priority. The Ambassador said that he had participated in the Marshall Plan in Europe from the very beginning. It was carefully worked out where the money was to go, but it was by agreement, it was not by dictate from our side. But once having done that he had not thought that it was ever the American intention to exercise control over the countries to which America had given aid. Ms. Kelley said that she thought with a great deal of money comes a great potential for corruption and that she did not think that anyone would mind corruption if it didn't mean human pain and that her whole approach to this is in terms of limiting human pain. The Ambassador said that that was an interesting point of view and he hoped very much that she would have an opportunity to express that view to representatives of the regime in Hanoi.

The meeting closed with a question from Dr. Webber asking whether he might further impose on the Ambassador's time by bringing in Mr. Robert Ranson, a member of the group who was then visiting in the Danang area. The Ambassador said he would be glad to see him.

The following day, Thursday, January 18, Dr. Webber returned to the Embassy with Mr. Robert Ranson, introduced by Dr. Webber as a senior attorney with IBM. The Ambassador, again because of the request of Congressman Nix of the House Foreign Affairs Committee, broke already scheduled appointments to receive them.

The ensuing conversation, lasting more than an hour, covered much of the substance of the conversations of the previous day and is, therefore, not repeated here in detail. Only a few points were new. Mr. Ranson, when asked by the Ambassador if Mr. Ranson could give him the names of "political prisoners"—individuals in prison solely because of their opposition to the present Government of Viet-Nam—gave no names but instead launched into a criticism of the GVN "justice delivery" system, hitting particularly at long delays that he believed were common before arrested persons were brought to trial.

The Ambassador observed that IBM had extensive international interests in Europe, including France and Italy. The Ambassador assumed that Mr. Ranson was perfectly familiar with the "justice delivery" systems of those countries which were, as in the case of Viet-Nam, based on the Napoleonic Code under which pre-trial detention was based on quite different legal concepts than the Brit-

ish or American systems. Mr. Ranson said that, even so, the principle was wrong. The Ambassador said he was glad to note that Mr. Ranson's criticisms were, then, a matter of principle applying equally to France and Italy as well as to Viet-Nam.

Mr. Ranson made a point of his OSS experience in World War II, saying that he had been trained as a saboteur to be dropped into occupied France. In response to a question whether he had been prepared to carry out assassinations, Mr. Ranson replied affirmatively. The Ambassador said that perhaps explained why the campaign of assassination being mounted by the North Vietnamese did not seem to trouble Mr. Ranson, although the Ambassador did not share this view and did not believe it would be supported by most Americans.

The Ambassador again reiterated his views that the group could, if they so chose, make a unique contribution to stopping the killing of innocent children and civilians by getting in touch with the NVA and PRG delegations demanding affirmative action on both the civilian prisoner exchanges and the renunciation of weapons of mass terror. Dr. Webber said they were having some difficulties in getting through by telephone.

On the following day, Friday, January 19, the Ambassador again saw Mr. John Boone at the latter's request. The only new factor emerging was Mr. Boone's statement in response to the Ambassador's request whether the group had made contact with the NVA and PRG delegations. Mr. Boone said Dr. Webber had said he had tried to call the DRV/PRG telephone numbers, but they were "wrong numbers". (Note: A subsequent check revealed that the telephone numbers given were completely accurate and that the telephones were working.) There was no further direct contact with the group.

Further Note: Apparently the group called a press conference in the Continental Hotel on Thursday afternoon, January 18, where they distributed a statement and tried to interest the Saigon press corps in their "findings". At the conclusion members of the group asked whether the newsmen agreed with their "findings" on Viet-Nam. A reporter who was present said there was a dead silence. No one agreed. "It was", the reporter said, "a little sad." The statement could have been, and probably was to a large extent, written before their departure from New York. It was so blatantly and obviously a propaganda operation that none of the reputable correspondents, the TV, or the wire services would touch it. Only the New York Times filed a brief story.

JANUARY 18, 1974.

#### PROSPECTS FOR PEACE

We are a group of five United States citizens who arrived in Saigon on January 8, 1974, and have spent two weeks in a first hand study of conditions in South Vietnam, one year after the signing of the Paris agreement. (Of appendix for group members). We make no pretense of expertise but we have been overwhelmed by the wide variety of government of Vietnam violations of the Paris agreement that we have encountered. Our immense admiration for the courage and fortitude of the Vietnamese people continues to grow as we discover what they face from a repressive government and through long years of never-ending war. We came seeking signs of peace. We have met instead on every hand the reality of a cruel military regime. The only result of the Paris agreement that we can find is the return of American prisoners of war and the withdrawal of American military forces from South Vietnam. For Vietnam there is no peace.

Our visit has been brief but our experience has been intense. We have talked to U.S. Government officials, to the United States ambassador, to American civilian employees, and

to a wide variety of Vietnamese citizens: senators, deputies, ex-prisoners and the relatives of prisoners, refugees, people in resettlement camps and villages, journalists, students, farmers, clergy, people in every walk of life and on a schedule began in the early morning and continued until curfew. We have traveled to Quang Tri, Hue, and Quang Ngai and to Cantho in the Delta.

We are profoundly distressed to discover the dimensions of the continuing war and to hear, in the words of President Thieu, that the fighting is intensifying. We have heard the guns at night and seen weapons fired by day. We thought the U.S. had left the country (peace with honor, said President Nixon) only to find that the U.S. is supplying the weaponry of war and financing of repression.

We are profoundly distressed to discover that U.S. soldiers died for what is a ruthless military dictatorship that seems to reach into every area of life and leave no citizen untouched by fear. Our aid, even that intended for relief and development, is a primary source of funds for the military. Even coming from the United States, we are staggered by the scope and tragedy of corruption by government officials, seemingly at every level.

We are distressed by the justice delivery system. In long, poignant and personally devastating conversations with ex-prisoners and the relatives of present prisoners we have learned of torture that is routine and maltreatment that is universal in every prison and place of detention. We have seen back to village communities that can fairly be called concentration camps. We have visited a military court that by any standard is a travesty of justice. Our hearts bleed and our consciences cry out in pain at what we see our U.S. funds make possible.

We are prepared at every point to document these areas of distress in the testimony of those with whom we have talked, often in meetings held of necessity in cautious privacy.

We appeal to the American people in the name of peace to overcome their amnesia about Vietnam and ask how in God's name we can truly make amends for what we have wrought. We appeal to Congress to stop the funding of this oppressive military regime. We pray for peace and reconciliation for this land and its all its people.

#### APPENDIX

##### Members of the group

John Boone (52). Visiting professor, Boston University; director, National Coalition for Correctional Change, former Commissioner, Mass. State Department of Corrections; 20 years in field of correction.

Ying Lee Kelley (41). Councilwoman, Berkeley, California. Women for Peace (East Bay). Asian American Community Alliance.

Robert Ransom (54). Attorney, employed by a New York major corporation, National Steering Committee of Clergy and Laity Concerned, Gold Star parent (son killed near Quang Ngai, May, 1968).

Rev. George W. Webber (53). President, New York Theological Seminary; Chairman, National Steering Committee, Clergy and Laity Concerned; former pastor, East Harlem Protestant Parish, NYC.

Debrah Wiley (26). *American Report*, New York City. Covered Indo-China for three and one half years for *American Report*.

#### EMBASSY OF THE UNITED STATES OF AMERICA,

Saigon, Vietnam, February 12, 1974.  
Mr. MARTIN ENNALS,  
Secretary General, Amnesty International,  
London WC1X 8SP.

DEAR MR. ENNALS: In your letter of January 14, 1974, you inform me that, on the occasion of the first anniversary of the signing of the Paris Agreements on Viet-Nam, Amnesty International is writing to all four

signatories asking them to take immediate steps to resolve completely the lingering problem of civilian detainees in South Viet-Nam. You also enclose copies of letters you have written to the United States Secretary of State and to the President of the Republic of Viet-Nam.

I would like to make it absolutely explicit and clear that the remarks that follow are my own and are not to be interpreted as in any way reflecting the views of the Republic of Viet-Nam.

In your letter to me you ask me to note that in your letter to President Thieu you have drawn attention to the statement made by a former Second Secretary of the Embassy in a letter dated "31" (sic) April 1973, to a staff consultant of a United States Senator. You say that this letter (actually dated 3 April) "stated that 'somewhere between 500 and 1,000 non-communist dissidents' were being detained by the Government of the Republic of Viet-Nam." You go on to say that you would very much appreciate my commenting "on the apparent discrepancy between this statement and the frequently reported claim of the Saigon Government that it has no non-communist political prisoners."

Before doing so, a brief clarification might be helpful. You have omitted from the letter you quote, inadvertently I assume, phrases which, if included, would have conveyed a quite different meaning. The letter actually said: "Though we do not have precise figures, we estimate that the GVN now detains—somewhere between 500 and 1,000 non-communist dissidents, such as Madame Ngo Ba Thanh—". It is evident, therefore, that the letter made no such sweeping finding of fact as your selective quotation inferred. It admitted the absence of precise figures and clearly labeled the figures that followed as estimates. It further qualified the words "non-communist dissidents" by providing an illustrative example: "such as Madame Ngo Ba Thanh". Even so qualified, the imprecision of such reporting, without any evidence to substantiate or confirm what, at best, was a guess, violates the standards of American Foreign Service reporting set out by Ambassador Charles Bohlen in his recent book, *Witness to History*, to which this Embassy is endeavoring to adhere.

Nevertheless, although your letter displays, again unintentionally, I assume, a similar lack of precision in attempting to equate apples with oranges—"non-communist dissidents" with "political prisoners"—it does deserve a comment. To me, the incarceration and Siberian exile of Alesandr Solzhenitsyn warrants his classification as a "political prisoner". To me, the six million European Jews, between their arrest and murder, were "political prisoners". To me, the almost three thousand intellectuals and officials of Hue, between their arrest by the North Vietnamese in the 1968 Tet offensive and summary murder, were "political prisoners", as would be the additional 1,946 still missing, if they are still alive. To me all those imprisoned anywhere only because they are opposed by the regime which governs them are "political prisoners". As one who has been called a hopelessly old-fashioned liberal humanitarian, I am unalterably opposed to such oppression whether it comes from a regime of the right or a regime of the left, knowing full well that my lack of capacity for "selective outrage" violates the norms of current intellectual modishness.

Now, the use of the term "non-communist dissident", taken by itself, would not seem to me capable of the precise definition essential for meaningful comment on the "apparent discrepancy" to which you refer. For "non-communist dissidents" may circulate freely in South Viet-Nam if they have broken no laws. In fact, many are known to my staff and many are interviewed by the foreign press. Fortunately the additional qualification—"such as Madame Ngo Ba Thanh"—is helpful. In Washington, in early October, one



of my oldest friends, a great liberal former Governor of New York, and a former Ambassador both to Great Britain and to the Soviet Union, asked me whether I thought Madame Ngo Ba Thanh was a threat to the Government of Viet-Nam. I said I did not. He asked me why she was in prison. I asked him what he thought might have happened to a woman in the United States, who, having just concluded a hearing before our mutual friend Arthur Goldberg when he was a Supreme Court Justice, had accosted him as he was about to enter his car, flogged him with her umbrella, broken the windshield of his car, and then kicked him in his private parts. He said, "My God, she would still be in jail". I agreed and said that I thought this would also have been the case in Sweden, Denmark, The Netherlands, Great Britain, Canada, the United States, or any other country where respect for the processes of justice precluded such savaging without punishment of those engaged in the administration of justice by contempt of court. I said Madame Ngo Ba Thanh was now free, free to stay and continue to criticize, or free to leave the country should she so choose.

On the basis of the above clarification of the terms you have used, I am able to inform you that I am unable to confirm any discrepancy between the comments in the letter to which you refer and the statement of the Republic of Viet-Nam that it now holds no non-communist political prisoners.

I note that the Stockholm Conference is preparing to meet again to seek the coordinating lines for the coming propaganda offensive. I note further that a Vice Chairman of the so-called Provisional Revolutionary Government of South Viet-Nam, has met in Paris with a small group of the tattered remnants of the American "peace movement". He sent them home to the United States, after a severe tongue-lashing on the disintegration of their cadre within the United States, with instructions to mount an all-out offensive in the Congress to deny all assistance to the Government and people of South Viet-Nam. In the remote event of their success, the most massive irony will be that, in so doing, they completely eliminated any possibility that the Congress of the United States would approve extension of economic aid to Hanoi.

Through more than forty years of public life, I have consistently and unswervingly supported the goals and causes which Amnesty International purports to espouse. It is, therefore, with great sadness, Mr. Secretary General, that I am forced to conclude that those who manipulate the Stockholm Conference are probably correct, in their internal private and confidential appraisals, in now listing Amnesty International as one of those organizations most susceptible to unquestioningly pushing whatever propaganda line they wish it to pursue.

And that is, truly, a very great pity for there is so much to be done. There is so much that Amnesty International could do were it to return to the "unselective outrage" against injustice that marked its creation and which, I am certain, is still the aim of the distinguished Patrons listed on the masthead of your letter.

I remain, Mr. Secretary General, as ever,  
Sincerely,

GRAHAM MARTIN.

#### FAIR LABOR STANDARDS AMENDMENTS OF 1974

**HON. CHARLES E. WIGGINS**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1974

Mr. WIGGINS. Mr. Speaker, I am today inserting into the RECORD an

explanation of my reluctant opposition to the conference report on the Fair Labor Standards Amendments of 1974.

The legislation increases minimum wage benefits to a large category of American workers. Surely such an increase, in annual increments as proposed in the legislation, is fully justified by the alarming rise in consumer prices. But as is so often the case, even needed legislation can be fatally flawed by the overexuberance of its sponsors.

The defect in the conference report which has forced me to the conclusion that it should be rejected is its treatment of local firemen.

When the minimum wage legislation was considered in the Senate, that body extended full wage, hours of work and overtime provisions of the act to firemen. The wage provision will be of no consequence because firemen uniformly earn more than the Federal minimum wage. But the hours of work and the overtime provisions would be devastating to every city in my congressional district. The Senate proposal would have approximately doubled the cost of local fire protection by forcing cities to employ firemen on a three 8 hour shift basis. This enormous increase in cost would drive local tax rates up or, alternatively, would force cities to reduce the quality of their fire protection.

The House recognized the unworkability of the Senate bill and deleted the coverage of firemen. I supported the House bill. But the compromise of this issue by the conference committee represents an acceptance of the Senate's position and a rejection of the wisdom of the House. The compromise does not destroy municipal finances in 1 year; it does so in phases. But the end result is the same.

I understand and appreciate the desirability of compromise when deciding upon important legislation. However, as it pertains to firemen, the compromise has serious philosophical and practical applications.

Philosophically, the conference report fails to fairly reconcile the underlying difference between the Senate and House versions of the bill. Whereas the Senate favored forced compliance with the dictates of the bill by all public servants including firemen, the House recognized the wisdom of exempting firemen from Federal control. Yet, the philosophy that embodies the conference version of the amendments directly contravenes the will of the House. The conference report advocates, not immediate full Federal control of firemen's hours as urged by the Senate, but instead, a staggered, more long term application of Federal controls. This position is the apparent reconciliation of the divergent philosophies of the House and Senate. However, far from representing a compromise, this position yields to those desirous of extending the Federal domain. Any doctrine by which firemen face Federal sanctions, either immediately or 9 months hence, is an acceptance of the philosophy of extreme Federal protectionism to the full exclusion of local autonomy. Obviously it is no compromise at all; the desire of the House to maintain local control of fire

protection is not being compromised—it is being forsaken.

Philosophy and practicality are inextricably tied in the Fair Labor Standards Amendments. Pursuit of a philosophy of expansive Federal controls and attempts to put that philosophy in practice will have a deleterious effect on local fire prevention services.

By mandating one uniform set of controls for the entire Nation, this legislation will be unable to effectively respond to and compensate for local variations in fire fighting services. Granted, some localities may benefit from this Federal regulation, but it cannot be denied that other local jurisdictions will lose by it. Indeed, the greater part of the Western United States is presently operating on work schedules that are above the maximum set by the compromise. To force these jurisdictions to obey one rigid set of requirements countermands the dictates of practicality and is tantamount to ineffective fire protection. As expressed by many firemen—the very people this section of the bill is designed to benefit—Federal guidelines will result in a lack of professionalism and thus a decrease in the quality of the service. In addition, local costs will skyrocket due to both the overtime provisions of the bill and the restrictions on hours worked per week. It is not unrealistic to believe that localities will be unable to absorb this increased cost. Consequently, the quality of fire protection will be ruinously compromised.

All of this is illustrative of the undesirability of the Federal Government imposing its will on a uniform basis with respect to firemen across the United States. The intent of the government's will is of course laudable; I do not oppose reasonable extensions of the Fair Labor Standards Act. However, when these standards are so rigid so as to work for the advantage of some, to the detriment of others, serious reconsideration should be given to their feasibility. Let us not extol the benefits of a bill that jeopardizes the best quality of fire service for the sake of expediency. The best forum for considering fair labor standards for firemen is local government. These units are well informed as to specific local conditions, responsive to local needs and thus best able to act in a fair and efficient manner.

#### URBAN PLANNING, HISTORIC PRESERVATION, AND THE DISTRICT OF COLUMBIA

**HON. FORTNEY H. (PETE) STARK**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1974

Mr. STARK. Mr. Speaker, Tuesday I presented testimony before the Advisory Council on Historic Preservation. The Council is considering a case involving the General Services Administration's actions in demolishing historic properties to make room for a proposed Federal Home Loan Bank Board building. The properties involved had been determined eligible for historic preservation by the Secretary of the Interior, but GSA pro-

ceeded with their destruction plans in violation of the letter and spirit of Federal statutes.

The case at hand is an important precedent for the District of Columbia. It is imperative that we quickly establish a realistic and comprehensive planning policy for Federal buildings in the city. It should be a policy that will encourage economic and psychological stimulation for our urban renewal areas and protect and preserve the important monuments of our past.

I would like to share my remarks with my colleagues and solicit your support for our efforts to see Washington develop as a model city for the Nation:

TESTIMONY BEFORE THE ADVISORY COUNCIL ON HISTORIC PRESERVATION, APRIL 2, 1974

Members of the Council, I appreciate this opportunity to come before you and testify on the proposed FHLBB building. I have been involved with this issue since last summer when, as Chairman Diggs' representative to the NCPH, I lead an unsuccessful effort to have the FHLBB locate their new building in the urban renewal area of the city.

Since that time, I have followed the events and procedures involving the proposed site. I would like to express several concerns I have and encourage you to consider these points as you develop your report and recommendations.

Although you are familiar with the chain of events in this case, I would like to quickly recap my own understanding and involvement.

In early February, I was contacted by the Council's staff because of my previous efforts in the case. Your staff informed me that they were negotiating pursuant to Section 106 of the Nat'l Historic Preservation Act of 1966, with the GSA and that it was likely that a Memorandum of Agreement would not be forthcoming in the near future. The next step would be a public meeting on the case and I agreed at that time to participate in the meeting.

There was little question in any of our minds that we had a rather simple, even text book example of what the Advisory Council was all about. GSA intentions were to destroy and adversely affect several historic structures. The Council has been established to insure that adverse effects are only agreed to after all other alternatives are given due, careful and sincere consideration.

There were several structures affected that were either listed or eligible for listing on the Nat'l Register for Historic Places.

GSA's contention that the buildings they quickly and surreptitiously demolished on Sunday, March 3, were not eligible for historic preservation is a pretentious fallacy. Although GSA failed to comply with Federal regulations and declare the buildings eligible for protection, the Department of the Interior, pursuant to Section 203 of PL 89-665, exercised its authority in this area and informed GSA of its findings. On February 20, GSA received a letter from the Department of the Interior which stated in part:

"The Winder Building Annex is attached to and an integral part of the Winder Building itself, which is already listed on the National Register of Historic Places. As such, it is entitled to protection under Section 106 of the National Historic Preservation Act of 1966. The Secretary of the Interior has also determined that both the Nichols Cafe and the Riggs Bank appear to meet the criteria for inclusion in the National Register.

"This determination is made to advise you that the General Services Administration should follow the other relevant procedures contained in Executive Order 11593.

"We appreciate your assistance in implementation of Executive Order 11593 and

GSA's continued interest in historic preservation."

On February 28, in a letter from Secretary Morton to Mr. Sampson, the Secretary made the point even clearer. . .

"It has come to my attention that construction of the Federal Home Loan Bank Board Building on the site now proposed for it would most likely have a detrimental effect on the Winder Building. . . Being registered, the property (the Winder Building) is subject to the provisions of Section 106. . . and I am pleased to learn that the requisite review procedures have been initiated.

"This is also to let you know that the two adjoining buildings (the Nichols Cafe and Riggs buildings) . . . are eligible for inclusion in the National Register. . ."

It is quite clear that Mr. Sampson was aware of the protection these buildings deserved, but decided to proceed with the demolition in willful violation of the law.

The decision to proceed with the weekend activity also followed repeated assurances from GSA that the buildings involved would not be demolished until the negotiations between GSA and the Advisory Council were resolved.

During the week of February 22, I engaged legal counsel, Mr. Patrick Macrory of Arnold and Porter, to seek a temporary restraining order to halt all demolition activity on the site. Mr. Macrory was informed by Mr. Robert Rice of GSA's Legal Counsel that the order would not be necessary because GSA would only demolish one non-historic structure and then cease activity pending resolution of negotiations with the Advisory Council. As late as Thursday, February 28, Mr. James Stewart, Project Manager for the case, assured my office that "the buildings would not be taken down behind our backs.

On Friday, March 1, GSA continued their facade of cooperation by negotiating with the Advisory Council. It was only because of these commitments by GSA that we agreed to postpone any court action. We now see that these camouflage efforts were designed to protect GSA's decision to demolish the buildings at the first opportunity.

In a letter Mr. Sampson sent Congressman Thompson and I after we had questioned his agency's actions in this case, Mr. Sampson denied that GSA followed a "willy-nilly" demolition policy.

I agree with Mr. Sampson, GSA did not proceed "willy-nilly" in their demolition activity. It was a deliberate, conscious path designed to insure that the final resolution of this situation would be favorable to GSA. If GSA had succeeded in removing all the structures on the site before the court's restraining order, all preservation arguments would have become moot. It seems clear to me that the demolition decision was made after it became obvious to GSA that their actions were in violation of Federal statutes and that the Department of the Interior, the Advisory Council, and my office had adequate information and evidence to halt their actions.

I am amused by Mr. Sampson's contention that GSA is voluntarily informing the Council of the adverse effect the project will have on historic structures. Until quite recently, the word "voluntary" never appeared in GSA's position. On September 17, 1973, when GSA first contacted the Council about the project, they stated:

"This letter constitutes the beginning of Section 106 proceedings in this case."

There was no mention of GSA's "voluntary" compliance with the law, but rather, GSA knew the law and originally had intended to negotiate with the Council.

As recently as February 27, 1974, just four days before the demolition began, GSA wrote the Council and stated:

"We look forward to continuing Section 106 consultations for this project."

Mr. Sampson has fabricated this argument

as an 11th hour attempt to justify his agency's illegal actions. His reference to the exemption in the authorizing legislation is inaccurate in that it was the intent of Congress that zoning exemptions be available to the Bank Board to facilitate their building plans. I am skeptical of the credibility of his contention of exemption since GSA never mentioned this argument until events forced them to seek a justification for their arrogant behavior.

Since September, GSA has proceeded in bad faith. They have conferred with and solicited the advice of the Council while continuing to issue demolition contracts. They have agreed to protect buildings subject to the Council and the Interior's consideration and then maliciously destroyed in one Sunday important and irreplaceable monuments of our past. I do not believe that their press release, issued late on the Friday before the destruction began, constitutes sufficient public notice. GSA failed to notify my office, the Advisory Council, the Department of the Interior, or any other group or individual involved or interested in the case. The only conclusion I can draw from this action is that GSA knew damn well that they were proceeding in violation of letter and spirit of the law.

I would strongly recommend to the Council that it begin its report on this case by requesting GSA rebuild the site to the condition that existed on Friday, March 1 (prior to the demolition) before any consideration of alternatives is begun.

We know that it is possible to build the new in harmony with the old. We are here today in Jackson Place, one of the finest examples of that process. GSA has never given serious consideration to this alternative for the site. Although they were instructed to do so last summer, their presentation of alternatives shows that none except the original plan on the original site was ever fully explored. In fact, in a January 31 meeting between GSA and the Council's staff, it is my understanding that Mr. Stewart, Project Manager for the FHLBB project admitted as much.

Surely GSA should not be permitted to use their illegal actions as an advantageous argument to proceed. If the site is not restored to its previous condition before alternatives are considered, GSA will have been at least partially successful in their efforts to moot our historic preservation arguments. I believe this is a serious precedent that we should not allow to stand unopposed or uncorrected.

Once the site has been restored serious consideration should be given to what I consider to be the two alternatives on how to proceed. GSA and the Bank Board can submit new plans and designs for the building that would incorporate and complement the existing historic structures. As I said before, this has been done quite successfully on numerous occasions and if the consultant now assigned to the project is incapable of producing such an alternative then a new consultant with the necessary background should be retained. The members of the Council and others here today have more expertise and background in this area and I will defer to you to expand the guidelines for this alternative.

I would, however, like to strongly endorse another plan which I would encourage the Council to consider and hopefully, recommend. That is that the FHLBB building should not be built on the 17th & G site at all. There are numerous locations within the urban renewal section of this city that can accommodate and benefit by the type of project the Bank Board has suggested.

The decision by the Bank Board and GSA to build outside the urban renewal area has sparked a controversy between the members of the Board and some members of the National Capital Planning Commission supported by eleven members of the House Committee on Banking and Currency. The issue,



of course, is a much larger one, and one that eventually must be settled between the federal government and the District of Columbia. It is centered around the question of whether or not the federal government, as a developer or landowner, has a responsibility to help meet the economic and social needs of the city in which it resides.

The Federal Home Loan Bank Board has been trying to relocate for several years. An amendment to the Federal Home Loan Bank Act in 1965 authorized the Bank Board to acquire and build a new headquarters, using the General Services Administration as purchasing agent. Various obstacles over a six-year period, however, delayed and ultimately precluded any possibility of construction on several proposed sites. In late 1970, the Chairman of the Bank Board authorized a new site investigation to be carried out within a geographic area west of the White House. The boundaries were Constitution Avenue on the south, K St., N.W. on the north, and 23rd St., N.W. on the west. The implications of these boundaries were quite clear: the Bank Board felt that a new headquarters in this area would appropriately complement the dignified and prestigious image of the Federal Home Loan Bank Board. In an environmental impact statement prepared by the General Services Administration (GSA), the first reason given for vacating the present headquarters was the belief that the Board "was not housed in a dignified and appropriate office building suitably reflecting the stability and importance of the agency and the institutions with respect to which it exercises its regulatory and insurance functions." The Board felt that a suitable location could only be found within those blocks west of the White House.

The first objection to this site selection procedure was raised at the National Capital Planning Commission meeting of June 28, 1973. I suggested, with the support of other Commission members, that the Board pursue further study of alternate sites. The members of the Commission accordingly voted to defer action on the G St. site until an analysis of alternate sites in the downtown urban renewal area was provided.

An interagency task force report revealed what many of us had held—that there were seven sites in the urban renewal area conforming to most of the specifications and requirements of the FHLBB. Downtown Progress, the non-profit corporation formed in 1960 to help revitalize the downtown area, similarly concurred in endorsing sites just east of the White House-Treasury complex. But at a subsequent meeting of the Commission, by a vote of 6-5, further exploration of alternatives was halted and approval was granted the 17th and G St., N.W. site.

I have attached to my testimony, and request it be made a part of your record, the report NCPD received outlining these urban renewal alternative sites. The report shows that these locations meet the criteria established by the Bank Board and GSA save one—they are not prestigious "locations." I do not believe, however, we should acquiesce to "prestige" so quietly. The basic question at stake is too critical to the future viability of the District as a financial entity to be lost by tacit consent. The responsibility for successful urban planning has been borne throughout the country by a coalition of business, government and social planning representatives. The failures have been marked. But where progress has been made, it is due to the notable amount of cooperation between the many interests at stake. The savings and loan industry has traditionally been the most constant and encouraging partner in any effort. That cooperation, though, is sorely lacking in the District.

There have been many landmark rehabilitation projects initiated with assistance, funding and supervision of local S&L's. Downtown Pittsburgh and Oakland, Califor-

nia are two of the most notable examples. In neither case would the project have been possible without the express approval of the FHLBB. The Bank Board, as intended by its authorizing legislation, is one of those government agencies most committed and dedicated to the public good. Its stated purpose has always included the stimulation of new home building and related neighborhood growth. While it is, indeed, the member savings and loans who are directly involved, the motivating spirit is provided by the regulatory agency.

Why, then, doesn't the FHLBB act in its individual capacity as director of the collective S&L industry? Apparently the Board's commitment to revitalization is limited to written guidelines for its member institutions.

Anyone familiar with the downtown urban renewal area of the District knows of the crying need for large scale building and business. The trend of growth west of that area which began over twenty years ago is continuing. Office building and commercial development that was at one time centered in the so-called "Wall Street" area on 15th St., N.W. moved west along the "K Street corridor" as far as 23rd St., and north to Dupont Circle.

The prestige associated with a business address in this section of the District is well accepted. The FHLBB, however, carries so much prestige in its own name that a Bank Board building would actually bring a great deal of prestige to the surrounding neighborhood. This image would also be heightened by the sort of office building planned. The Bank Board and the NCPD, as well as others, are in agreement that the structure shall have arcades at the ground level for commercial purposes. This use of accessible areas of the building would make it a thriving and attractive public center as well as a dignified and stately financial nucleus. In view of the present "wait and see" attitude expressed by private developers regarding the downtown area, this would surely be the first step in a long trend of rebuilding.

The factors which may seem prohibitive to a small firm considering locating east of the White House do not, however, apply in the case of a large, self-sufficient government agency that acquires, builds and occupies an entire office building. Such an agency does not have to be concerned with finding suitable tenants to occupy surplus space. There is no problem of maintaining a constant rental intake to meet overhead requirements. The only substantial cost factors involved for a government agency are those associated with acquiring land and construction. In this case, the costs of acquiring a site and of subsequent construction are less than for comparable space in prestigious neighborhoods. A study on this subject done for the National Capital Planning Commission estimates that savings realized per square foot between the "K Street corridor" and the downtown urban renewal area, for comparable office space, is often more than fifty cents per square foot.

I do not understand that increased costs might be incurred by the FHLBB if a change of site were to be made at this late date in their planning. This, then, is the only cost differential of any magnitude involved in the controversy. Are the increased costs of the selection of a new site, in the urban renewal area, justifiable in terms of the long-term financial benefit that will accrue to the city?

From a purely fiscal point of view, it must be noted, however, parenthetically, that the site now contemplated for the FHLBB at 17th and G Sts., N.W., would yield substantial tax revenue to the city if privately developed. Equally lucrative private development cannot be anticipated at this stage of development in the downtown urban renewal area.

More critical in terms of long-term financial benefit is the incentive for growth that the FHLBB headquarters would provide the surrounding neighborhood. This cannot be quantified, but all concerned authorities in the city concur in its magnitude. It would provide valuable, and long overdue, stimulation.

Additionally, GSA and the Bank Board's posture throughout this affair, their refusal to sincerely consider alternatives, their hypocritical rhetoric on historic preservation and urban development, and their illegal actions in destroying protected property should be considered when we decide the cost questions. It would be an horrendous precedent to allow the agencies to benefit from their uncooperative and illegal behavior.

Resolution of this question is not likely to come easily. The members of the Bank Board have so far stood firm in their intention to build on the site just west of the White House. They have not been swayed by the entreaties of NCPD members, members of Congress, Downtown Progress, or any others working for downtown development. Legislative recourse is available, if necessary. Both the House Committee on Banking and Currency and the House District Committee have jurisdiction to compel the FHLBB to locate elsewhere. . . .

I cannot urge strongly enough that the Council's first recommendation of disposition in this matter be that the Bank Board and GSA find another site for the building. One that does not infringe on historic properties and one that would positively benefit the city in the unique ways that the project offers.

In closing I would like to repeat a request I made when I submitted preliminary material to the Council for its consideration. Your report and recommendations will be of invaluable use to those of us concerned and involved in this issue. Pursuant to your authorizing legislation and the rules and regulations you have subsequently published, I would respectfully request that a copy of your findings be forwarded to the House District of Columbia Committee for its formal review and consideration. The case at hand is indeed a precedent. Both for the Council and your ability to enforce your regulations and for the District and its ability to influence and sanely plan the buildings that will go up.

Again, I appreciate this opportunity to share my thoughts with you and eagerly await what I hope will be a forceful and positive report.

Thank you.

#### EDITORIAL CALLS FOR ELIMINATION OF OIL COMPANY TAX CREDITS FOR FOREIGN INVESTMENTS

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1974

Mr. EVINS of Tennessee. Mr. Speaker, the McMinnville Southern Standard, a splendid progressive newspaper in the district which I am honored to represent in the Congress, in a recent editorial entitled "Oil Industry Profits," concluded that:

It is in the area of tax credits granted to oil companies for payments made to foreign nations in the guise of taxes and in the area of depletion allowances that our lawmakers might find the most fertile fields for reform.

Certainly this is a worthwhile and timely observation, and I want to include in the RECORD herewith this editorial from the Southern Standard because of the interest of my colleagues and the American people in this most important matter.

The editorial follows:

[From the McMinnville Southern Standard, Mar. 11, 1974]

#### OIL INDUSTRY PROFITS

The Senate has given its approval to a bill—batted back and forth between House and Senate since the waning days of the 1973 congressional session—that would give President Nixon broad powers to deal with the energy shortage, including gasoline rationing.

There may be some question of Senate sincerity in its bid to come to grips with the fuel crisis, however. House concurrence has been assessed as questionable and White House spokesmen have declared emphatically that the proposal would be vetoed by Mr. Nixon.

At issue is a provision to roll back crude oil prices to a ceiling of \$7.09 a barrel, a revision worked out in a House-Senate conference of an equally controversial plan to tax excess profits of the oil industry.

And there is persuasive justification for doubts that clamping a lid on oil prices or denying the oil producers reasonable profits is the proper approach to the goal described in Washington as "breaking the back of crisis."

Conservation is only the first step in the nation's quest for energy independence.

Billions of barrels of oil remain untapped beneath the outer continental shelf off America's coastlines, on Alaska's North Slope to be made available by the Alaska pipeline and in the shale reserves in the Rocky Mountains. To harvest the fuel will require huge amounts of capital. In addition, according to the American Petroleum Institute, the equivalent of 60 new refineries will be required to process the new oil.

Hard reality demands recognition in Congress of the relationship between profits and investments.

At the same time, the oil industry cannot be allowed to enjoy a profit situation that does not provide the incentive for exploration of new resources, while benefiting from tax concessions aimed at encouraging development.

And it is in the area of tax credits granted to oil companies for payments made to foreign nations in the guise of taxes and in the area of depletion allowances that our lawmakers might find the most fertile fields for reform.

These tax breaks, no longer warranted in the grim fuel situation, are a proper target for Congress in its drive to relieve the burdens of the American consumer and taxpayer.

#### DEMOLAY CHAPTER SCORES AGAIN

#### HON. ROBERT McCLORY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1974

Mr. McCLORY. Mr. Speaker, last year it was my privilege to insert in the CONGRESSIONAL RECORD a tribute to the Anchor and Ark chapter of the Order of DeMolay. The chapter, comprised of young men ages 13 to 21—presently has 26 members who live in the Waukegan, Zion, and Winthrop Harbor communities of Lake County, Ill.

The only DeMolay Chapter in the State of Illinois which reached 100 percent of its membership goal for 1973—Anchor and Ark's officers are George Merelos, master counselor; Thomas G. Love, Jr., senior counselor; William Holliday, junior counselor; Charles Lofton, past master counselor. The Dad Adviser is Thomas G. Love, Sr., past master of Masonic Lodge No. 78 in Waukegan.

In observing National DeMolay Week and the 53d anniversary of the founding of the order, these Anchor and Ark Chapter members attended church services as a body, visited various local Government offices in the Lake County Building, and were guests of the Honorable Robert Sabonjian, mayor of Waukegan, who accompanied them as they lowered the flag over the Municipal Building at the "close of business."

Radio stations WKRS in Waukegan, and WZBN in Zion, featured the chapter by guest appearances of the members, and the members and their families were pleased to know that the general communities are informed of their daily efforts to exemplify good citizenship.

Once again, I salute these young Americans whose patriotism, religious dedication, educational achievements, and closely knit family ties mark them as the leaders of tomorrow.

#### HOUSE CONCURRENT RESOLUTION 470

#### HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1974

Mr. DERWINSKI. Mr. Speaker, I have today introduced a House concurrent resolution which expresses the sense of Congress with respect to the American League's assumption of responsibility for any loss in revenues for the Robert F. Kennedy Stadium that may occur as a result of the Washington Senators having been moved from the District of Columbia. I introduce this bill today on the occasion of the 1974 opening of the major league baseball season.

As the Members will recall, the American League voted 10 to 2 to permit Robert Short to move the club to Texas. Recently, the National League turned down the effort to move the San Diego franchise to Washington.

When the Congress enacted the District of Columbia Stadium Act of 1957, it was with the understanding that a major league baseball club would use the stadium. Inasmuch as the revenues derived from the rentals paid by such a club are essential to the independent operation of the stadium, failure of the major league baseball club to place another team in Washington has made the stadium a white elephant since the end of the 1971 season.

The \$19,800,000 worth of bonds that were issued in 1960 will mature in 1979. As the annual interest on the bonds is \$831,600, the interest bill for the 19 years will amount to \$15,800,000, thus making the total cost of the stadium \$35,600,000.

While the stadium is being used for football and other activities besides baseball, the revenue sharing produced therefrom is insufficient to meet the annual interest payments, retire the bonds, and pay for maintenance. Only a dozen professional football games are played in the stadium, while major league baseball would have over 70 playing dates during a season.

The Congress did pass legislation that provided millions of dollars for a baseball stadium. If it can enact such a measure, surely it can pass other legislation to require the American League to compensate the proper government entity for the loss of revenue directly sustained by league action.

Mr. Speaker, if a bill such as I have introduced should be adopted, which would force the American League to have a major baseball team moved into the District of Columbia or have a financial penalty imposed on the league, it would be a practical vehicle to correct the league's actions which has had the effect of bankrupting the D.C. Armory Board.

Mr. Speaker, as a sports fan, I believe that Washington deserves a major league baseball team; but as a Federal official, I believe that the American League, not the taxpayer, should bear the burden of the loss of revenue which the D.C. Armory Board suffers from since big league baseball left Washington.

#### STUDENT RECORDS: A PROPOSED STRATEGY FOR PREVENTING ABUSES OF THE RIGHT TO PRIVACY—I

#### HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1974

Mr. KEMP. Mr. Speaker, as I reminded this House during our colloquy earlier this week on the right to privacy and measures to further safeguard protections of that right, on some issues there can be no retreat from our resolve to avert certain wrongs. Certainly, the insuring of adequate safeguards to protect the individual's right to privacy is such an issue, for when rights are threatened, no measures are adequate unless they guarantee the protection of those rights.

The right to privacy is the right to be let alone, the right to be left alone. It is a right which forms the basis for such protections of the individual as those which shield him or her from unwarranted searches and seizures, electronic surveillance, snooping investigations and "fishing expeditions," and the inspection of personal papers, records, and effects. Support for the individual's right to privacy runs deeply in our Anglo-American heritage.

This right is exercisable by anyone, at any time in their life, as well it should be, for the gathering of information about one begins in our society today even before birth. And when that information gathering process starts, so too must protections against improper disclosures and uses be made operative. That is why the entire subject area associated with



the protection of the rights of parents and pupils alike against improper disclosures and uses—actual or potential—has become a matter of substantial interest—and concern—to me. I believe we must move now, at all levels of government associated with formal education, to strengthen the right to privacy in this subject area.

Few observations on the need to protect students—yes, even small, young schoolchildren—against invasions to their privacy could better be cited than that of Alexander Solzhenitsyn, the courageous voice of human conscience who was recently expelled from the Soviet Union for his disclosures of the extreme abuses of individual rights in that society, in his classic work, "Cancer Ward":

As every man goes through life he fills in a number of forms for the record, each containing a number of questions. . . . There are thus hundreds of little threads radiating from every man, millions of threads in all. If these threads were suddenly to become visible, the whole sky would look like a spider's web, and if they materialized as rubber bands, buses, and trams, people would all lose the ability to move, and the wind would be unable to carry torn-up newspapers or autumn leaves along the streets of the city. They are not visible, they are not material, but every man is constantly aware of their existence. . . . Each man, permanently aware of his own invisible threads, naturally develops a respect for the people who manipulate the threads.

Each of us should read and reread this observation. Its insight is profound. There are lessons here—lessons for us.

#### CUMULATIVE STUDENT RECORDS

Educators have constructed elaborate information gathering and storage systems, all in the name of efficiency, 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 technology and the widening employment of that technology and the widening employment of that technology by a social system increasingly bent on snooping.

The growth of student records 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 child. Out of that context grew such specific actions as the National Education Association's 1925 recommendation that health, guidance and psychological records be maintained for—on—each pupil, and the American Council on Education's 1941 development of record forms that gave more attention to behavior description and evaluations and less to hard data on 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.

Never let it be said by anyone that my intention is to imply sinister motives among educators. Quite to the contrary, I am confident that the preponderant majority of them participated in the establishment of these elaborate student record systems out of good motives. I am

equally as sure that many of them now share with me my concern over their potential misuse. I know, for many have expressed that concern to me.

#### WHAT IS TO BE DONE?

What is to be done?

A significant contribution to answering that question has been made in an informative, strategy-oriented research paper, authored by Sarah C. Carey, attorney at law, as assisted by Kay Lucas, a law student at Georgetown University only a few hundred yards from this Capitol.

Counselor Carey was formerly the assistant director of the Lawyer's Committee for Civil Rights under Law, and is presently associated with a Washington law firm.

This paper was brought to my attention by the National Committee for Citizens in Education, in Columbia, Md.

Counselor Carey's paper sets forth a strategy, at law, for preventing abuses of the students' and parents' rights to insure the confidentiality and proper use of information contained in pupil records.

I do not necessarily agree with each and every point made or recommendation proposed in the paper, but I do believe that is a contribution to this area of singular quality.

Mr. Speaker, at this point in my remarks, I include part I of the text of this paper:

#### STUDENTS, PARENTS AND THE SCHOOL RECORD PRISON: A LEGAL STRATEGY FOR PREVENTING ABUSES—I

(By Sarah C. Carey)

Elementary and secondary students in the nation's public schools are in danger of becoming locked into a records' prison that threatens to label them for life with personality, intelligence, behavioral and medical assessments based on highly questionable techniques. Not only are these assessments of dubious validity in the first place, but because they are viewed as the tools of "educational professionals" they are shrouded in secrecy and often withheld from the child and his parents. This means that the parent's responsibility for the basic decisions concerning his child's education and upbringing is seriously undermined because he is denied access to the data that the professionals hold out as the underlying justification for their recommendations. In addition, the schools frequently make the same materials that they deny to parents available to law enforcement officials, officers of the juvenile justice system and representatives of welfare, health and other non-school agencies interested in the performance of the child or his parents.

This article takes the position that basic records on a child's performance in school, including his academic and extra-curricular skills are clearly necessary for both the child and the school. Some assessment test and techniques may also be valid, but the voluminous subjective or unverifiable material that goes into a child's file in many school systems, including anecdotal comments by teachers, counselor's reports, disability assessments, disciplinary records and the like should not become part of the child's permanent file and should be maintained only during the period of immediate use, if at all. Further, the parent of each child should have full access to all written records, temporary or permanent, as well as the benefit of oral assessments in order to participate in decisions about his child's course of education.<sup>1</sup> Access to any student

Footnotes at end of article.

records should be denied to non-school personnel, except with the express consent of the child or parent.

At present, there are few or inadequate statutory provisions to insure parental access to records and to deny outside agency access. It is the purpose of this article to outline a number of legal theories that can be relied upon to achieve these goals. The theories that buttress the right of a parent to see his child's record include both substantive and procedural due process as well as common law bases. The concept of "liberty" embodied in the due process clause of the 14th Amendment, the 9th Amendment's reservation of basic but non-enumerated rights to the people and common law principles defining the nature of a parent's responsibility toward his child, have all been relied upon by the Courts to establish a right in the parent to control the upbringing of his child and to define the broad parameters of his education.

The decisions to date have held that a parent has a right to determine the institutional or communal setting in which his child will be educated, to prevent statutory incursions on curriculum offerings, and to remove his child from courses that conflict with parental beliefs. Those cases show that the parent's prerogative is most likely to be recognized where it does not interfere with the education of other children or the overall conduct of the schools, and where it relates to spiritual or cultural values. Although most of the decisions to date have not dealt with the specific question of whether a parent is entitled to review school records, this article argues that where the records are related to the decision with which the parent is faced, access thereto is inherent in the underlying right of control.

In addition to the cases asserting an affirmative right to decisionmaking on the part of the parent, the article traces another line of cases dealing with situations of denial, where the school is labeling the child in a stigmatizing fashion or excluding him from "mainstream" educational opportunities, to show that in these situations no deprivation can be imposed without according the parent full due process guarantees. A central element to these guarantees, as spelled out in the case law, is the right to review the records and other evidence relied upon by the educational professionals in reaching their decision.

The span of cases reviewed shows an early tendency of the Courts to favor parental preferences wherever possible as long as they do not interfere with the conduct of the schools, followed by a period of relative quiescence when much lip-service was paid to the expertise of school officials, followed in turn by more recent decisions preventing the abuse of school powers vis-a-vis the parent and the student himself. The precise dimensions of parental control including access to student records, remain to be defined in evolving litigation. The Courts continue to engage in a balancing process between the right of the state to act for the public welfare, or more specifically as *parens patriae* (the public guardian of the interests of minors) and the right of the parent to retain essential control over the personal development of his child. Where the parent's right prevails, the Courts have frequently stated that even though he delegates the right to educate to the public schools, allowing them to act in many instances *in loco parentis* (in place of the parent), he retains essential control over the scope of that delegation. In other words, the school can never replace the parent.

Finally, the article briefly discusses the right of the parent to prevent the collection or dissemination of certain kinds of highly personal data about his child where that data constitutes an invasion of privacy or the labeling of the child in an unverifiable but stigmatizing fashion.

A. *The Problem:* In New York City a parent was advised by school authorities that his child wasn't learning properly because he had emotional problems and should see a psychologist; the child's father had to go to Court to obtain a copy of the school psychologist's report so that the psychiatrist he hired could review it.<sup>2</sup> In Washington, D.C., a mother was advised by the local principal and the school psychologist (who had a heavy foreign accent) that tests conducted by the psychologist of her daughter showed that the child should repeat kindergarten; the mother was not allowed to see the tests or the underlying reports and as a result transferred her child to another school;<sup>3</sup> in San Francisco, Black parents who were advised that their children had been assigned to classes for the "educable mentally retarded" were able to prevent the assignment only when they went to Court to show that the intelligence assessment tests applied to their children were racially discriminatory.<sup>4</sup>

In Maryland, the state maintains a computerized file of the "learning disabilities" of school children that is not available to parents, although relied upon by school authorities for decisions about children. In communities throughout California preschool and other children are being screened for learning disabilities and classified by such labels as "hyper-active," "minimal brain dysfunction," and "hyperkinetic." These classifications result in special handling by the school—often without parental involvement or consent. In Bucks County, Pennsylvania, a program developed by child psychiatrist, Dr. William Stennis performs psychological diagnoses of children (such as "ego disturbed," "Oedipally conflicted," and "developmentally arrested") on the basis of a 12-point checklist reflecting teacher attitudes toward students that is computer sorted to assign the children to special counseling groups.<sup>5</sup>

The trend toward student classification based on various kinds of "disabilities" is rationalized by educators as necessary to tailor the curriculum to meet the individual child's needs. In actuality, it appears to reflect an attempt by the schools to justify their inability to teach certain children. Whatever its basis, it is creating a serious labeling problem that affects the way subsequent teachers treat the child as well as the way he is viewed by other agencies, institutions and individuals with which he must deal.

For example, the distribution of millions of dollars of federal anti-crime funds through the Safe Streets Act and various drug prevention programs has resulted in close ties between the schools and law enforcement. In a California community, kindergarten teachers were instructed for two years to identify "target students" on the basis of data suggesting that certain five year olds had social and academic profiles similar to those of adolescents who ended up in juvenile court. Children with the "wrong" profiles were subject to close observation and monitoring.<sup>6</sup> In several other cities in the same state, police officers supported by LEAA grants are being assigned as "counselors" to the school. They act both as friendly advisors and as investigators, monitoring potential delinquency. And in Montgomery County, Pennsylvania the schools were used to collect detailed, highly personal questionnaires from students who were considered potential drug abusers. The program was only stopped by a Court ruling that it constituted a violation of due process guarantees<sup>7</sup> and an invasion of pupil and parent privacy; the Court noted that the information contained in each student's questionnaire could easily fall into the hands of the district attorney or of a grand jury investigating juvenile crimes.<sup>8</sup>

B. *The Statutory Law:* A parent seeking to review or limit school files on his child is in

the best position if he can rely on state statutes setting forth the terms of access to student records and defining their contents. Unfortunately, with the exception of a few states, the statutory law in this area is not far advanced. Most states leave both the scope of school files and the terms of access to the discretion of state and/or local school authorities.<sup>9</sup>

Some states have only general housekeeping statutes, that apply to all executive agencies, such as the Missouri provision that each agency head must "make and maintain records . . . designed to furnish information to protect the legal and financial rights of the state and of persons directly affected by the agency's activity." ANN. MO. STAT. § 109.240(3) (1965). Other state statutes are directed to schools alone but make equally broad grants of discretion. For example, the Kentucky statute requires each principal to report to the superintendent "the names, ages and places of residence of all pupils in attendance at his school, together with any other facts that the superintendent may require to facilitate carrying out the laws relating to compulsory attendance and employment of children (emphasis supplied)," (KY. REV. STAT. ANN. § 159.160(1969)); Mississippi requires standard identifying information on students as well as such "records of mental and scholastic abilities, personality traits and characteristics, occupational interests and aptitudes as may be determined by standardized tests, and other pertinent information. . . ." (MISS. CODE ANN. § 37-15-1 and § 37-15-3(1972)). Few states have attempted to specify the content of a student's files,<sup>11</sup> leaving that determination to school authorities. Left to their own devices, most school officials have exercised little discrimination and have erred on the side of blanket inclusion of materials.<sup>12</sup>

#### FOOTNOTES

<sup>1</sup> For purposes of simplicity, this article refers throughout to the rights of the parent. Where the child is old enough to make his own decisions, we would vest the right to review records and participate in school related decisions in him as well as the parent. (See, for example *Tinker v. Des Moines Independent Community School District*, 393 U.S. 503 (1969) and Justice Douglas' dissenting opinion in *Wisconsin v. Yoder*, 406 U.S. 205, 241 (1972) discussing the distinction between parents' and children's rights. In some cases the child may even have an adverse right that is superior to that claimed by the parent. <sup>2</sup> *Van Allen v. McCleary*, 27 Misc. 2d 81; 211 NYS2d 501 (1961).

<sup>3</sup> Interview with Anonymous Parent, Washington, D.C.

<sup>4</sup> *Larry P. v. Riles*, 343 F. Supp. 1306 (N.D. Cal. 1971).

<sup>5</sup> Dr. Stennis has since moved on to New Mexico where he has started a similar program in Los Alamos.

<sup>6</sup> The New Mexico Governor's Council on Criminal Justice recently considered an "early identification and remediation" program for potentially delinquent children (referred to as children "at risk") that included a screening program for children "ages 5 and under who may be vulnerable in later life because of biological, psychological or social exceptionality."

<sup>7</sup> Among other things, both students and teachers were asked to identify other students in the class who make unusual or odd remarks, get into fights or quarrels with other students, make unusual or inappropriate responses during normal school activities, or have to be coaxed or forced to work with other pupils. *Merriken et al. v. Cressman et al.*, F. Supp. (E.D. Pa. 1973).

<sup>8</sup> These problems are compounded by the tendency in recent years to computerize school records and other social service agency records, with the consequent possibility that the records of one public agency can be in-

terrelated with those of one or a series of other agencies. A HUD official working on a federal program to help cities integrate their social service files commented on his own program as follows: "If vital statistics, and school, employment and criminal justice records can be pulled together on a named individual at will, a child's teachers may find out he is illegitimate, his poor grades may keep him from getting a job, his lack of a job may lead to crime and his criminal justice records may keep him permanently unemployed." Robert A. Knisely, as quoted in "Law and Disorder III", p. 45-46, Lawyers' Committee for Civil Rights Under Law, 1973.

<sup>9</sup> The statutory provisions discussed in this article reflect a sampling of state statutes that is not in any way comprehensive.

<sup>10</sup> The state of Idaho lacks a school records statute; however, regulations issued by the State Board of Education provide that "pupil records should be permanently kept . . ." and shall include "citizenship and character information". Separate regulations dealing with high school guidance programs require the "maintenance of cumulative records that contain pertinent data on each student."

<sup>11</sup> Nebraska requires the segregation of disciplinary from academic files and the destruction of the former when the pupil has graduated or left the school for three years. Rev. Stat. of Neb. § 79-4, 157 (Supp. 1973). Even those states that specify some items tend to include a discretionary clause such as "and such other facts as are required", cf. Ky. Rev. Stat. Ann. § 161.200 (1969); Gen. Laws of R.I. § 16-12-4; Ore. Rev. Stat. Ann. § 336.175 (1969).

<sup>12</sup> In fact, a survey conducted by the Russell Sage Foundation suggests that pupil records, because of their all-inclusive nature are often underutilized by school personnel except in regard to problem or difficult children; where file data is of dubious validity its application to problem children tends to increase the already prevalent potential for discrimination against such children. *On Record: Files and Dossiers in American Life*, Ed. by Stanton Wheeler, Russell Sage Foundation, 1969; Chapter 2 "Record-Keeping in Elementary and Secondary Schools" by Goslin and Bordier. (Hereafter, Russell Sage survey.)

11500 BANANAS ON PIKE'S PEAK

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1974

Mr. HOSMER. Mr. Speaker, the House Interior Committee has put a gag rule on consideration of H.R. 11500, the bill to guarantee a permanent energy shortage.

Although over half-a-hundred amendments are pending to title II of the measure, all debate on them arbitrarily has been cut off. Some people might regard this as pretty highhanded and arbitrary.

In large part this snafu is a result of the failure of members of the majority side of the committee to be present for the committee's deliberations. For them now to complain that the parliamentary situation is not of their own making is as illogical as trying to grow bananas on Pike's Peak.

The attitude of the coal industry, which the President has asked to produce a lot more coal, about all this is expressed in the following telegram which I received late this afternoon:



[Telegram]

WASHINGTON, D.C.

April 4, 1974.

HON. CRAIG HOSMER,  
House Committee on Interior and Insular  
Affairs, Capitol Hill, D.C.

The coal industry is extremely concerned over action of the Interior Committee in prematurely closing out consideration of title II of the surface mine reclamation bill. Title II contains the heart of the bill, and the committee has not yet addressed itself to the portions of title II dealing with such vital matters as areas unsuitable for mining, underground mining, hydrology and original contour (including agricultural exception) in the permanent standards, Federal enforcement, permit term, etc. There has been very little discussion of the permanent standards so critical to the industry and the essence of reclamation.

The coal industry has sincerely attempted to suggest revisions to what is now unnecessarily punitive and prohibitory legislation and to cooperate with the committee in making it more realistic and as a vehicle for effective reclamation. However, the amendments considered to date are peripheral. We have not sought, nor do we want, to delay consideration of H.R. 11500, but many significant issues have not been taken up. We believe the committee must revise these prohibitive provisions before reporting the bill.

The bill as it now stands would foreclose a major portion of a vital energy resource—half the Nation's coal production—at a time when the industry is being called upon to increase coal output and help alleviate the energy shortage. We urge that the committee reconsider its vote to close consideration of title II, or, in the alternative, to resubmit the bill to the subcommittees for further study and consideration.

CARL E. BAGGE,

President, National Coal Association.

## SPACE TECHNOLOGY'S GIFTS TO EARTH

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1974

Mr. TEAGUE. Mr. Speaker, the Saturday Evening Post has carried a significant article on the importance of space technology to every American which deserves the attention of all the Members of Congress. Mr. William B. Furlong, author of "Space Technology's Gifts to Earth" has done much to place in perspective the continued and important contributions of our national space program. I commend this article to your reading:

### SPACE TECHNOLOGY'S GIFTS TO EARTH

They had one thing in common—the Lake Forest businessman, the teacher in the Sacramento high school, and an elk named Monique.

In Lake Forest, the young businessman swung his car up the darkened driveway. The headlights cast a halo of light against the back wall of the garage. He shut off the engine, got out of the car, and headed for the doorway to his home, his path illuminated only by the reflected glow of the headlights. "You forgot to turn off your headlights," offered a friend.

He didn't even break step. "Everybody tells me that," he said insouciantly. He held the door open for his guest and deliberately—even indifferently—left the car lights burning.

He wasn't worried about the battery wearing down. For he knew something his guest didn't know: the car was equipped with a device that would automatically turn off the headlights three minutes later. They were supposed to stay on after the driver left the car—so that he would have enough light to see by until he was safely in his house.

In Sacramento, the high school teacher fingered a small ultrasonic device about the size of a fountain pen. When one of the students in her class had an epileptic fit, she pressed a button on the device and it flashed an alarm in the principal's office. Help came running in abundance; the child was given immediate aid and—because the principal's office summoned civil authorities—more expert help from a rescue squad a few moments later. It was not the first time the pen alarm was put to use; it summoned help when one youth cut his hand on a band saw in wood shop, it summoned help again when another boy burned his hand with a welding torch. Its greatest use—as a device that didn't need batteries and could be used anywhere in the school—was in enabling the teacher to get help immediately without sending a student to the office to fetch it. Thus it could be used in those small disturbances that—without prompt help—threaten to become big ones, such as when a boisterous older boy invades a classroom and threatens or agitates the younger students. Thus this pen-alarm becomes a formidable ally for the teacher in a time when teaching has become a test of force as well as wisdom.

In the wilds of Wyoming, the elk named Monique was haplessly squealing on her own kind: she was sending signals to a satellite indicating where she was going and how she got there. The system included an electronic collar that could continue sending signals in the most frigid temperatures of winter or the coldest waters of mountain streams. Thus almost every step of Monique gave man—who was too far away to watch her—an idea of the habits and wanderings of a 500-pound elk. Other animals were sending back similar messages via satellite, i.e., grizzly bears in Yellowstone Park that were giving information on their body temperature and the light, heat, and humidity of the dens where they hibernated for the winter. (The electronic sensors were mounted on and in the animals while they were under tranquilizers.) Thus man was gaining a great deal of insight into the workings of nature though the actual process of nature was beyond his sight and sense.

What did all these people and events have in common?

They were all using the practical, bread-and-butter benefits of space technology.

In the tumultuous years of man's march to the moon, we came—as a people—to measure the benefits of space in terms of their spirit-lifting aspects. They were many and profound but they did not still the cries of those persons who said, "Why should we spend money in space when there are so many problems to be solved here at home?" The fact is that space technology is helping to solve problems at home—in pollution, in communications, in housing, in food supply. Even more unexpectedly, it's solving everyday problems that are as close to us as the stretch of our own skin.

The evidence is in an 880-page best seller called *NASA Patent Abstracts Bibliography* and it simply tells, in drab, dust-dry language, something about the 1,892 NASA-owned inventions available for licensing. New editions are coming out every six months at six dollars a copy, and the prose they offer comes alive only in the applications of space technology that are apparent in the world around us. For example:

The hard coating, resistant to high temperatures, that is now applied to certain kitchenware.

The special metals, originally designed for rocket motor casings, that are now being used in everything from scalpels to dental drills, from deep-diving submersibles to tooth caps and dental bridges.

The insulation that is so effective that when steaming hot coffee is poured into a tank covered by it, the coffee loses less than one degree of temperature in a year.

The speed-measuring device that costs one-tenth the price of radar and is being tested by police officers in Huntsville, Alabama, to track down speeders.

And this is only a small sample of the spin-offs of space. More of the everyday uses of space technology are reflected in such common aspects as clocks and cooking, batteries and ball-point pens.

In and around Los Angeles, for instance, there are long stretches of freeway where the concrete is grooved (with lines running along the highway, not—as in tollway wake-up warning systems—across the highway). Tens of thousands of cars are driven hundreds of thousands of miles over those grooved highways every day with few of the drivers knowing quite why the grooves are there. The fact is that they are a spin-off space designed to prevent spinouts: NASA discovered, in research on the landing of high-speed aircraft, that longitudinal grooves in a runway would prevent hydroplaning. (That's the tendency of wheels to "ride-up" on the surface of the water of wet or rain swept runways instead of keeping solid contact with the concrete.) NASA's discovery was not merely important to the past but to the future: the space shuttle will be landing, like a plane, at very high speeds on a landing strip at Cape Kennedy, when there is no guarantee that it won't be raining in Florida. The usefulness of such grooves not only in airplane runways but in high-speed highways was obvious. The result is that on those stretches in California where highways are grooved, the number of wet-weather accidents declined 75 percent and the number of fatalities was cut 97 percent.

Similarly in the classroom: there are an estimated 20,000 to 25,000 teachers who are putting spin-offs of space into practice every day and only a very few of their students are aware of the origins of that practice. One notable example is an "automated attendance accounting" system that allows each of the teachers in seventy-six classrooms of John F. Kennedy High School in Sacramento to relay attendance figures at the start of every period to a central data bank in the school office. Not only does it provide a continuing check on students who are truant but on those who are trying to "cover" by attending morning classes before splitting. Yet there is none of the time-consuming paperwork involved; all the teacher does is press appropriate buttons on a small console on her desk. She saves the students' time and devotes it to teaching because she doesn't have to call roll; she saves her own time because she doesn't have to go through paperwork: it's estimated that the average teacher saves forty minutes or more every day by the reports she does not have to write. The system is based on a small computer originally used to monitor radio signals from outer space on the Mariner flights—with engineers from the Jet Propulsion Laboratory providing the logic systems that would convert the space system to school use.

And all this is just a start. There are many applications—such as fashion and fabric—where spinoffs from space may revolutionize present practices. The astronauts, for example, wore special underwear called constant-wear garments that provided unusual long-wear support without compromising flexibility, no matter how tight the fit. They could obviously be redesigned today, not only as undergarments for both

sexes—as just one of many obvious applications—but as the precursors of the tight-suit style that is so often associated pictorially with the space age. Moreover, the space age turned up significant new developments in fabrics: one of them, originally designed as a superinsulating material is made with a metallized nylon or taffeta, is heat-reflective, yet is porous and machine-washable. One day that fabric will turn up all over the country in such items as bedclothes, draperies, awnings for patios, and even tents. Another fabric that has already excited certain people—most eminently those serving sportsmen—is made by laminating a special plastic material with an extremely thin coating of aluminum that is a *half* of a thousandth of an inch thick. It weighs only a few ounces and is extremely compact: an eighty-five square-foot blanket of it—enough to cover a king-sized bed—can be folded easily into a packet the size of a pack of cigarettes and stuffed into the pocket of a windbreaker. Yet the fabric is waterproof, windproof, and exceptionally strong: it is strong enough to be used as a stretcher in emergencies. It is also economical: some blankets have been made out of it and marketed for less than four dollars. The buyers: outdoorsmen who have to spend many days and nights exposed to the whim of nature. For this fabric has an asset that no other outdoors garment possesses in such quantity: it provides complete protection from the cold by keeping body heat in—yet it can be reversed and serve equally well in keeping external heat out.

Housing is yet another area where research for space is leading to dramatic new developments for the earthbound. A number of space-developed techniques and materials led to the development of a prefabricated modular housing that is just beginning to be useful in attacking certain of the nation's social problems: an aerospace company used these concepts to come up with cabin-type dwellings for migrant farm-workers in the San Joaquin Valley of California. An adaptation of the Apollo fuel cell can be used to supply electricity not only to homes but to entire towns: a condominium subdivision in Farmington, Connecticut, is already operating on a demonstration model. A new system of electrical wiring, which makes installing an entire electrical system as easy as using Scotch tape, has already been built into a hotel in Mariana Del Rey in California.

The link between space demands and earthly needs is reflected dramatically in this wiring. NASA needed lightness and efficiency in its electrical system in the spacecraft; it also wanted safety and accessibility. In short, NASA didn't want its astronauts to be living like the rest of us carrying around 110 volts of danger in their living quarters and having to tear out a wall to check the wiring. (The standard 110-to-220-volt wiring is, as many homeowners know, quite dangerous unless it is enclosed in heavy metal tubes and mounted inside the walls of the home out of the reach of children . . . or their fathers.) So NASA came up with a way of decreasing the voltage to 2-to-5 volts and then stepping it up again where high voltage was needed at switches and outlets. Moreover, it came up with a marvelously simple way of installing wire between the switches and outlets. Instead of using the thick, round tube-enclosed wire customarily installed in homes, it came up with two very thin, very flat wires that could be embedded, side by side, in a plastic strip as thin and pliable as a hair ribbon. It was safe, light, efficient, and it could be bent easily to conform to any unusual shape or pattern. Most of all adhesive could be applied to its back side. This means it could be pasted to a wall as easily as a long strip of adhesive tape. And it is so thin that it can be painted or covered over with wallpaper and never be noticed. The new electrical wiring system will save up to thirty-five dollars a room in construction

costs and it possesses an extra economy that present systems can never match: it can be peeled off and applied elsewhere whenever the electrical system has to be changed.

The range and variety of the spin-offs in space all but defy the imagination. Some of them are highly scientific: it was as a result of research at the Goddard Space Flight Research center that a way was found to plate an entire computer on a small chip less than one-tenth of an inch across; this single scientific advance contains the seeds of a conceptual leap that may one day bridge the gap between the single-dimensional computer and the elaborate three-dimensional tracery of the nerve cells in the human brain. Some of them are highly earthy: it was as a result of the heavy breathing, and the fogging-up of astronaut Gene Cernan's visor on the flight of Gemini 9—at one time during his spacewalk he could see out only through a very small clear spot in front of his nose—that NASA came up with an anti-fogging agent that can be used on automobile windows or eyeglasses or the visors of helmets worn by policemen and firemen.

Some of the most significant spin-offs of space developed out of tragedies that were international in their impact—i.e., the fire in the spacecraft in January, 1967, that snuffed out the lives of three astronauts: Gus Grissom, Edward White, and Roger B. Chaffee. That tragedy not only touched off a profound investigation of everything in or around the spacecraft but it ignited the most intensive study of flame and fire in the history of man. Out of both came new clothes, new paints, new systems of insulation that might be used to reduce the deadly toll from fire: in the U.S. alone it has reached the figure of 12,000 deaths and \$2.2 billion wasted annually in fires that could be prevented.

The new clothes are so effective that a man can hold a welding torch to a sleeve made of these fabrics and never feel a thing on his arm.

The paints are so effective that, far from bursting into flame and feeding the fire, they swell up and provide a shield against the flame for whatever is underneath the paint (i.e., wood).

The insulation is so effective that, in a test performed on dummy-filled old planes in Houston, it was found that persons in the insulated portion of the plane could survive for up to forty-five minutes longer than those in a noninsulated portion. (This aroused yet another thought: the same insulation, if applied to automobiles, might save the lives of thousands of persons trapped inside burning cars—perhaps unconscious—when fuel tanks explode.)

There were many other antifire developments in the hands of NASA—a new breathing apparatus for firemen, a new antifire foam, even a definitive catalogue of the toxic gases given off by various substances when they are set afire. The latter had particular point. For the astronauts in the fire in the spacecraft did not literally burn to death; their flight suits gave them considerable protection against the flames in the early stages of the fire. The official cause of death was asphyxiation due to the inhalation of toxic gases. The evidence is that the astronauts probably lost consciousness within fifteen to thirty seconds after their life-support systems introduced toxic gases instead of oxygen into their breathing apparatus. Other evidence has turned up that some of the fatalities in recent low-altitude commercial plane crashes were due to inhalation of toxic gases given off by burning substances in the cabin and not by the flames; indeed, some people appeared to lose consciousness before they even made much of a move to save themselves. The investigation of NASA into the toxic gases given off by various substances at various temperatures may one day

prove to be most significant in the selection of materials used in passenger planes designed to minimize the threat of fire.

All this is only a small sample of the spin-offs from space. Overall, NASA has some one million scientific papers based upon space research and any or all of them might turn up with products useful on earth. There's a quick-drying highway patching system that might be used to repair roadways in the low-traffic hours before dawn instead of tying up major highways for day after day and hour after hour of peak-rush traffic. There's an energy-absorbing system that has been applied to everything from auto bumpers to guard rails so that collisions will be less lethal. There's an application for a machine like a lunar rover that could be used as an unmanned rescue vehicle operated by remote control in mine disasters. There's a laser system that can be used by surveyors in areas such as forests that have difficult obstacles barring normal surveying systems. There are many test devices that, for the first time, give business researchers the chance to test materials and devices without destroying them during the test: one example is a space-originated infrared system of examining what is happening at each and all of 600,000 different points on a rubber tire every second while the tire is wheeling at as much as 400 mph.

There is so much material, in fact, that NASA has set up six data banks and dissemination centers around the country to help prospectors sift through it. The fee for a single search ranges from \$80 to \$300, depending on the complexity of the subject; for a year-long access, the fees range from \$2,000 to \$20,000. Some 2,000 companies pay those prices because the dollars they pay NASA may save them millions of dollars in repeating, unwittingly, research that NASA has already performed in the space program. Not too long ago, for example, Owens-Illinois, Inc.—one of the world's largest makers of glass and glass products—wondered if there was a way to get quicker and more precise readings from intensely hot ovens where certain glass products are cooled gradually so that strains or flaws are not introduced into the glass. It could, of course, launch a research program itself to see if the intense heat would affect the telemetry signals from within the oven, or whether it would affect the instrumentation. But it pays NASA an average of \$14,000 a year to search what NASA has filed away. The response from NASA: the heat wouldn't affect the actual telemetry signal but NASA—which had been deeply involved in high-temperature research because of the heat of the sun in space—said that it had not yet found instruments which could survive the extreme heat of the kind within these particular ovens. "If we hadn't the benefit of NASA's experience," says one Owens-Illinois spokesman, "we might have spent hundreds of thousands of dollars trying to develop such instruments."

All of these spin-offs had one thing in common: nobody thought of them beforehand—not even NASA. NASA was thinking of other things—of their applications in space—and these benefits just developed indirectly out of that effort. But there is another whole category of space benefits that are not indirect. They were intended and designed beforehand to benefit people on earth by using the high technology of space. As it happens, these direct benefits are as spectacular, and often better known, than the indirect benefits.

Consider television: we've been able to see three Olympics and a large number of other international events—including many Apollo moon missions—because of satellites in space that relay signals across oceans and continents. All this enlarged and exalted our lives—but it was no surprise: it was



planned this way and carried out pretty much the way it was planned.

Similarly with weather satellites: they were launched with the specific purpose of improving our understanding of the weather. The only surprise is in the magnificent manner that they've helped. It was only a generation or so ago that hurricanes were incredible killers. One of them took 5,000 lives in Texas at the turn of the century. Another took 4,000 lives in the West Indies in 1928. Still another took 1,500 lives in Mexico as recently as 1959. Yet the United States has been hit twice in the last four years by killer-hurricanes—Camille in August, 1969, and Agnes in the spring of 1972—at the cost of a few hundred lives. (And with Agnes, it was the floods that erupted from the heavy rains—more than 25 cubic miles of rains fell—in the wake of Agnes that took most of the toll in that disaster.) The reason is that we could prepare for the onslaught of the hurricanes—in some cases evacuating entire villages and towns—because the weather eye-in-the-sky was keeping close track of the hurricanes' buildup and the direction they were taking. The same thing happened with tornadoes: at one time thousands of people died in tornadoes every year but only twenty-seven were killed last year. This was a reflection of the overall improvement of forecasting where these savage winds—which twist at twice the speed of hurricane winds—will strike; but much of that improvement is due to increased vigilance from space: the first weather photographs came in once a day; now they come in every thirteen minutes during the daylight hours and soon they'll be coming in every ten minutes day and night (which will be of particular help to the South, where there is a high proportion of nighttime tornadoes).

The benefits of weather satellites turned out to be local as well as regional. In July, 1969, when Hurricane Bernice hurled six-foot breakers onto the beaches near Los Angeles, a warning from the weather satellites enabled local authorities to get additional lifeguards on duty in a hurry, to rescue the more than 250 people who were caught by surprise—and might have drowned—by the high wave action. In November, 1969, a picture received from a satellite helped a Boston-based rescue party avoid squalls and thus save time on its way to pick up the crew of a tanker that was breaking up in the Atlantic. In August, 1970, the U.S. freighter *Norma Lykes* was able to avoid Hurricane Lorraine in the central Pacific, thanks largely to information received from space. On October 14, 1969, the weather satellites flashed warnings on an early season and very heavy snowfall to cattlemen in Montana; as a result they were able to take precautions to save the lives of their livestock. On the other side of the same coin, raisin growers in California, who were scrambling to protect their crops against expected heavy rains on August 29, 1970, were—on the basis of space observations—told not to bother: the rains wouldn't hit them. Thus they were able to save thousands of dollars that were better invested against the danger of a real threat.

Many of the direct benefits of space are due to the enormous flexibility of the cameras in the satellites. Because they are so far from earth, they can sweep an area so vast that no highflying photo-reconnaissance plane could ever match it. Such a plane would have to spend forty-six years in photographing from the air the same area that a satellite scans photographically in only eighteen days. At the same time, space cameras can focus with startling clarity on the smallest detail on earth: certain of them can bring any one inch of earth into sharp focus from 100 miles in space. That means a camera 100 miles in space can peer down and see if the shoulder insignia of an of-

ficer at a particular military installation has been changed from colonel to brigadier general. And thus, by implication, it can tell whether that military installation is likely to assume a different significance in military affairs.

That versatility has immense significance to the population on earth, particularly in helping solve its peaceful and social problems. In order to develop a cohesive plan for attacking some of its urban ills, Los Angeles, for example, decided to start by getting a detailed overview of the city—a picture of every street, every vacant lot, every building, intersection and freeway. It would have cost as much as \$1,000,000 to photograph the city from a plane. But it cost only \$15,000 to get just-as-clear photographs from a space satellite—and certain techniques used in space photography were able to add the information about the state of decline or decay of many structures in the city.

Those same skills can be turned loose on spotting water and air pollution: the space satellites have been used for everything from determining not only the quantity of pollution over the freeways in Los Angeles but the chemical content of that pollution. They've photographed pollutants pouring into the San Gabriel and Laguna rivers near Los Angeles, measured the widening rim of pollution in the oceans bordering the industrial areas of the world, and provided photographs sought as evidence in a legal effort to end pollution in Lake Champlain. And their capability is ever greater for they can not only photograph the rising degree of pollution anywhere in the world but they can allow earthbound scientists to measure the rise in any one area against industrial activity in that area and determine just how much a certain increase in industrial activity will contribute to a rise in pollution—if any.

The direct opportunities of space research are being expanded swiftly. In the summer of 1972, an unmanned satellite called ERTS (for Earth Resources Technology Satellite) was launched with a mission involving some 328 different experiments. In its first few months in space, ERTS exposed timber in Oklahoma that had been damaged by chemicals, revealed undiscovered faults in California's Monterey region, and led geologists to traces of an old volcano in Nevada that subterranean forces seemed to be lifting. Among other things, ERTS and its successor satellites were observing:

The success of land replanted after having been ripped off for strip mining in Ohio.

Damage to vegetation from highway construction in Maine.

The formation and location of icebergs in the Antarctic.

The impact of winter weather on the lee, or southeast, shores of the Great Lakes.

And this is but a small part of the opportunity at hand. Consider that, with space technology, the United States has the resources not only to photograph every single farm in the world but to tell what crop is being raised on that farm, whether the crop is young or old, whether it is healthy or diseased, and what the yield will be. It can tell not only what land lies in the path of advancing disease but it can do something almost impossible for the bare eye: it can detect the larvae of locusts and—many months before the plague of locusts becomes real—direct a crop-saving campaign against the larvae. It can decrease pollution, increase productivity, and save money for the farmer by telling him not only that his crop may be hit by a disease or pest attack—one requiring the use of chemicals to offset—but exactly what section of his crop might be in danger. (Thus a farmer in Iowa might be able to treat only a specific 100 acres of cropland instead of pouring chemicals indiscriminately on 400 or 500 acres of crops because of a fear that they would all be threatened.) In short, the U.S. has the skills—if all nations in the world

have the discipline—to mount a concerted, cohesive attack on the most devastating killer of man in today's world: famine.

Or consider another problem: the shortage of energy and mineral and natural resources. To save wood, the space satellites can improve the attack on forest fires because they can do something which has heretofore been beyond man's power—spot the fires burning in places which man has never seen. To locate certain minerals, the space satellites can take infrared photographs which hint at the placement of underground deposits. To ease the energy problem, space satellites can not only locate mineral deposits but pinpoint the location of deposits of another and cheaper form of energy—geothermal deposits.

And there is yet a higher benefit: through our experience with space we can organize methods not only of discovery but of transportation of the earth's resources to the people who most need them. For one of the seldom-cited benefits of space was the insight we gained in how to organize an attack on a huge and even impossible problem, to mobilize—in the words of one commentator—"techniques for directing the massed endeavor of scores of thousands of minds in a close-knit, mutually enhance combination of government, university, and private industry. This is, potentially, the most powerful tool in man's history."

The irony is that having had the tool, we put it aside. We put it aside though we recognized the problems that it might solve. We put it aside at the behest of a good many conscientious people who demanded the solution of those problems and saw space science as a competitor instead of a contributor to those solutions. In insisting that space science must wait until all the problems at home are solved, they did not recognize two things: (a) that space science might be used to help solve those problems, and (b) that the world's problems will never altogether be solved—if Columbus had to wait until all of Europe's problems were solved before embarking for the New World, he'd still be waiting.

Nevertheless, the opportunities in space—for bread-and-butter offerings as well as the lifting of the spirit—are so great that they have already begun to affect our everyday lives. They lack not reality but recognition. And that, too, may come in the days and years that will ever follow the most memorable moments in man's ceaseless quest to extend his reach.

#### JOBS FOR VETERANS NATIONAL COMMITTEE

HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1974

Mr. DORN. Mr. Speaker, in recent days I, as every other Member of the Congress, have received a "A Report to the President of the United States on the History of the Jobs for Veterans National Committee." I found it most interesting reading and I am sure that my fellow Members also found it so.

The President's Committee was established in October 1970 to help make the citizens of the United States aware that a very large number of men and women were leaving the service of their country and that many were having difficulty finding employment. Since the formation of the committee, the unemployment rate for Vietnam-era veterans has dropped dramatically.

In the early months of 1971 the jobless rate for Vietnam-era veterans was nearly 11 percent. Today that figure has been more than cut in half. The slogan "Don't Forget—Hire the Vet," that was the catch phrase of the national committee's advertising campaign, was and is familiar throughout the Nation.

There are other activities that this committee, headed by Hon. James F. Oates, Jr., energized, promoted, and participated in. It was a gigantic effort of a small staff and the effects were salutary in all aspects. We, in the Congress, and all citizens who have regard for our young veterans, owe this committee thanks and highest commendation for a job well done.

With the decline in the unemployment rate, the committee is closing its doors, its primary job proudly concluded. There are still Vietnam-era veterans having difficulty finding employment and so the necessary effort to continue and complete the job will be taken by the U.S. Department of Labor and the National Alliance of Businessmen. I have been assured, and I can assure you today, that the alliance, under the leadership of retired Marine Corps Maj. Gen. John Condon, will continue strong effort on the veterans behalf.

As chairman of the House Committee on Veterans' Affairs, it gives me great pleasure to take this moment to commend the national committee. It is particularly fitting in light of the recent observance of "Honor Vietnam Veterans Day" that we should renew our awareness of our debt to a new generation of young veterans.

ROBERT GUTIERREZ OF EL MONTE  
NAMED REGIONAL BOY OF THE  
YEAR

**HON. GEORGE E. DANIELSON**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1974

Mr. DANIELSON. Mr. Speaker, I take great pleasure in calling to the attention of my colleagues the fact that Robert Gutierrez, a constituent of mine, has been named the southern Pacific regional winner in the 28th annual Boy of the Year competition of the Boys' Clubs of America. This is a great honor for Robert, who is 15 years old, and I wish to congratulate him for his accomplishments.

Announcement of Robert's selection was made by William R. Bricker, national director of the Boys' Club of America, who said young Gutierrez was selected as best candidate of all entries submitted from the southern Pacific region, which includes 109 Boys' Clubs throughout southern California, Arizona, Utah, Hawaii, and most of Nevada.

Robert, who lives at 11737 Magnolia Avenue, El Monte, came to Washington to compete before a national selection committee with nine other regional winners for the national honor. He was accompanied by Clayton Hollopeter, executive director of the San Gabriel Valley Boys' Club. Robert was selected as the

third runnerup, indeed a high honor. President Nixon presented him with his award at a special White House ceremony. There are other special events in the Nation's Capital for all 10 regional finalists.

Robert was one of nine regional winners who received a \$500 scholarship from prize money provided annually by the Reader's Digest Foundation for the Boy of the Year project.

Candidates in the nationwide competition represent more than a million members of the 1,100 community-based Boys' Clubs of 49 States. Each candidate is judged on the basis of service to home, church, school, community, and Boys' Club.

Robert is a student at El Monte High School. He has an outstanding record of community achievements, ranging from serving as a volunteer summer tutor to participation in voter registration projects for elderly citizens, and has been a member of the San Gabriel Valley Boys' Club for the past 7 years. Both he, his family, and Clay Hollopeter, the excellent and dedicated director of the San Gabriel Valley Boys' Club, are to be commended for this achievement. I am proud to know and represent them.

#### NATIONAL LEAGUE OF WOMEN VOTERS SUPPORTS CUYAHOGA VALLEY PARK BILL

**HON. JOHN F. SEIBERLING**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1974

Mr. SEIBERLING. Mr. Speaker, the bill to establish the Cuyahoga Valley National Historical Park and Recreation Area between Akron and Cleveland, Ohio has received wide State and local support. Over 60 State and local organizations have endorsed the proposal, and support is growing daily. In the past few weeks, several thousand residents of the Akron-Cleveland area have signed petitions asking for enactment of the park bill.

The proposal has strong national support as well. All of the major park and conservation organizations in our country have endorsed the proposal: The Sierra Club, Wilderness Society, National Audubon Society, National Parks and Conservation Association, National Wildlife Federation, American Rivers Conservation Council, Izaak Walton League, National Recreation and Parks Association, Friends of the Earth, the Environmental Policy Center, and the National Trust for Historic Preservation.

Mr. Speaker, I am pleased to bring to your attention another endorsement which signals the national character and significance of the Cuyahoga Valley. The League of Women Voters of the United States have expressed their support for the park bill. Because their words express so clearly and well the need to preserve this magnificent resource, I insert at this time a copy of the league's letter to Congressman Taylor, chairman of the Interior Subcommittee on Parks and Recreation:

THE LEAGUE OF WOMEN VOTERS OF  
THE UNITED STATES,

Washington, D.C., March 28, 1974.

Hon. ROY A. TAYLOR,

Chairman, Subcommittee on National Parks and Recreation, Committee on Interior and Insular Affairs, U.S. House of Representatives, Washington, D.C.

DEAR CONGRESSMAN TAYLOR: We understand that the Subcommittee on National Parks and Recreation has been considering legislation which would establish the Cuyahoga Valley National Historical Park and Recreation Area. The League of Women Voters of the United States, after consultation with the Leagues of Women Voters in Cuyahoga County and Summit County, Ohio supports this proposal.

The Cuyahoga Valley, between Cleveland and Akron is an area of special historical and environmental significance. Although the area north and south of the Valley is highly urbanized, the Valley itself has remained almost as it was in the nineteenth century. Unique biological and geological areas have been left undisturbed; parts of the Canal are National Historical Landmarks; and one gorge is a National Natural Landmark. As the last large green area between Cleveland and Akron, the Valley is threatened by urban sprawl. If its woodlands give way to asphalt, the two cities will become one megalopolis.

For most of this century the Valley has been officially recognized as worthy of preservation. In recent years six official studies (including the U.S. Army Corps of Engineers Cuyahoga Restoration Study, the Department of Interior Bureau of Outdoor Recreation Statement, and the Department of Interior National Park Service Draft Report) have recommended preservation as a Park. "Clearly," states the National Park Service, "the Cuyahoga Valley with its significant natural, historical, and recreational qualities is one of the most strategically located resources in reach of urban America."

We hope your committee recognizes the value of this area to millions of people and takes the necessary step to preserve it for future generations.

Sincerely,

RUTH C. CLUSEN,

Environmental Quality Chairman.

LET'S PAY A GREAT DEBT

**HON. DONALD M. FRASER**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1974

Mr. FRASER. Mr. Speaker, the Vietnam war may have been an unpopular war, but that does not relieve us of the Nation's debt to those who served in it.

Last week was marked by protests from Vietnam veterans on Capitol Hill. Compared to World War II veterans, they have been shortchanged. Payments of only \$220 a month to cover tuition and living costs cannot possibly meet today's tuition costs that often reach \$2,500 to \$4,000.

Over the weekend, the White House announced a series of steps to deal with the problems, with particular emphasis on helping the Vietnam veterans obtain education and find employment.

I hope this rhetoric is matched with funds. The White House 1974 request for VA operations was less than the 1973 request. In order to meet GI bill obligations for 1974, last week the Congress had to appropriate \$750,000 in a sup-



plemental bill. Without congressional action, the veterans would not have received their April checks.

Unless the White House request for 1975 moneys is increased, in my judgment, the appropriation will be short over half a million dollars for the veterans. This is based on an informal survey of the workload in various regional offices. If this happens, we will again be playing the demeaning, circular budgetary game initiated by the President and the Office of Management and Budget.

A recent article by columnist Carl T. Rowan succinctly describes the unfortunate position in which the Vietnam veteran finds himself today. The article follows:

[From the Washington Star-News, Apr. 3, 1974]

LET'S PAY A GREAT DEBT  
(By Carl T. Rowan)

This town long ago became accustomed to protests by the jobless and the needy.

Jacob Sechler Coxey put his name in the history books by leading a ragtag band called "Coxey's Army" into Washington in 1894 to demand laws giving relief to the unemployed.

During the depression of the 1930s my own dad built the first house we ever owned with \$400 he got as a World War I bonus after the veterans had pressured and protested successfully.

Still, there is something different about last week's protests in Washington by Vietnam veterans.

We could offer up "hard times" and a national cupboard that was pretty bare as an excuse for not doing more for World War I vets. But when we are setting a record \$304 billion budget for 1975, and when corporate profits just set another all time record, we can hardly blame "hard times" for the miseries of our young men who fought in Indochina.

It just seems that not many people gives a damn.

These veterans fought an intensely unpopular war, and they didn't even win it, so no one is much inclined to regard them as heroes. Although tens of thousands are legless, armless, scarred for life, in the eyes of millions of Americans they are just a cut above the draft evaders who refused to fight in Vietnam.

I am ashamed that such a large percentage of these veterans are unable to find jobs. And I shall not be surprised to learn that many of the most disillusioned, bitter vets are involved in the bank robberies and other crimes-for-money.

I am doubly ashamed that my government wants to spend at least \$92 billion next year for more military hardware, but is opposing all but a piddling increase in educational allowances for Vietnam veterans, many of whose lives already have been wrecked by warfare.

I am one of millions of Americans whose lives were changed drastically by the educational allowances for World War II vets. There is just no way I could have gotten a degree at Oberlin and gone on to do graduate work at the University of Minnesota if the government had not paid all my tuition and given me \$75 a month to live on. No way.

Now, with tuition at \$2,500 a year and more at schools like Oberlin, Vietnam vets are locked out, for they get only \$220 a month, and that is supposed to cover tuition, books, fees, living expenses—everything.

Both houses of Congress are trying to raise that \$220 figure, but the Nixon administration argues that any boost beyond about \$18 a month would be "inflationary."

How in the sweet name of heaven is it that a trifling \$30 a month more for these vets is "inflationary" whereas a \$92 billion military

budget is acceptable? Why are so many decent proposals rejected as inflationary?

We know that we're not throwing money into a sinkhole when we invest it in training and educational programs for these young men. This society still reaps the bountiful fruit of its GI Bill investment in World War II vets.

We know that in helping the GIs we're building people and institutions, not destroying them. That can scarcely be said about some of the other colossal items in the national budget.

Americans seem to be projecting their own guilt about the Vietnam war into a not-so-subtle hostility toward the young men we forced to do the fighting. But these vets are not responsible for the war's unpopularity, or for the fact that we did not win it. We owe these vets just as great a debt of gratitude as if they had won some conflict ballyhooed as the "war to preserve democracy."

We ought to show our gratitude by exerting greater efforts, governmental and private, to see that the vets get jobs—and that they have access to the best technical schools and colleges in the land.

We ought to do it because it is the decent thing—and because the stability of our society requires it.

## PROGRESS AT LINCOLN HOME

### HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1974

Mr. FINDLEY. Mr. Speaker, the only home Abraham Lincoln ever owned is located in Springfield, Ill. It is one of the ten top tourist attractions in the country, year after year. It tells more about Lincoln the man than any other single memorial in the Nation. In 1971, President Nixon flew to Springfield to sign a bill establishing the area around the home as the Lincoln Home National Historic Site.

The Illinois Bicentennial Commission has designated the Lincoln home a "focal point" for the Bicentennial celebration in Illinois, and work has been proceeding on the project at a rapid pace. This year, the Park Service provided \$125,000 for the project. The money is to be used to design a new visitors' center.

Funds so far have not been budgeted for fiscal 1975. If money is not found, the newly designed visitors' center cannot be constructed next year and the hope of completing the Lincoln home project in time for the Bicentennial will have faded. It is my hope that Congress will provide \$746,000 needed to begin construction.

The following editorial from last Sunday's Illinois State Journal-Register shows the wide community support for this important project:

#### LINCOLN HOME PARK

Significant progress is underway at the Springfield home of President Abraham Lincoln as part of a construction program planned to make that hallowed place a major part of this nation's 1976 Bicentennial observance.

Another stage has begun in preserving and beautifying the home once occupied by the Civil War President and his family. That preservation is essential to allow future generations of Americans to view our heritage.

We are pleased that President Nixon has granted \$125,000 this year to begin to accom-

modate visitors at the Lincoln home. But that is not all the needed money.

The \$125,000 would be used to plan and design the visitors' center under the present program. But \$746,000 more is needed next year to make the area what it should be: an attractive tourist center for the thousands every year from all parts of the world who come to see where the Great Emancipator lived and worked. The latter sum would be spent on building the visitor center, site preparation, landscaping and parking facilities as well as relocation of one home in the area which got misplaced over the years.

Clearly, the project is important enough to merit substantial backing by this or any administration—as a National Historical site under jurisdiction of the Park Service.

Rep. Paul Findley, who represents this district in the House of Representatives, has been spending a great deal of time on this one project. He is to be commended for the decision of the White House Office of Management and Budget to "re-program" funds for this fiscal year.

We urge Representative Findley to keep pushing. He says he plans to discuss the matter with Congresswoman Julia Hansen of Washington, Democratic chairman of the House appropriations subcommittee on Interior dealing with Park Service Matters. That is appropriate. He says he also approach the Office of Management and Budget, where the real pursestrings are held. We wish him success.

We are sympathetic to the priorities established by the Nixon Administration through the National Park Service for celebrating this nation's 200th anniversary. But rules are made to be excepted. We believe the Lincoln Home, residence of the man who brought this nation back together, would be a most appropriate project to be funded by the President who first took office over five years ago promising to bring the country back together again.

President Nixon found time to come to Springfield to sign the bill establishing the home as a historic site. We would like to see him come again—in 1976 to dedicate it to the country lawyer whose tomb is in the Illinois State Capitol, whose law office was here and on whose state legislature office desk, reconstructed by a foresighted state administration, sits a copy of the Illinois State Journal.

## BAN THE HANDGUN—XL

### HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1974

Mr. BINGHAM. Mr. Speaker, the following two examples illustrate that handguns in the hands of citizens rarely protect that citizen from attack, but rather are more often the illogical extension of an emotional altercation between friends or relatives. In the following article, reprinted from the April 4 edition of the New York Times, two such incidents are described, the latter resulting from a dispute over who would sit where in a parked car:

#### FROM THE POLICE BLOTTER

A sidewalk dispute between two men on the Lower East Side resulted in the accidental shooting of a 28-year-old woman as she was passing by on her way to work. The woman was identified as Miss Sylvia Aannan of 325 East Houston Street. The shooting occurred at Avenue B and East Fifth Street and Miss Aannan was treated at Bellevue Hospital for a wound in the left ankle. . . .

A street altercation at East 173d Street and Anthony Avenue in the Tremont section of the Bronx resulted in two men being shot by another. The alleged assailant was identified by the police as Perfecto Diaz, 45, of Glen Cove, L.I. The wounded men were said to be José Reyes, 27, and his brother, William. The dispute was described as a clash over where to sit in the car Mr. Diaz was driving.

## HEALTH CARE FOR ALL

### HON. ANDREW YOUNG

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1974

Mr. YOUNG of Georgia. Mr. Speaker, Chairman WILBUR D. MILLS has announced that on April 24, the House Committee on Ways and Means will begin hearings on national health insurance—one of the most serious and important issues before this Congress.

For the benefit of colleagues who will be giving careful consideration to all of the health-care alternatives which have been proposed, I submit for the RECORD two thoughtful articles on the issue from the April issue of the Progressive.

The writers, Joanne Ostrow and Steve Slade, point out both benefits and defects in various health systems. Ms. Ostrow, in my view, reaches a particularly compelling conclusion:

Only a reordering of the priorities of the system, putting patient care above profits, can produce a publicly accountable health service program for all Americans.

#### The articles follow:

#### HEALTH CARE FOR ALL—NATIONAL HEALTH INSURANCE: THE BENEFITS, THE RISKS (By Joanne Ostrow)

During his 1968 campaign, Presidential candidate Richard Nixon operated on the premise that the nation's system of health services was not fatally flawed and that, in fact, "Americans enjoy some of the best health care in the world." But a recent United Nations study reveals that our public health standards have worsened: the United States ranks seventeenth in infant mortality, thirtieth in life expectancy for males, behind countries with fewer resources. Nixon has more recently admitted that we face "a massive crisis" in problems of health care.

A 1972 conference of American public health specialists brought to light the many problems confronting plans for national health care delivery in the nation. Among them: enormous costs, shortages of doctors, too highly specialized doctors, and lack of supporting personnel for the physician.

Nixon's proposed solution is employer insurance, or "National Health Insurance Partnership," which would require employers to "provide minimum-standard health insurance protection for their employees and dependents of employees" with employers paying at least sixty-five per cent of premium costs initially, seventy-five per cent "later." The Government would spend about \$4 billion a year to make up the difference.

Medicaid would be replaced (or, more appropriately, renamed) by a government-financed Family Health Insurance Plan. This plan would provide basic health insurance protection to all low-income families with children that are not covered by employer plans. There are modest benefits for those to be covered and endless exceptions to the list of who is eligible. A small step, in that it departs from the "fee-for-service" idea, the

Nixon proposal is still far from what "national health insurance" should be. The "new improved" title is misleading; keeping the Government's role to a minimum while enriching the insurance companies, it is hardly a move forward.

For example, a family could be required to spend as much as \$1,500 in a year under various cost-sharing features before the program pays all expenses. Even low-income families, for whom the Government pays the health premiums, would have to spend as much as \$750 before complete coverage began.

The Nixon plan also perpetuates the present self-regulation of the medical profession, a system which has driven up costs, reduced standards, and limited availability of health services, especially to the poor.

The Democrats generally approach the problem from the opposite direction; Senator Edward Kennedy's proposal is characteristic. Federal rather than employer insurance is advocated. The aim, according to the health-care plank in the 1972 Democratic platform, is to "establish a system of universal national health insurance which covers all Americans with a comprehensive set of benefits including preventive medicine, treatment for mental and emotional disorders, and complete protection against catastrophic costs, and in which the rule of free choice for both provider and consumer is protected. The program should be Federally financed and Federally administered."

The Kennedy plan follows these guidelines closely, providing complete hospital and medical care without deductibles and copayments. The Federal Government acts as the insurer and administrator. A potentially far-reaching provision would create a commission to set national standards for quality health care, and to encourage group practice.

The economic pressure of doctors' fees inevitably creates interest in plans for full pre-paid medical care. The question is not whether there should be a national health insurance system, but what form it should take. Present modifications to the system—Blue Cross, Blue Shield, and group medical insurance, Medicaid and Medicare—are too fragmented to relieve financial fears of illness of the majority. Aimed at specific categories of the public, these schemes have provided no check on the rise in medical costs and doctors' fees, nor the maldistribution of services. The general practitioner has been phased out as specialization becomes the norm.

Neither party in Congress is ready to give the other a "victory," so reform will come slowly, compromisingly, if at all.

Britain's experience with the National Health Service, operated by the central government and financed largely out of tax revenues, is closer to the Democrats' approach. It should offer an example of what the United States will face in a Federal program of medical care. Nationalized care, in principle, means improved services at lower costs. In practice, Britain has learned, one must also contend with dissatisfied doctors, overutilized services ("health consumerism"), and runaway costs. In June 1971, *Medical World News* reported that "half of Britain's medical graduates are expatriates," because of huge hospital work loads, long hours, and low pay. Hours of duty demanded by the government exceed those in any other field. The earnings of an accountant in England are double those of a general practitioner; a house call made between midnight and seven a.m. earns \$6.

Britain's 10,000 general practitioners are employed by the government as "private contractors" and paid a set fee for each patient on their panels. Medical care is free except for a forty-eight per cent charge on prescriptions, and fees for spectacles and a few other items. Tax revenues cover eighty-five per cent of operating costs for the service;

social security contributions make up the rest.

In the "first complete cradle-to-grave guide," *National Health Service and You* (1965), author Gordon Thomas sought to clarify the ground rules. The NHS is available to visitors from overseas who are taken ill after they have entered Britain; there is no compulsion for patients to make use of NHS, nor is any physician forced to join. (Only 600 out of a total of 23,500 G.P.s originally opted out of the system.)

There are no insurance qualifications. The running costs of the service are drawn mostly from the national exchequer, through taxes, and, to a much lesser degree, local rates.

"The most telling factor of all to the success of the service," Thomas notes, "is that ninety-seven per cent of the population in England and Wales belong to it."

Would a national health scheme be acceptable in the United States? J. Enoch Powell, outspoken member of Parliament and former Minister of Health, answers, "Most nations will commit the same follies and it looks to me from a distance that any fashionable folly is at least as attractive to Americans as it is to Englishmen."

Powell believes that for the first fifteen years of socialized medicine in Britain, nationalization prevented any hospitals from being constructed. Hospitals are more obsolete now than they would have been without NHS, and doctor-patient relationships have worsened. Waiting lists have not been shortened; "free" government services breed discontent in a public with rising expectations, and, according to Powell, the people feel they get better, faster attention by paying as private patients. Denationalization is the only answer, he feels.

The question of centralization versus decentralization is continually debated by British authorities and onlookers. While some favor imposing a central purpose and pattern on the complex administration of NHS, others argue for more local autonomy, fearing overstandardization and uniformity. The primary aim is to provide a unified service, integrated at all levels, involving close cooperation among authorities. While strong professional participation, community interest, and volunteer activity are encouraged, the main financial control and overall planning rest with the central department.

The problem of quality control is also difficult; the process of dealing with complaints against practitioners is slow and expensive. David Kidd-Hewitt, a sociology lecturer at the City of London Polytechnic, points out that the citizen is at a disadvantage. The tribunals which judge doctors' standards (set up under the NHS Act of 1946) had to be satisfactory to the professional bodies. There is, therefore, a built-in bias favorable to the doctors themselves. This is the British counterpart of the "cozy arrangement" of peer review which Herbert S. Denenberg deplors in the U.S. system.

Constant reorganization of the system seems to be necessary. Priorities must be established and decisions about spending continually updated. It is an illusion, says Kidd-Hewitt, to expect a health service to erase disease by prevention and cure: health services are self-expanding. He suggests we will find that as consumers come to perceive their needs, the demand for treatment increases. People everywhere are less willing to accept discomforts and distress that were once considered an unavoidable part of life.

Any attempt at drawing comparisons must span the ideological gap between British and American ways of thinking: "Indeed, the horror and dismay which the commercialization of American medicine strikes into the soul of the British observer tends to paralyze all other faculties whether of discrimination or appreciation," writes British health expert Donald M. Johnson.

In a 1973 article in *The Public Interest* on



commercialized medicine in the United States, sociologist Nathan Glazer asked, "Is it possible that the somewhat greater distance between healing and monetary payment that generally prevails in England and Sweden contributes to a morally healthier medical profession?"

Similarly questioning the system, a report in the *New England Journal of Medicine*, 1970, cited a "disturbingly high proportion of elective surgery performed" (twice as much surgery in proportion to population) in the United States as in England and Wales. The "old fashioned reluctance of British surgeons to operate" is not a plausible explanation. The rates of surgery in American group health plans, the *Journal* notes, are one-half those reported for Blue Shield fee-for-service practice.

In the words of one journalist critical of NHS, "it is a brutal fact that keeping people alive is becoming an uneconomic activity." Criticism of the U.S. system often focuses on the economic advantages of many practitioners.

Proposals and rejections for nationalized health insurance in the United States can be traced from the Progressive Party to Senator Edward M. Kennedy. The American Medical Association's position has been consistent since the 1930s. President Kennedy's modest plans for free health service for the aged were harshly rejected in the 1960s. John Kennedy's program, the AMA claimed, "adds up to nothing more than socialized medicine—controlled by a bureau of the Federal Government, paid for by increased Social Security taxes . . . Confined at first to the aged, it would inevitably be expanded to cover all Americans."

Senator Kennedy's current proposal is a Health Security Plan which would pay all medical expenses except for dental work on adults, lengthy psychiatric care, orthodontic work, and some prescription drugs. Regulatory boards would be established to set financial and qualitative standards throughout the health industry—a proposal hoped to be more detached than the proposed Professional Standards Review Organization, whereby doctors monitor doctors. The program would be financed by increased Social Security and Federal appropriations.

Cosponsored in the House by Representative Martha Griffiths, Michigan Democrat, the plan has opposition from the Nixon Administration, the AMA, and various legislators. President Nixon opposes the Kennedy-Griffiths bill and has introduced a proposal basically the same as last year's National Health Insurance Partnership Act.

The AMA predictably sees the Kennedy-Griffiths bill as another plan for socialized medicine. The bill would subject physicians to government review and encourage group practice, which to the AMA represents government meddling.

AMA's response is to endorse a Mediredit bill, which would subsidize, but not alter, the existing system. Keeping Washington clear of administering the program and maintaining the position of private insurance companies, the Mediredit plan is closer to the Nixon proposals.

The Kennedy-Griffiths bill would shift power away from the private insurance companies and provide free or heavily subsidized treatment in a system financed mainly by taxpayers. This plan, which veers toward the British scheme, has been criticized as economically unfeasible. The question of cost will, unfortunately, be used as a barrier to reform. An analysis of the Department of Health, Education and Welfare predicts that "if we do nothing, health care costs will rise from the present \$80 billion annual level to \$105.4 billion in fiscal year 1974." If Congress enacts Nixon's National Health Insurance Plan the costs will increase to \$107.2 billion. With Mediredit, to \$109.5 billion. And the Kennedy-Griffiths bill, HEW claims, would increase costs to \$113.8 billion.

Leonard Woodcock, of the Committee for National Health Insurance, questions the validity of HEW's analysis, but notes that it nonetheless "shows overall health expenditures only six per cent higher under the comprehensive, universal equal benefits health security bill" than under the "fragmented, double-standard" bill proposed by the Administration.

The central issue remains: can Americans achieve the same system of free adequate medical care the British have learned to live with, at the same time avoiding the drawbacks? How to remedy the constant lack of funds, inadequate opportunities for doctors (particularly specialists), lack of incentive for more than minimal treatment or improvement of equipment, month- and year-long waiting lists for chronic or non-urgent ailments?

Judging by the pace of legislation through Congress, it may still take some time before the question is put to the test in America. Even then, if Congress passes reform bills, one wonders if the health care delivery system would be prepared to make the change. A national health insurance system would sound like a progressive step, would give both the liberals and the Nixon Administration a feeling of accomplishment, but would in no way reorder the present two-class system of medicine.

The industry is presently a closed system highly efficient at extracting profit. Drug manufacturers, insurance companies, the AMA, and certain individual doctors have no reason to alter their established system of financial security. Hospitals, described by Ralph Nader as "sublegal systems unto themselves," resist Federal control through strong lobbying power and have no incentive to change.

In *The American Health Empire* (1970), Barbara and John Ennenreich assess the power, profits, and politics of the complex of medical businesses. The question of insurance or public funding, they argue, does not get at the roots of the problem, which is the power of the public to control the health care system. The challenge presented by nationalizing schemes is resisted by a host of industries, according to the Ennenreichs, specifically the electronic, chemical, and insurance industries which have interests in the profitability of the present free-enterprise system.

"The most profitable small business [in the United States] is the private practice of medicine," the Ennenreichs note, and "the most profitable big business in America is the manufacture and sale of drugs. The hospital supply and equipment industry is not far behind. The insurance companies gross over \$10 billion a year in health insurance premiums."

Such is the state of our system of health care. The health industry is a well-organized machine; the passage of bills based on foreign models will make high-quality medical services for the majority no more accessible than at present. Programs leaving the responsibility to employers, reinforcing private insurance companies, only strengthen resistance to change. Only a reordering of the priorities of the system, putting patient care above profits, can produce a publicly accountable health service program for all Americans.

#### HEALTH CARE FOR ALL—IS IT WORTH IT TO GO HALFWAY?

(By Steve Slade)

The United States appears to be marching relentlessly toward some form of national health insurance (NHI). There is no longer significant public debate over the need for a greater government role in the provision of medical services. Both President Nixon and Senator Edward M. Kennedy have pledged early action on the various insurance plans now before Congress.

But the Nixon and Kennedy plans represent radically different approaches to the form NHI should take. Senator Kennedy and Representative Martha Griffiths of Michigan are sponsoring broad legislation covering virtually the full range of personal health services for everyone. President Nixon proposes a combination of three programs for various groups which leaves many medical services uncovered and bills unpaid. Nixon's plan will cost the Federal Government less, and the President has made much of the "new taxes" required by the more costly Kennedy-Griffiths bill. But the Kennedy-Griffiths proposal will cost the medical consumer less out-of-pocket, and supporters have made much of the co-insurance and deductibles mandated by the less comprehensive Nixon measure.

The crucial difference, however, involves neither cost nor comprehensiveness of coverage. It centers, rather, on the question of whether Federal financing will be used to exert leverage over an enormously costly, wasteful, and inefficient system of health care delivery. The Kennedy-Griffiths bill seeks to control the medical industry by altering the traditional payment and delivery mechanisms and limiting the role of the insurance industry. The Administration proposal not only leaves the current payment and delivery system largely intact, but guarantees a powerful and lucrative role to insurance companies; it is little more than the continuation of private insurance by other means.

As the debate over these conflicting approaches and sundry alternatives unfolds, and as countervailing pressures are brought to bear on Congress, liberals, who have rightly helped create public clamor for NHI, are likely to face a cruel choice between no bill at all or one which perpetuates the present system of vast expenditures, unjustified waste, and inadequate cost controls. If the medical-industrial complex succeeds in shaping the legislation that is to come, the result will merely be to frustrate our efforts for better health and warp our national spending priorities for years to come.

In the past, the political power of the medical-industrial complex has effectively limited Federal intervention in the payment patterns of medicine. In consequence, we have seen one Federal health program after another fail in frustration. The underlying Federal philosophy toward medical care is summarized in the preamble of the much praised Comprehensive Health Planning and Public Health Services Act of 1966, which pledges no "interference with existing patterns of private professional practice of medicine . . ." In other words, the Federal Government has committed itself to financing medical care without demanding significant changes in the method of payment or delivery.

The price for this commitment was paid in the Medicare and Medicaid programs as costs rose from \$3.2 billion in 1967 to \$7 billion in 1970. While costs doubled, enrollment in Medicare increased by only eight per cent. The impact of these programs on medical prices was staggering. Following their adoption, the rate of inflation in medicine doubled to an annual rate of 6.6 per cent. Daily hospital service charges led the upward surge with annual increases of 13.4 per cent. During the first three years of these programs, fees rose by twenty-two per cent and daily hospital service charges increased by fifty-five per cent.

This experience is likely to be replicated and aggravated by the kind of national insurance system that the health industry and the Administration will try to persuade Congress to enact. We must ask ourselves, therefore, whether it is worth it to go halfway toward NHI. With the limited resources available to meet our vast needs, we cannot afford huge expenditures on unnecessary medicine. The 1973 budget study of the Brookings Institution pointed out that public funds spent on NHI would not be avail-

able to meet "other high-priority public objectives." Unfortunately, the American public seems willing to devote only a slowly growing portion of its GNP to public expenditures. Given this political-economic reality, the value of NHI must be weighed against the value of other social programs eliminated from consideration by NHI's high costs. The loss of social programs will escalate with the costs of the Government's commitment to current payment mechanisms.

The poor, whose health is the worst and whose need the greatest, will suffer most from the distortion of social priorities. After a study of the links between poverty and health, Professor Monroe Lerner of the Johns Hopkins School of Medicine concluded that the poor experience "substantially higher rates of overall mortality, infant mortality, and severe illness" than those in higher income brackets. Lerner suggests that programs designed to alleviate poverty will also improve the health level of the poor.

Lerner's conclusions may surprise us because we are accustomed to assuming that medical care is the only critical determinant of health. But medical sociologists have documented a wide variety of cultural, behavioral, and environmental factors which contribute substantially to health or illness. Inadequate housing, nutrition, clothing, economic security, and education contribute to the total poverty environment and to the ill health of the poor. If the poor lack access to quality medical care, they also lack access to quality housing, good jobs, and nutritious food. Social programs which help alleviate these elements of poverty will substantially improve the health level of the poor; they will also be the programs most likely to go underfunded as escalating medical costs consume available public funds.

As the legislative process works its way toward compromise, we must begin to face these questions of priorities because we cannot have all that we want nor do all that needs doing. The nature and power of the medical-industrial complex requires radical changes in payment and delivery mechanisms, but it almost guarantees the continuation of current practices. Rather than march blindly toward some vague and distant goal of national health insurance, we must begin to ask ourselves where we are going and whether we really want to go there.

## VICTORY FOR PERSISTENCY

**HON. ROBERT C. McEWEN**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1974

Mr. McEWEN. Mr. Speaker, three words—victory for persistency—tell the result realized, and the type of effort made, by Alan E. Emory, Washington correspondent of the Watertown, N.Y., Daily Times, on the matter of opening up farmers' individual income tax returns to inspection by the Department of Agriculture.

I wish to make a part of the RECORD some of Mr. Emory's news stories and an editorial applauding his work:

### VICTORY FOR PERSISTENCY

An executive order which never should have been sought nor issued is about to be rescinded. The report by our Washington correspondent Alan S. Emory, that President Nixon has agreed to revoke a January, 1973, decision permitting the Department of Agriculture to examine farmers' tax returns is good news for our food producers and for all

Americans who cherish their privacy. Furthermore, it illustrates dramatically the power of persistence.

President Nixon's informal agreement to withdraw an edict which had angered the more than 3,000,000 American farmers was the result of increasing pressures and criticisms from members of congress. However, in this case, the effectiveness of the pressure came from the exposures made by a relatively few newspapermen who understood the order's full implication.

The directive, refined by the Justice Department, would be a model for various government agencies other than the Agriculture Department and thereby create a situation where anyone's income tax would be subject to examination. These returns thus would no longer be the confidential documents between taxpayer and the Internal Revenue Service as Americans have always believed.

Among the first, and perhaps the very first, to understand the order's implication was Mr. Emory, who reported last fall that the Agriculture Department had decided temporarily to scrap the order. A man of persistence, Mr. Emory kept inquiring into the details and meaning of the order. Last February 26 on President Nixon's televised news conference, Mr. Emory asked the president to explain the order in light of his strong defense of confidentiality for White House papers and his new protection-of-privacy policy for individual citizens. Mr. Nixon said he would turn over the issue to Vice President Gerald Ford and his new federal commission on privacy.

Yesterday Mr. Emory learned that the President had acceded to Vice President Ford's recommendation that the controversial order be revoked. Mr. Ford, having fairly recently undergone personal scrutiny, is sensitive to the feelings of farmers, especially on taxes, and can appreciate the concern of Americans over income tax privacy.

If Mr. Ford can now manage to eliminate a Justice Department opinion that the Nixon order serve as a prototype for other agencies, the job will be complete.

Many individuals can be applauded for this significant victory, the farmers, the congress and the civil liberties group. We do not hesitate to add the name of Mr. Emory.

### PRESIDENT CANCELS TAX PROBE POLICY (By Alan Emory)

WASHINGTON.—President Nixon today announced formally today that he has approved a new executive order wiping out the policy of opening up individual farmers' income tax returns to the Agriculture Department.

White House Press Spokesman Gerald Warren told the Times that the President felt the impression had grown so strong that the order constituted an invasion of privacy that it conflicted with administration goals of protecting the privacy of citizens.

The day after this reporter asked the President about the order at his Feb. 25 press conference, Warren said, Nixon asked Vice President Ford, at a Domestic Council meeting, to look into the question.

Ford reported back that he felt opposition to the order on the basis of invasion of privacy outweighed the statistical purposes for which it was first issued early in 1973.

Nixon asked whether order was really necessary, and, White House officials said, a quick analysis showed the Agriculture Department had not used it to inspect tax returns and the department had found it could "live without it."

Warren said the order had been presented to the President as containing all necessary safeguards to protect privacy.

When, however, the "current framework of the government's taking the lead on protecting privacy" was created, Warren said, the executive order seemed to indicate the administration was going in two directions simultaneously.

One White House spokesman observed that, as a result, "the Agriculture Department is going to have to work a little harder" to obtain its information, probably going to the Census Bureau, where, many observers believe, it should have gone in the first place.

### TIMES REPORTER'S QUERY CREDITED BY WHITE HOUSE IN SCRAPPING TAX ORDER

WASHINGTON.—The White House Thursday attributed President Nixon's decision to scrap his executive order opening up farmers' income tax returns to the Agriculture Department to a question asked by Times Washington Correspondent Alan Emory at a Feb. 25 White House news conference and a subsequent recommendation by Vice President Ford, chairman of an administration committee on privacy.

The unusual cause-and-effect explanation was provided at a White House news briefing by Deputy Press Secretary Gerald Warren.

Sen. James L. Buckley, C.-R., N.Y., today hailed the Nixon action as "an example where reporting can call to the public attention, and to the attention of a president, abuses of executive authority."

Buckley, who on March 11 wrote the President urging him to rescind the order "immediately" as an implicit invasion of privacy, told The Times, "Let us hope that all similar directives are reviewed to make sure there is no violation of privacy, other than that specifically authorized by statute and necessary for public purposes."

Rep. Robert O. McEwen, R., Ogdensburg, said he "totally approved" of the President's reversing his 1973 order.

"I commend the President for honest correction of this grievous error," the Congressman declared. "The confidentiality of individual taxpayers' returns should not be carelessly set aside."

McEwen continued, "Alan Emory, the Watertown Times Washington correspondent, did an outstanding job of tenaciously exploring the implications of the issue and keeping the attention of members of Congress and the administration on this matter, including a question put directly to the President at his news conference, with the happy result that this action has now been corrected."

### TAX RETURN SAFEGUARD PROPOSED IN REFORMS (By Alan Emory)

WASHINGTON.—Legislation to tighten safeguards around individual income tax returns may become part of this year's major tax bill.

Congress is expected to approve a tax measure some time late in the year. Lawmakers on both sides of the Capitol are now planning to fit in a section sharply restricting the access to individual taxpayer returns.

The issue was posed by President Nixon's 1973 executive order allowing the Agriculture Department to examine farmers' returns, although the President revoked that order a week ago today.

What has alarmed lawmakers and observers even more, however, was the opinion of the Treasury and Justice Departments that the order was designed as a "prototype" for other federal agencies, a prospect Rep. Bill Alexander, D., Ark., called "frightening."

That issue is now before an administration committee on privacy headed by Vice President Ford. Ford recommended that Nixon revoke the order on farmers' returns, and Nixon did so about a week later.

Sen. Lloyd M. Bentsen, Jr., D., Tex., a member of the Senate Finance Committee, said he expected his tax return privacy measure to be considered with other tax legislation late in 1974.

Bentsen introduced his bill Tuesday, declaring that, although President Nixon had revoked his year-old order on farmers' returns, the potential for "unwarranted intrusions" into privacy still existed and the



1973 Nixon order had established a precedent.

The fact that an "unwise" order was allowed to remain on the books for a year, said Bentsen, "clearly demonstrates that our laws must be changed."

"Congress and only Congress" should decide what changes should be made, Bentsen added, to close the door to potential abuse.

He said the legislation would not hamper the Internal Revenue Service from performing its regular duties.

FROM WASHINGTON—HEROES IN FIGHT  
FOR PRIVACY

(By Alan S. Emory)

There are several heroes involved in President Nixon's first step in pulling back from a policy that threatened the traditional privacy of everybody's income tax return. The White House tried to make it look as if President Nixon himself had guided his advisers along the path to a change in policy, but that isn't quite true.

For one thing, there were the House hearings on the 1973 Nixon order authorizing the Agriculture Department to look at every farmer's tax return. They were triggered by a couple of very concerned Democrats, Jerry Litton of Missouri and Bill Alexander of Arkansas, but despite the hearings and some strong recommendations from a House Government Operations sub-committee public attention was pretty thin and the Nixon Administration's concern non-existent.

In fact, the Agriculture Department, which said it had consulted with the White House on the policy, refused to pull back an inch although given plenty of opportunity.

Another hero, in a restricted sense, was Internal Revenue Commissioner Donald C. Alexander, who refused to implement the policy, although he, too, declined to go to the President to point out what a bad one it was and the dangerous implications for the future.

A third hero was Sen. James L. Buckley of New York, who read a news story about the Nixon order and sat down and wrote the President on his own, calling for an immediate scrapping of the order as representing an "implicit invasion of privacy." Fortunately, Buckley mailed his letter a week before he called for Nixon's resignation, so it may have been read and considered.

Still another hero was Vice President Ford, who was not in on the earlier policy and had the political sensitivity to realize the direction in which it was heading. As soon as Nixon turned the issue over to Ford and his new government privacy committee, the Vice President moved quickly and called on Nixon to reverse himself. He even maneuvered Agriculture Secretary Butz into backing him up, and that combination convinced the President to backtrack.

The whole case was helped along by news coverage in this newspaper and the Washington Post, which, in turn, prompted an editorial in the Washington Star-News. And, it is likely, the President might never have been spurred to take any action had it not been for a question put to him at his Feb. 25 news conference. That question prompted him to toss the matter into Ford's lap.

The White House announcement of a change of heart Thursday indicated that Nixon had asked Ford to find out if the Agriculture Department tax snooping was "really necessary," but there is strong evidence that Ford was left largely on his own and it was his realization of what a bad policy this was that led to his recommendation.

The President, after all, looked pretty strange demanding confidentiality for White House materials and pointing the way for a new program to safeguard individual privacy and when only a year before he had launched a policy to open up tax returns across the board, starting with the country's 3,000,000 farmers.

The issue is not yet completely settled. Legislation is needed to make sure tax returns are as safe and private as every one assumed they were.

Ford's privacy group must come up with a finding that what the Agriculture Department might have been allowed to do should be barred to any other federal agency. There is still the matter of what prompted the Justice Department to label the Agriculture Department order a "prototype" for all other government departments, a statement that labeled the administration policy as a real threat to individual privacy.

The odds are that Ford will keep on top of the issue and that a complete reversal of an evil policy will be accomplished. The fact that it could have been formed in the first place reflects the kind of White House thinking that prevailed in the John Dean-Haldeman-Ehrlichman days, the use of the IRS as a political weapon and similar violations of individual dignity.

Between Congress, the press and the Vice President that policy line has a good chance of being consigned to the political garbage dump, where it belongs.

CONGRESSMAN AL QUIE, LAUDED  
FOR LEADERSHIP

HON. ANCHER NELSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1974

Mr. NELSEN. Mr. Speaker, Congressman ALBERT QUIE, of Minnesota's First Congressional District, was the subject of a complimentary and much deserved political profile in the March issue of the Ripon Forum. I know that AL's many friends and admirers in and out of Congress will find it of interest, and I am pleased to insert the article in the CONGRESSIONAL RECORD:

POLITICS: PROFILES—ALBERT QUIE

SOUTH ST. PAUL, MINNESOTA—Minnesota's First District Congressman Albert Quie (R) refers to himself as one of the "few dirt farmers in Congress," but he is one of the most respected and powerful Republicans in the House of Representatives and is his party's leading authority on educational legislation.

The grandson of a Norwegian immigrant, Quie still farms the dairy farm settled by his grandfather. The farm is located in Minnesota's prosperous 1st C.D., which is predominantly rural and agricultural, the most populous area being the city of Rochester with its world-famous Mayo Clinic.

Quie's interest in education and elective politics was first demonstrated when he was elected to his local school board while still a student at St. Olaf College in Northfield. Elected to the Minnesota State Senate in 1954, Quie continued to demonstrate his interest in education by serving on a legislative interim commission investigating the education of exceptional children. His work on this commission resulted in the enactment of extensive legislation for the education of handicapped children.

In 1958, he was narrowly elected to Congress in a special election to replace U.S. Rep. August H. Andresen. Re-elected by a comfortable margin in the fall of 1958, Quie has easily won re-election ever since.

As a freshman congressman from an agricultural district, Quie was quite logically assigned to the House Agriculture Committee. However, he continued to express his interest in education, and Minority Leader Charles Halleck, in a precedent-setting move, appointed him also to the Education and

Labor Committee. Quie retained seats on both committees until 1967, when he gave up his seat on the Agriculture Committee since he felt his farm background would allow him to continue to have an impact on agricultural issues. It was his belief that he could best serve the interests of his constituents by utilizing the expertise he had acquired in the field of education. Quie has since risen to the position of ranking minority member of the committee.

Quie theorizes that the federal government has usurped many of the governmental functions that are more appropriately exercised by state and local governments. Yet he believes also that within specifically defined areas of education, the federal government does have a legitimate function, e.g., education of the handicapped, vocational and occupational education, and instruction of the educationally disadvantaged. Higher education is another area in which he feels the federal government has a legitimate albeit limited function, and he was a major force in the adoption of the Higher Education Facilities Act in 1963 and the Aid to Higher Education Act in 1972.

In particular, Quie is critical of the present trend whereby elementary and secondary schools are becoming increasingly isolated from the community. He stresses the need for more coordination of the schools with the community. He believes that insulation of the schools from the community has caused students to lose their own sense of identity and that the schools have failed to transmit the nation's value system to its youth. While the impetus for changes in the educational system must come from the community itself, Quie deplors the tendency of the government to stand in the way of innovative concepts in education. He feels that future legislation must account for and correct this tendency. Quie also believes that secondary-school systems have done much to stifle the vocational education of students. He favors enactment of a youth differential in the labor laws which would permit exceptions in the minimum age law so that students could work as part of their vocational training.

Quie's position as the ranking minority leader of the Education and Labor Committee during the Nixon Administration has proved to be a mixed blessing. He is frequently consulted by the President and Administration officials on education legislation, but Quie believes that the Administration has placed a low priority on educational legislation and that the Office of Management and Budget has more decision-making power in this area than does the Department of Health, Education, and Welfare. As a result, Quie has frequently differed with the Administration on many issues.

The Minnesota congressman has been a supporter of President Nixon in his stand on the Vietnam war, despite his initial reservations about the wisdom of the war effort. During the Johnson Administration, Quie questioned the justification for our involvement, our lack of objectives, and the general wastefulness of the war effort. When President Nixon took office, Quie supported his position on the war and defended the President's war policies. It was only during the latter part of the President's first term that he indicated his frustration with the President's inability to end the war. His criticism took the form of a request for a speedier withdrawal of troops and a reduction of the massive bombing attacks.

In Congress, the eight-term incumbent is generally identified with the moderate wing of the Republican Party. He was a leader, along with fellow Republicans Robert Griffin, Charles Goodell, and Donald Rumsfeld in their successful effort to replace Minority Leader Charles Halleck with Gerald Ford. Quie's voting record in the House has become more progressive in the past few years, and many observers cite as a reason the

changing make-up of his district from one which was predominately rural to one which contains a substantial suburban population. However, Quie gives the clear impression that he is comfortable taking progressive positions on many issues, especially environmental protection and legislative reform.

Quie's own sensitivity to other people and their ideas has earned him the reputation as an excellent legislative mediator. As the reason for his success as a mediator, he cites his ability to reduce tensions in debates on issues at hand and then to work out a rational basis upon which the parties can come together. Quie cites his relationship with U.S. Rep. Andrew Young, a black Georgia Democrat, to explain the sensitizing nature of his own strong religious convictions. Quie explains that whereas he and Young might ordinarily find little common ground on which to relate, their mutual religious efforts have been a strong basis for communication.

Congressman Quie has been a leading advocate for congressional reform. As a ranking Republican on the House Education and Labor Committee, he has taken the lead in opening all executive committee meetings to the public and is very careful to see that the minority staff of the committee is used for committee work and not co-opted for use by individual committee members. He was a leading advocate of the modification of the seniority system by House Republicans whereby senior committee members must be subjected to a "yes" or "no" vote of committee members before they can assume a leadership position. He believes that the present committee structure needs to be thoroughly revamped but is optimistic about the ability of the Select Committee on Committee Structure to come up with mechanism to enable Congress to deal effectively with contemporary problems.

Congressman Quie does not indicate any interest in seeking higher office, and it is likely that he will attempt to remain in the House. In 1966 he very nearly ran for the governorship of Minnesota, but facing the prospect of a contest for the Republican nomination, he decided against entering the race. In 1969 there were indications he would seek the seat vacated by Sen. Eugene McCarthy, but again he decided not to seek higher office. It is widely believed that his prime considerations were the prospect of spending less time with his family and his desire to maintain his prestigious position in the House.

Married and the father of five children, both family and religion play a very important part in Quie's life. His wife, Gretchen is an accomplished artist, and her paintings are on display in the congressman's office and in the homes and offices of many of his constituents in Minnesota. Once an expert pilot (Quie is reputed to have flown his Navy fighter plane upside down at an elevation of 30 feet over St. Olaf College while courting his wife) he has recently given up flying and devotes most of his free time to the training of quarterhorses. He is often up at dawn and at work training his horses or those of a friend for entry in western shows. One of the highlights each year in his congressional district is a western trail ride which the congressman sponsors.

In the past few years Quie has faced only token Democratic opposition in his district. With the rejuvenation of the Minnesota DFL he will likely face much stronger opposition in the coming election. Any potential opponent will, however, have to overcome the formidable obstacles of Quie's broad base of bipartisan support in his district and his reputation as an effective and powerful Congressman.

## THE CASE FOR A FEDERAL OIL AND GAS CORPORATION—NO. 17

### HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1974

Mr. HARRINGTON. Mr. Speaker, Congressman SIDNEY R. YATES of Illinois recently polled his constituents to learn their views on the proposal to create a Federal Oil and Gas Corporation. The results clearly favor the creation of a Government entity to develop our Nation's energy resources in competition with the private oil companies, and I believe the results are indicative of the widespread national support for the Federal Oil and Gas Corporation.

I would like to insert the results of Congressman YATES' questionnaire into the RECORD.

#### PERCENTAGE TABULATION OF RESULTS UPON CONGRESSMAN SIDNEY R. YATES' QUESTIONNAIRE

	His			Hers		
	Yes	No	Undecided	Yes	No	Undecided
4. The Federal Government now leases its oil resources on public lands to private oil companies for development and takes a royalty. Do you think it would be better if Congress were to establish a government corporation like TVA to develop such publicly owned resources for the public as:						
(a) Oil and gas...	56	35	8	63	25	11
(b) Oil shale...	56	35	8	61	24	14
(c) Geothermal...	63	27	9	65	22	12
(d) Solar energy...	64	27	8	68	20	11

#### DIEGO GARCIA FUNDS OPPOSED

### HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1974

Mr. HAMILTON. Mr. Speaker, I rise in support of the amendment to strike section 301 of the defense supplemental bill. This section which would authorize an appropriation of some \$29 million for the creation of more permanent base support facilities on the island of Diego Garcia has no business in a supplemental bill.

There may be very good arguments for and against the creation of such facilities but there are no good or compelling arguments for Congress to be rushed into creating another base overseas without first examining the political and military ramifications of such a move.

Mr. Speaker, three considerations lead me to the conclusion that this section should be deleted from the bill and that

the matter should be examined further by the appropriate committees of Congress.

#### SIGNIFICANCE OF REQUEST

First, the significance of this request far outweighs the \$29 million in the supplemental bill. If passed, we would be establishing a major military presence in a remote area where heretofore our presence was minimal and our profile low. To seek facilities to support the regular deployment of a carrier in the Indian Ocean would represent an important new type of presence and would give the United States new capabilities in a region halfway around the world where every Soviet military move to date has been in direct response to something we have done previously.

The creation of permanent base support facilities on Diego Garcia raises a whole series of questions having to do with America's appropriate role in the distant Indian Ocean. These questions need serious consideration by Members of Congress:

What is the national interest of the United States which attaches such importance to the creation of these facilities? It cannot merely be a response to potential Soviet presence.

What are the political, economic, and strategic ramifications of acquiring, or not acquiring, such facilities?

Do any military advantages that such facilities might provide the United States outweigh any political problems that might arise, the commitment a base might mean for the future, and naval competition with the Soviet Union that could result directly from this move?

Given the history of Soviet reactions to our moves, should we not at least wait to see what the Soviets do rather than create facilities and, like a magnet, attract a greater Soviet presence?

What impact will the facilities we seek have on the chances for an arms limitation agreement with the Soviet Union in this area?

What is the military balance between the United States and the Soviet Union in the Indian Ocean today and how do our military capabilities compare? What difference would these facilities we seek make in preventing the Soviet Union from doing things detrimental to U.S. interests?

What kind of contingencies would the proposed base protect us against, or enable us to meet?

What is the relationship between these facilities and our need for Persian Gulf oil and how can any facilities influence the course of oil politics?

And what other options exist for the United States to the source of action the Defense Department proposes?

Mr. Speaker, we do not have categorical answers to these questions, but a responsible Congress ought to try to find them out. Almost overnight our military involvement in the Indian Ocean area and the Persian Gulf seems to be escalating unchecked. On the one hand, we are seeking a permanent base in the Indian Ocean and on the other, we continue to



promote the seemingly unrestricted flow of arms to states in the Persian Gulf where last year perhaps upward of \$5 billion worth of arms were sold to Iran and Saudi Arabia. Congress urgently needs to consider the implications of the course of action our Government is taking in the Indian Ocean and Persian Gulf areas.

#### NO HURRY NECESSARY

A second reason for voting to delete this section is that there is no need to hurry. The Government has failed to explain adequately why an item that is of such potential significance has to be rushed through the Congress in a supplemental bill and why Congress should not have more time to consider this important issue and discuss alternatives, including a strong appeal for direct United States-Soviet negotiations to limit arms buildups and competition in the Indian Ocean and adjacent areas like the Persian Gulf.

I see no need to hurry because:

First, we have no known commitment in the area that warrants prompt action.

Second, the Navy admits that there is no relationship for the foreseeable future of facilities on Diego Garcia and the need to get supplies to countries in the Middle East should any hostilities warrant airlifts.

Third, the Navy plans for Diego Garcia are old ones, designed in the 1960s and defeated repeatedly within the Defense Department. The 1974 rationale for these old plans therefore deserves extra close attention.

Fourth, to delete this request and wait until the regular fiscal year 1975 defense bill is considered would mean a delay of only 6 to 8 months in construction on the island.

Fifth, we now have naval superiority in the Indian Ocean and will have greater naval capabilities for the immediate future, and

Sixth, the new British Government is presently considering the issue of whether to allow changes in the British-United States agreement over the use of the island in order to permit new facilities. It would be premature for this body to act before the negotiations with England are finalized.

#### SOVIET PRESENCE

One of the most frequently mentioned reasons for hurrying into creating these support facilities on Diego Garcia has been the Soviet presence in the Indian Ocean. Since 1968, the Soviet Union has been developing a military capability in the Indian Ocean region and it now has a permanent presence, but it is unclear what difference this presence makes and what threats it poses to our interests and to our access to Persian Gulf oil. The Soviet Union, like the United States, has a permanent presence in the area and both navies make port calls to many countries on the littoral. The Soviets have a numerically larger number of ships there, but with even the availability of a carrier from our Pacific Fleet, we have definite naval firepower superiority.

The Defense Department offers a litany on places where the Soviet Union is doing things or has facilities. But we must look behind what the Soviets are doing in Somalia, Socotra, Aden, Iraq, Mauritius, and Bangladesh. I would submit that the Soviet's naval involvement in and around the ports of these states is related directly to protecting and promoting their political interests in those countries where they have close ties. Presently, the Soviet Union does not, to my knowledge, have any base in the Indian Ocean.

These states friendly to the Soviet Union are isolated from other states in the region and although they may be able to harass their neighbors, there is no evidence that they seriously threaten U.S. interests or friends. It is important to remember that India, which is meant to be the Soviet Union's greatest ally in the area, has firmly resisted to date all attempts to acquire base rights in India. What facilities the Soviet Union does have access to appear to be small and unimproved ports and airstrips, and I seriously doubt that they have access for military aircraft to any airfield as large as the 8,000-foot runway already in existence on Diego Garcia. In fact, the irony of the request before us is that some experts even doubt the capability of a developed base at Diego Garcia to support a carrier task force.

Mr. Speaker, the Soviets may have certain designs on the Indian Ocean, but there is to date no evidence that they are escalating their presence at any alarming rate or acquiring any string of bases. Their relative degree of restraint and their slow maneuvering suggest to me that they have few real interests there. In turn, this suggests their Indian Ocean policy is more one of reacting to what we do. We should, therefore, be extremely careful before doing anything that might escalate the level of naval competition in the region. This is all the more reason for our showing restraint, not acting in a hurry, and examining the issue more closely.

#### NEED FOR CONGRESSIONAL ASSESSMENT

Mr. Speaker, a third consideration which leads me to the conclusion that section 301 should be deleted from this supplemental bill is that there remains a need for an independent congressional assessment of the issue. My subcommittee held five hearings on the matter of Diego Garcia. That was enough to persuade me that independent of whether we should expand our facilities on the island there was a significant issue before Congress.

This bill before us today is supported by an Armed Services Committee report which presumably reflects the views of members of the committee. I was dismayed to see that the entire portion of that committee's report relating to Diego Garcia, excepting an introductory and concluding paragraph, was lifted almost verbatim from the prepared remarks Admiral Zumwalt gave before my subcommittee of the Committee on Foreign Affairs.

I am persuaded that the Armed Services Committee has not given this body its independent assessment on an issue which has significant foreign policy ramifications.

I urge my colleagues to support this amendment in order to give the appropriate committees of the Congress time to examine the issue more carefully. Only yesterday, the Senate Armed Services Committee deferred without prejudice section 301 and it will be taken under advisement in the regular fiscal year 1975 defense authorization bill.

This body should do the same.

ARMISTEAD SELDEN, JR., ASSUMES  
POST AS AMBASSADOR

#### HON. BILL NICHOLS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1974

Mr. NICHOLS. Mr. Speaker, there may be some Members of this body who are not aware of the fact that a former colleague, Armistead Selden, Jr., has just departed Birmingham Airport to begin serving his country in yet another capacity—as Ambassador to New Zealand, Fiji, Tonga, and Western Samoa.

During his eight terms as Congressman from Alabama, Armistead distinguished himself as an outstanding Representative and gained a reputation as the House of Representative's leading authority on Latin American relations.

Following his tenure in Congress, Ambassador Selden served as Deputy Assistant Secretary of Defense under Melvin Laird and most recently he has practiced law in Washington and Tuscaloosa, Ala.

I am sure in his new position, Armistead Selden will again draw recognition as an outstanding representative of America. For the Members of the House, I would like to submit this article that appeared in the Birmingham News regarding Mr. Selden's departure and I hope that his former colleagues and friends will join me in wishing him success as one of the United States newest Ambassadors.

SELDEN LOOKING FORWARD TO NEW CAREER AS  
ENVOY TO AUSTRALIA  
(By Thomas F. Hill)

After serving successfully as a U.S. congressman, a high-ranking Defense Department official, and an attorney, Armistead I. Selden Jr., this week put away his law books and planned to fly over half-way around the world to begin a new career in the Diplomatic Service as ambassador to New Zealand.

Selden, who also will be ambassador to Fiji, Tonga and Western Samoa, will be accompanied by his wife, the former Mary Jane Wright of Talladega, and his youngest son, Thomas Lawson, 12. The oldest daughter, Mrs. Martee Hewitt of Sewanee, is married and attending University of the South at Sewanee. Two other sons, Ing and Jac, are in college, and a daughter, Edith, is in high school so they will join the Seldens later.

"This is something new and different for me," said Selden. "I am looking forward to it."

Selden brings a wealth of experience in foreign affairs to his new post. A conservative Democrat, recently served a term as principal deputy assistant secretary of defense for international security affairs, working closely with Defense Secretary Melvin Laird. During his 16 years in the House of Representatives, Selden had considerable experience in foreign affairs, including serving as chairman of the House Foreign Affairs Subcommittee on Inter-American Affairs. More recently, he has practiced law in Washington and Tuscaloosa during which time he handled many international cases.

The Seldens will fly out of Birmingham Monday on the first leg of their long trip to his new post.

"We will fly to Los Angeles and then to Hawaii," Selden said. "I will be there several days for briefings before we fly on to my first stop, Tonga, where we will stay about six days."

Selden said he would present his credentials to the king at Tonga, and at Western Samoa.

Next stop will be Fiji, where Selden will present his credentials to the governor-general, the official representative of The Queen.

The Seldens are scheduled to arrive in Auckland, New Zealand on April 20. He will present his credentials to the governor-general there on April 22.

"This is not my first trip to New Zealand," Selden said. "I was there a few years ago while I was with the Department of Defense."

Selden has been "boning up" on the countries and is looking forward to his new duties.

The American Embassy is in Wellington, the capital, where Selden will have a staff of 65, 32 of whom are Americans. Most of them are State Department employees, with the remainder being U.S. Information Service, two Department of Agriculture attachés, a Defense Department representative and six Marine Corps guards.

There are many reasons why Selden is looking forward to his new assignment. He likes its political climate, which is headed by a labor party but functions under a parliamentary system. It is an independent country, but a member of the British Commonwealth. It has a unicameral (single body) Legislature of 87 members. Prime Minister is Norman Kirk.

"There are a number of reasons why I am pleased with my appointment," said Selden. "New Zealand has been a longtime friend and ally of the United States, having fought side-by-side with us during World War I, World War II, Korea and Vietnam."

"It is an English-speaking country, so I will not have any language problems. It has a parliamentary system of government, and I am looking forward to working with the warm, friendly people there. And also, it is a very beautiful country and has a very mild climate."

Selden pointed out that the United States was New Zealand's No. 2 customer in export items. Great Britain is the No. 1 customer. New Zealand ships more to the United States than we ship to them. Main items are lamb and wool. There are volunteer quotas on what they ship to us, and they are being observed, Selden said. New Zealand buys mostly manufactured products from us, he added.

Selden, an expert on Latin American affairs, feels that conditions will remain calm there for awhile, excepted for isolated terrorist activities.

"There is less Communist agitation now than 10 years ago," Selden said. "Also, pressure has been brought on Cuba to stop the training of foreign nationals."

Selden feels there will be no recognition of Cuba by the United States until the nation agrees to stop spreading the threat of communism in this hemisphere.

Selden's new job will keep him busy and moving. There will be much social activity, and he will be representing the interests of American investors and industrial firms which have operations there.

And he will make periodic visits to Fiji, Tonga and Samoa.

Selden is the second ambassador to come from Greensboro. The other was the late Pete Jarman, who was appointed by President Truman to be ambassador to Australia.

As it is a presidential appointment, Selden's post will last until the end of this administration.

#### ESSAY CONTEST WINNERS IN ILLINOIS

#### HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1974

Mr. DERWINSKI. Mr. Speaker, the State Bank of Clearing in Chicago, Ill., recently sponsored an essay contest in which two outstanding young lady students from my district were among the winners.

I am pleased to insert into the RECORD these two fine articles by Aurora Campos of Bridgeview, Ill., and Barbara Farrell of Willow Springs, Ill. These articles were printed in the March 21 edition of the Des Plaines Valley News of Summit, Ill. The articles follow:

[From the Des Plaines (Ill.) Valley News, Mar. 21, 1974]

#### THINGS I LIKE MOST ABOUT MY NEIGHBORHOOD (By Aurora Campos)

I wake up in the morning to a bright ray of sunshine, melting through my curtains. As I get up and glance out the window, I see the foreboding, yet gentle, weeping willow tree; its leaves dancing in the wind and sometimes falling to the moistened grass below. If I can see through the tree's swaying branches and leaves, I find myself staring at a long dark row of factories; its night workers going home exhausted and worn out to sleep as the rest of the world awakens.

As the day goes on, trucks roll in and out of these droning buildings, eventually cracking the once smooth pavement with their heavy weight. It is a weight the road was once unaware of since its only employers before had been occasional cars.

Because of this light travel on my street, we, as children, were able to play games on the road without our mothers having to be afraid of any harm happening to us. But, changes always come. As time passed, my friends moved away. So, with no one my age to play with I was forced to either play by myself or in the company of my sisters.

Years later another change took place. Young families moved into my neighborhood, and with them, young children; playmates for my younger sisters and brother.

It seems to be a revolution of time with people. I experienced the change in my life and environment, now my younger sisters and brother will.

My neighborhood seems to be a sort of short analysis of life. From it I can witness the changes in material existence and also the atmosphere the people in it create.

When you look around you, not only can you see the good, but also the bad. You are able to see the beautiful house, but also the fading paint; able to hear not only the children's laughter, but also their cries of sadness and pain; able to not only see the blue sky, but also the white clouds lining the horizon.

A neighborhood is like your own little world; you get your first taste of life from it and watch as it, as well as yourself, changes.

(Winner of the 6th place in essay contest sponsored by the State Bank of Clearing.)

#### THINGS I LIKE MOST ABOUT MY NEIGHBORHOOD (By Barbara Farrell)

The trees in Willow Springs possess many of the characteristics which make the tiny village as old-fashioned and nostalgic as it is. With each of nature's four seasons the trees take on a new dimension of beauty. It is this beauty begotten by nature which enables any creature, human or otherwise, to experience the life and simplicity of a tree.

To view a tree in early spring is to behold life in its purest form. Each tiny, pale, green bud is like a newborn baby, reaching out to the world, waiting to grow. Every bud is ecstatic about life, anticipating its joys and sorrows, waiting to live to the fullest extent possible. As with an infant, one can see changes day by day in the growth and transformation of every tiny bud into a rich, full, adult leaf.

The bark of the tree also takes on new life. It grows moist; moss begins to grow on its north edge.

The trees reach the height of their beauty during the summer months. Their leaves are a community, with each member protecting its neighbor from the blazing summer sun. The tree as a whole is a comfort to the animals and people in the area through the shade it offers them and the warm summer breeze it tosses to and fro in an attempt to cool every living being. The leaves on the trees, especially and the willows, which are bountiful in Willow Springs, have been transformed, as spring is to summer, from their pale green color signifying new life, to a rich, cool, deep green symbolizing fulfillment in life.

In the autumn the trees foster a weak attempt to retain the warmth and beauty of the fading summer. Each leaf takes on a different hue possessed by the summer, in hopes of preventing winter from approaching. Those leaves that turn yellow struggle to imitate the warmth of the sun which fades more and more rapidly as the days grow shorter.

The remaining green leaves try to retain their powers of cooling and comforting which they possessed during the summer to prevent the retreat of the animals and people to shelter for the winter. They, however, are dominated by the deep red leaves which are like the flaring sun at the end of the day, and the brown, cracking dead leaves which have already given up any hope of ever cooling or comforting anyone or anything again.

At first, one by one, and then by the hundreds, the leaves descend in a parade to the brown, withering grass, finally leaving the remaining branches cold, barren, and naked to the sharp wind.

During the final season of the year, winter, the trees might pass for dead, had their sap-filled branches not betrayed them. As the winter snows commence, a soft blanket of snowflakes is draped across the branches. At first the blanket is thin, but as winter progresses, it becomes thicker and thicker, warming and protecting the trees from the bitter winds.

An occasional ice storm coats the trees with a sheet of ice which reflects off the weak sun like an image in a mirror.

And as winter wears on, signs of spring slowly appear once again on the trees. Mother Nature's cycle of life begins all over, making trees some of the most beautiful things ever created, not only in Willow Springs, but everywhere.

(Second prize winner in essay contest conducted by the State Bank of Clearing.)