I and pension to the widows of such veterans; to the Committee on Veterans' Affairs.

By Mrs. SCHROEDER:

H.R. 14030. A bill to terminate the Airlines Mutual Aid Agreement; to the Committee on Interstate and Foreign Commerce.

By Mr. STEELMAN:

H.R. 14031. A bill to amend section 552 of title 5, United States Code (known as the Freedom of Information Act), to provide for the award of court costs and reasonable attorneys' fees to successful complainants that seek certain Federal agency information; to the Committee on Government Operations.

H.R. 14032. A bill to amend section 552 of title 5, United States Code (known as the Freedom of Information Act), to provide for increased public access to certain Federal agency records; to the Committee on Government Operations.

H.R. 14033. A bill to amend section 552 of title 5, United States Code (known as the Freedom of Information Act), to require Federal agencies to respond to requests for certain information no later than 15 days after the receipt of each such request; to the Committee on Government Operations.

H.R. 14034. A bill to amend section 552 of title 5, United States Code (known as the Freedom of Information Act), to provide for an in-camera inspection by the appropriate court of certain agency records; to the Committee on Government Operations.

H.R. 14035. A bill to amend section 552 of title 5, United States Code (known as the Freedom of Information Act) to specify those matters which in the interest of the national defense may be withheld from public disclosure by a Federal agency; to the Committee on Government Operations.

H.R. 14036. A bill to provide standards of fair personal information practices; to the Committee on the Judiciary.

H.R. 14037. A bill to amend the Social Security Act to prohibit the disclosure of an individual's social security number or related records for any purpose without his consent unless specifically required by law, and to provide that (unless so required) no individual may be compelled to disclose or furnish his social security number for any purpose not directly related to the operation of the old-age, survivors, and disability insurance program; to the Committee on Ways and Means.

By Mr. TEAGUE (for himself, Mr. CAMP, Mr. COTTER, and Mr. MARTIN of North Carolina):

H.R. 14038. A bill to authorize appropriations for activities of the National Science Foundation, and for other purposes; to the Committee on Science and Astronautics.

By Mr. TEAGUE (for himself, Mr. MILFORD, Mr. THORNTON, Mr. GUNTER, and Mr. PICKLE):

H.R. 14039. A bill to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and research and program management, and for other purposes; to the Committee on Science and Astronautics.

By Mr. WINN:

H.R. 14040. A bill to designate the birthday of Susan B. Anthony as a legal public holiday; to the Committee on the Judiciary.

By Mr. MILLER (for himself, Mr. SPENCE, Mr. WAGGONNER, Mr. COLLINS of Texas, Mr. MARTIN of North Carolina, Mr. KETCHUM, Mr. TREEN, Mr. PODELL, Mr. FISH, Mr. DUNCAN, Mr. LONG of Maryland, Mr. VEYSEY, Mr. YATRON, Mr. STEIGER of Arizona, Mr. DERWINSKI, Mr. RIEGLE, Mr. MCSPADDEN, Mr. GUNTER, Mr. WARE, Mr. KEMP, Mr. LOTT, Mr. MOLLOHAN, Mr. REGULA, Mrs. COLLINS of Illinois, and Mr. HUNGATE):

H.R. 14041. A bill to authorize the provision of assistance to foreign countries in exchange for strategic or critical raw materials; to the Committee on Foreign Affairs.

By Mr. O'BRIEN (by request):

H.R.14042. A bill to provide for the regulation of oil companies; to the Committee on the Judiciary.

By Mr. PARRIS:

H.R. 14043. A bill to convey to the city of Alexandria, Va., certain lands of the United States, and for other purposes; to the Committee on the District of Columbia.

By Mr. HOWARD (for himself, Mr. ANDREWS of North Carolina, Mr. ARCHER, Mr. BROWN of Michigan, Mr. DAVIS of Georgia, Mr. DENT, Mr. DULSKI, Mr. FASCELL, Mr. FROEHLICH, Mr. FULTON, Mr. GINN, Mr. HARRINGTON, Mr. HICKS, Mr. HOGAN, Mr. ICHORD, Mr. JOHNSON of California, Mr. KEMP, Mr. MCSPADDEN, Mr. MURPHY of New York, Mr. PATTEN, Mr. QUILLEN, Mr. RHODES, Mr. ROBINSON of Virginia, Mr. THOMPSON of New Jersey, and Mr. BOB WILSON):

H.J. Res. 969. Joint resolution to authorize the President to issue a proclamation designating the month of May 1974, as National Arthritis Month; to the Committee on the Judiciary.

By Mr. PEYSER:

H.J. Res. 970. Joint resolution to authorize the President to issue a proclamation designating the month of May 1974, as National Arthritis Month; to the Committee on the Judiciary.

MEMORIALS

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

412. By the SPEAKER: Memorial of the Legislature of the Commonwealth of Pennsylvania, relative to continuation of the Department of Agriculture's commodity purchase program; to the Committee on Agriculture.

413. Also, memorial of the Legislature of the Territory of Guam, relative to military housing on Guam; to the Committee on Armed Services.

414. Also, memorial of the House of Representatives of the Commonwealth of Massachusetts, relative to apartheid; to the Committee on Foreign Affairs.

415. Also, memorial of the Legislature of the Trust Territory of the Pacific Islands, relative to funding of the Bikini rehabilitation project; to the Committee on Interior and Insular Affairs.

416. Also, memorial of the Legislature of the State of California, relative to population estimation; to the Committee on Post Office and Civil Service.

417. Also, memorial of the Legislature of the State of Oklahoma, relative to water pollution control; to the Committee on Public Works.

418. Also, a memorial of the Legislature of the Commonwealth of Massachusetts, relative for overseas investment; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause I of rule XXII,

Mr. WHITEHURST introduced a bill (H.R. 14044) for the relief of Comdr. Stanley W. Birch, Jr., to the Committee on the Judiciary.

PETITIONS, ETC.

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

418. By the SPEAKER: Petition of Asuemu U. Fuimaono, Delegate-at-Large of American Samoa, Washington, D.C., relative to an alleged violation of the Hatch Political Activities Act by the Governor of American Samoa; to the Committee on House Administration.

419. Also, petition of the board of supervisors, Sacramento County, Calif., relative to rail passenger service through Sacramento; to the Committee on Interstate and Foreign Commerce.

420. Also, petition of the city Council, Geronimo, Okla., relative to recreation opportunities in the Wichita Mountains; to the Committee on Merchant Marine and Fisheries.

EXTENSIONS OF REMARKS

JUDGE JAMES HARVEY

HON. ROBERT P. GRIFFIN

OF MICHIGAN

IN THE SENATE OF THE UNITED STATES

Monday, April 8, 1974

Mr. GRIFFIN. Mr. President, in Saginaw, Mich., on February 1, 1974, Representative James Harvey, who since 1960 had served Michigan's Eighth Congressional District so ably, took the oath of office was installed as a U.S. district judge for the Eastern District of Michigan.

Following the ceremony there was a luncheon at which Cornelius J. Peck, distinguished professor of law and currently a visiting faculty member at the University of Michigan Law School, was the principal speaker.

Professor Peck, who has known Jim Harvey since boyhood days together in Iron Mountain, Mich., spoke of those qualities of warmth and understanding which Jim brings to the Federal bench. I ask unanimous consent that the text of his remarks be printed in the Extensions of Remarks.

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

REMARKS BY PROF. CORNELIUS J. PECK

As I began thinking about what I would say at this occasion, I became a little angry—angry with people who have said on much lesser occasions that they were honored, etc. Today I have an opportunity to restore meaning to the phrase as it should be used when I say that I am honored—truly honored—to be able to speak to you on this occasion of the installation of Judge James Harvey in the position of judge of the United States District Court for the Eastern District of Michigan.

It is also a pleasure—and of this I should have no difficulty in convincing you—to be present at and take part in the ceremonies of the installation to a federal judgeship of a close friend with whom I attended high school in Iron Mountain, Michigan, more than thirty years ago.

Indeed, there is a great temptation to amuse you with a series of anecdotes from our youth, not all of which would at first impression seem consistent with the general

image of a somber deliberate judge. I said at first impression, because as I thought over events about which I might tell you, it became apparent that they would reveal an appreciation of humor, abundance of energy, and an eagerness to be an involved participant. These qualities ensure us that Jim Harvey will bring to his judgeship a humanity which will benefit those whose cases come before him.

Well, I shall not tell you any anecdotes of our youth, but I will tell you of my great pleasure in knowing Jim Harvey's parents. The pleasure for me was much enhanced by the fact that they were the first adults to speak to me as though I were, so-to-speak, a real person. By this I mean they were interested in me, in my views, and willing to discuss matters as fellow human beings. I mention this because I think it important to know that a judge comes from a family which by its example taught that respect was due even a young person and his ideas. I could tell you more—about all the wood that was split for the fires which burned so cheerfully in the Harvey fireplace during the winters—or about the old Buick which, when I last knew it, had gone over 110,000 miles in days and on roads on which many automobiles stopped functioning at half that mileage. I mention this because I believe that parents do so much to teach their children by example, and that Jim Harvey's parents were excellent teaching models for their children.

Jim Harvey and I did not go to the same college or the same law school. He went to the University of Michigan, entering in 1940 and receiving an L.L.B. in 1948. As those dates indicate his educational program was interrupted by three years service in the U.S. Air Force during World War II.

Although the paths of our lives separated, we have kept in touch with each other. As many of you probably know, Jim Harvey began the practice of law here in 1949. He served as assistant city attorney until 1953, as city councilman from 1955 to 1957, county supervisor from 1955 to 1957, and as mayor of Saginaw from 1957 to 1959. In 1960 he was elected to Congress from the Eighth District of Michigan, and has been returned to Congress by the people of that district in every election held since then.

One should not neglect the personal part of his life. Jim married June Collins in 1948, and they are the parents of Diane and Tom. I am sure that a rich family life has been a great source of the strength necessary to sustain Jim in the hectic world of politics.

This abbreviated biography should have convinced you that Jim Harvey is a very good man—a wonderful person. But what kind of judge will he be? Some of you may even be wondering whether it would not be better if he had had more trial experience thinking that we should elevate to the bench only the veterans of many courtroom battles. I do not mean to slight his substantial experience as a practitioner of law, but I prefer to give you assurances—indeed to lay the basis for congratulations on your great success by discussing the qualities of a good judge and the responsibilities which he must discharge.

In doing so before this audience in which there are so many practicing members of the bar, I will confess to some lack of confidence. I am after all a professor of law whose courtroom appearances ended almost 20 years ago. However, upon occasions like this I find strength in the reassurances given me a number of years ago by an older faculty colleague when I had some doubts about speaking to the Seattle-King County Bar Association on a very practical subject. He said to me, "Neil, don't worry about it. Just think about Catholic priests and how much advice they give about marriage." Though these reassurances might be weakened by the realization that in recent days some Catholic priests have taken up what we might call field research on this subject, I would like to discuss for you some of the responsibilities of judges—particularly trial judges.

At the outset, we should note the tremendous importance of trial judges in our judicial system. Newspapers, television and the law reviews devote most of their attention to the decisions of the United States Supreme Court. It is easy, particularly for non-lawyers, to assume that it is at the Supreme Court level that the important things happen. What happens elsewhere is by this view unimportant as demonstrated by how little attention the decisions of trial judges generally receive. Yet a moment's reflection will make apparent the obvious—that nothing the Supreme Court does or says can affect the lives of people unless the trial courts faithfully and impartially administer the legal principles announced by the Supreme Court and apply the interpretations which that Court gives to statutes. The most beautiful principle of justice announced by the Supreme Court is nothing unless it is followed and implemented by our trial judges.

Another common view is that trial judges have no significant role to play because they are bound by the rules announced by the appellate courts. According to this view trial judges are little more than unthinking automatons, programed to work in accordance with the rules laid down by their superiors.

Obviously, this is a mistaken view of the trial judge's role. The law is by no means so comprehensively stated that there is an existing answer for every substantive question which may arise—particularly in a society with rapidly changing ways of manufacturing, doing business, and styles of life. Undoubtedly, appellate judges have a larger share of cases of first impression than do trial judges. But such cases do come to trial judges and it is the alert and perceptive trial judge who can point out that there are no controlling precedents for the problem before him. Even when there are controlling precedents they may seem no longer to serve the interests of society. It is the trial judge's power to raise the question for reconsideration by writing an opinion which points out the conflict between the existing precedents and current needs of society. I think in this respect of the concurring opinion of the late Judge Jerome Frank in Roth v. United States in which he said that everything the Supreme Court had said made him believe that obscenity did not enjoy the protection of Free Speech. But he said if the case should go to the Supreme Court the appendix which he attached to his opinion might be of some value. There followed thirty some pages of what I believe is still one of the best analyses of the problem of reconciling control of obscenity with free speech.

The occasional power to make new law is but a small part of what makes the automaton view of a trial judge erroneous. That view is erroneous because so many of the important things which a trial judge does are not controlled by law. They are instead matters governed by the sound discretion of the trial judge.

For example, probably eighty or ninety percent of the criminal cases coming before a federal district judge are cases in which the defendant has pleaded guilty. In those cases the only important thing done by the judge is sentencing. And it may be the most important thing even in those cases in which there was a trial.

There is, of course, very little law and very much discretion in sentencing convicted criminals. To what extent should the sentence reflect the seriousness of the crime, to what extent should it serve to deter others from such conduct, to what extent should it deter the convicted criminal from repeating crime, to what extent should the sentence incapacitate the defendant by confinement, and to what extent is punishment necessary to deter the victim or relatives of the victim from retaliating for the wrong done. As I've said there is no law that governs a judge's decision as to which of these ends should be served, and at present there is no effective appellate review of sentences imposed. The responsibility of the trial judge is an awesome one—and one which makes it so important that a trial judge be a knowledgeable, wise and sensitive man familiar with both the ills and the strengths of our society.

Judge Harvey will have an assistance in sentencing which unfortunately does not exist in all other districts. In the Eastern District of Michigan a sentencing council, consisting of two other judges and probation officers, meets with the sentencing judge to assist him in determining what sentence to impose. The responsibility for decision remains that of the sentencing judge, but at least he does not have to exercise that great power without guidance from others familiar with the process.

The sentencing power, while dramatic, is not the only significant discretionary power exercised by a trial judge. The fact-finding process—which witnesses will be believed and which will not be credited—is a tremendous power not governed by legal rules which a trial judge exercises in those many cases tried without a jury. And as practicing lawyers know so well, it is usually the disputed facts and not the law which control decision.

Even in cases tried to a jury a trial judge has discretionary powers which have great significance in the fact-finding process. Is the expert witness qualified? Does the giving of an expert opinion invade the province of the jury? Has counsel exceeded permissible limits of cross examination? What questions perhaps designed to educate the jury will be permitted on voir dire? His interlocutory rulings do so much to frame the issues and develop the record of a case which may never be appealed, or if appealed found to contain no prejudicial error. And unlike most state court judges, a federal judge may give the jury the benefit of his views of the evidence and testimony of witnesses.

More examples of the vast discretionary powers of a trial judge could be given. But I hope my point has been made that a trial judge is not an automaton, but possesses great discretionary powers and that I may turn to other qualities of a judge.

Judges must avoid entanglement in many of the controversies of contemporary society to ensure impartiality if some aspect of that controversy should come before them judicially. The picture that sometimes takes hold is that of the judge who reads nothing but judicial opinions and statutes, who sees no dramas other than those in his courtroom, and who makes his wife conduct breakfast conversation in accordance with the rules of evidence. But such a man obviously is not fit to be a judge.

I am reminded at this point of the story of the bass player who played in the orchestra for the New York Opera a number of years ago before vacations and holidays were enjoyed by musicians. When he had played in the orchestra for twenty years he was given his first day off. His wife was unable to accompany him, but she waited eagerly for his return. When he did return she asked with excitement what he had done. She was stunned when he said he had gone to the opera. She was even more flabbergasted when she learned he had seen Carmen, noting he had played Carmen as much as twenty times a year or about 400 times during his service in the orchestra. He cut short her criticism and told her it had been a thrilling experience. He said, "You know that part that goes zum-zum, zum-zum? Well it really

doesn't. It goes" and then he sang for her the most familiar line of the most familiar aria of the opera.

That story has always had a poignancy for me. There are so many of us who live out our lives playing the zum-zum of the bass player. It is sad to miss so much of this big picture of human existence and human endeavor.

What is sad for the lives of some is a tragedy for both the man and society if a judge has only the limited view of a technician. Our society is pluralistic, to say the least. We have many experts and many specialists. Indeed, it is amazing that an economy and culture with such diversity can function in any coordinated view. Conflict is sure to arise and must be resolved if it is not to destroy us. Law is of course a great unifying force, binding together the diverse elements of society. The judges who administer that law must be generalists who have an overview of the forces working in our society.

So, Judge Harvey, while I do not discourage diligence in the reading of cases and treatises, I urge you to devote a substantial part of your time in exploration of the many fascinating things which exist and are developing in the non-legal world. You need not ignore the great issues of contemporary society, just do not align yourself with a party or partisan in those controversies. In short, though it may seem an overstatement, I think it well for a judge to set for himself the goal of becoming a Renaissance man. Of course, in saying this I do not mean that you should slight what professors write in law reviews. But my advice is probably redundant and totally unnecessary.

Other careers may prepare a man for a federal judgeship, but most certainly the experience gained by a congressman must be among the best of preparations. As a trial judge he will occasionally be called upon to make a resolution for a previously unsolved problem comparable to the political decisions he made as a legislator. More often he will only administer the compromises made by others—by Congress in enacting legislation or by the Supreme Court in giving a harmonizing reading to our Constitution and the fundamental interests it serves. His experiences as a legislator will no doubt assist him in arriving at an understanding of the law which he thus administers.

The office of judge is not an easy one. The tremendous power and the tremendous responsibility weigh heavily on a conscientious man. But I think it has a reward which I have come to appreciate in a comparable way as an academic.

When I first becme a teacher I carried with me some of the attitudes of an advocate. If I had taken a position, I tended to defend it from all challenges. In time, however, I came to recognize that I need not hold to arguments which were better abandoned and that to do so was not in furtherance of academic goals. I learned the great pleasure that comes from holding only for what one thinks is right and admitting error or uncertainty where it exists.

A federal trial judge can do much the same. He has no client to serve. He need not worry about being reelected or of offending powerful persons or interests capable of retaliating. He can in most things do what he believes is just, right and proper. For some things about which he is uncertain he can say so and leave it to the parties and the appellate courts to determine if he was wrong. Even in those matters governed by his discretion and not effectively subject to review, he may do what he believes best unconstrained by forces which make so many of us rationalize a justification for our action.

By this I do not mean to say that a judge or an academic can ever be totally impartial. Our thinking is necessarily affected by the values we hold. There is no scientifically objective way to derive values. They come to us through the many varied experiences of life, both intellectual and emotional. On this point, I find consolation and guidance in one of former Justice Goldberg's favorite sayings. Paraphrased, it is that to be truly impartial is an impossible dream; to be intellectually honest is an indispensible necessity.

Judge Harvey, I congratulate you on your installation as federal district judge, and I wish for you an interesting and rewarding professional life in this very responsible position. To the rest of you, and to the people of Michigan, I give my congratulations on the success and good fortune which has come to you through Judge Harvey's acceptance of this appointment.

BAN THE HANDGUN—XLI

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1974

Mr. BINGHAM. Mr. Speaker, the gun lobby's continued opposition to sane and sensible gun control legislation centers on three specious arguments. First, that the imposition of stiff jail terms would reduce handgun violence; second, that the States should be left to their own wiles to deal with the problem; and third, that the Constitution guarantees every man the right to turn his home into an arsenal. The reprinted editorial from the April 4 edition of the New York Times explodes these hypotheses and eloquently points out that no civilized society can justify the passivity of U.S. law in the face of the grim record compiled without Federal intervention:

[Editorial from the New York Times, Apr. 4, 1974]

GUNS AND SOCIETY

The appalling statistics of death and injury from illegally used firearms provides convincing support for Governor Wilson's call for stiffening the penalties for illegal possession of handguns and other weapons. The additional proposal that tougher penalties be imposed on any person illegally carrying a firearm on school property is amply justified by the growing threats to the safety of teachers and students.

No unilateral action by this or any other state, however, can turn the tide of violent gun abuse. The continued absence of effective Federal gun controls perpetuates a situation that has long made the United States the most trigger-unhappy Western nation. The 1968 statutes outlawing the import of foreign handguns—the so-called "Saturday night specials"—have been easily circumvented by importers of parts, which subsequently are put together on the assembly lines of domestic shops. Within four years after the 1968 import ban of complete hand guns, well over 4 million of these weapons were produced in the United States from imported parts. In the past decade the nation has suffered more than 95,000 gun-inflicted murders, along with 700,000 injuries and 800,000 cases of gun-armed robberies.

New York already has the strictest gun-control laws in the nation. Yet the lack of Federal regulation and lax law-enforcement stand in the way of any effective inroads against armed mayhem. Urgent appeals by concerned members of Congress and by such experts as the city's former Police Commissioner, Patrick V. Murphy, and the late F.B.I. director, J. Edgar Hoover, have been shouted down by misguided voices echoing the party line of the gun lobby.

Nonsense about "the right to bear arms," making a parody of the Constitution's intent, has beclouded the real issue—the safe, sensible control and registration of firearms. In the absence of such Federal legislation Americans will continue to kill themselves accidentally; they will keep on being murdered by armed criminals or by others who act under the impulse of maddened passion. No civilized society can justify the passivity of Federal law in the face of such a grim record.

DAYLIGHT SAVING TIME: AN APPEAL FOR REPEAL

HON. JERRY LITTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1974

Mr. LITTON. Mr. Speaker, I have introduced a bill to repeal the Emergency Daylight Saving Time Energy Conservation Act of 1973. My proposal, if implemented, would return us to standard time the last Sunday in October 1974.

On November 27, when the House by a vote of 388 to 80 passed H.R. 11324 in response to the President's November 7 energy message, Members of the House voting "yea" were swayed by the White House Office of Energy Policy projections that DST would probably result in a fuel savings of 3 percent. Preliminary reports do not substantiate these projections. Now, it would appear to have been a highly exaggerated estimate. The Federal Power Commission has indicated that there is only about a 0.2 percent saving of energy consumption from DST. This small amount is too negligible to offset the traumas DST during the winter months has created.

In retrospect, I think the House may well have acted hastily in voting a shift to year-round daylight saving time for a 2-year period. One year would be sufficient to determine whether enough energy would actually be conserved. Thus, a 1-year cutoff is what my bill proposes, and it has been introduced in response to a tremendous outcry from my constituents in the Sixth District of Missouri. In the rural areas of my district the consensus all along has been that while Members of Congress are empowered to change the clocks, we cannot change sunrise, sunset, or the tides. They are right, Mr. Speaker, we cannot, and there simply has to be a better way to encourage savings of energy. Daylight saving time during the winter months has served to bring about more hardship than any other proposal to save energy. I think it would be foolhardy to try to live with such an untenable measure throughout the winter of 1974.

Mr. Speaker, many Members of the House supported the emergency daylight saving time concept because they thought it might help convince the American people that the energy crisis was real and more of them would support conservation measures. I think most people now believe we do indeed have an energy crisis. There are differences of opinion on who caused it, how severe it

is, and how to solve it, of course. Further, some Members supported the bill because the language of the bill was such that States could get out from under the law by showing that energy was not being saved in their State. However, few Governors have requested that their State be exempt.

Mr. Speaker, I contend that whatever small savings in energy might be achieved by winter daylight savings time, the cost is too high, and the benefits are not commensurate. Many of my colleagues concur in this viewpoint, and feel, as I do, if the Congress has made a mistake, let us admit it and get on with other things.

CONGRESSMAN JEROME R. WALDIE MAKES PUBLIC HIS INCOME TAX RETURNS

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1974

Mr. WALDIE. Mr. Speaker, today, for the fifth time in as many years. I am placing my income tax returns, Federal and State, in the CONGRESSIONAL RECORD.

I do this to reaffirm my total commitment to full disclosure of assets and income by public officials and candidates for public office.

The recent furor engendered by the President's controversial tax returns has served to impress on the public its right to know if elected officials and candidates are paying the taxes they ought to; and, if those officials and candidates are observing the Federal and State tax laws the same as private citizens.

Mr. Speaker, in each of the last 5 years I have coupled making public my tax returns with a call on the Congress to impose regulations on candidates and officeholders, making it mandatory for them to make public not only their income tax returns, but the complete listing of financial assets and liabilities.

The public should know how an official is making his money and with whom he is investing that money so as to prevent any conflicts of interest.

I have complied fully with my own standards of disclosure as have some other Members of Congress and candidates for office.

Some, however, have not—probably because of the embarrassing fact that some candidates pay no income tax at all, despite the fact they are wealthy men.

This may be the hardest test of a candidacy and I encourage the subjecting of this test to all candidates for public office.

Mr. Speaker, for the tax year 1973 I paid a total of $8,684.54 in Federal taxes on an income of $45,815.45.

I paid $2,398.94 in California income taxes for the taxable year 1973.

Mr. Speaker, in February of this year I made public a compilation of my assets and liabilities. I would at this time like to add a summary of this report in the RECORD:

Assets:	
Real estate	$66,000.00
Savings	20,436.76
Insurance	14,739.00
Retirement (Federal and State)	25,092.18
Autos	1,500.00
Stocks	14,223.50
Total	141,991.44
Liabilities:	
Mortgage	24,467.00
Total	24,467.00
Net worth	117,524.44

CONCERN OVER THE PANAMA CANAL

HON. STANFORD E. PARRIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1974

Mr. PARRIS. Mr. Speaker, with the Treaty of 1903, the Republic of Panama granted to the United States sovereignty in perpetuity over the Panama Canal Zone. However, presently we are faced with negotiations which ultimately threaten to relinquish U.S. control over the canal. With this in mind, I urge my fellow Congressmen to take notice of the following senate joint resolution of the Virginia General Assembly:

RESOLUTION

Whereas, in nineteen hundred and three, the United States of America was granted sovereignty over the Panama Canal Zone in perpetuity; and

Whereas, the Panama Canal is essential to the defense and national security of the United States of America; and

Whereas, the Panama Canal is of vital importance to the economy and interoceanic commerce of the United States of America and the remainder of the free world; and

Whereas, valuable exports from Virginia go through the Panama Canal to distant reaches of the globe; and

Whereas, under the sovereign control of the United States of America, the Panama Canal has provided uninterrupted peacetime transit to all nations; and

Whereas, the traditionally unstable nature of Panamanian politics and government poses an implicit threat to the security of the interests of the United States of America served by the Panama Canal; and

Whereas, the Republic of Panama possesses neither the technical and managerial expertise to effectively operate and maintain the Canal nor the capability to meet the growing demands placed upon the Canal; and

Whereas, the Canal represents a five billion dollar investment in the part of the people of the United States of America; now, therefore, be it

Resolved by the Senate, the House of Delegates concurring, That the General Assembly of Virginia requests that the Congress of the United States reject any encroachment upon the sovereignty of the United States of America over the Panama Canal and insist that the terms of the Hay-Bunau-Varilla Treaty of 1903 as subsequently amended be adhered to and retained; and

Be it further resolved, That the Clerk of the Senate send copies of this resolution to Richard M. Nixon, President of the United States; Gerald R. Ford, Vice President of the United States; Henry A. Kissinger, Secretary of State; Carl Albert, Speaker of the House; J. William Fulbright, Chairman, Senate Foreign Relations Committee; and to each member of the Virginia Delegation to the Congress of the United States.

STOP ARMING THE ARABS

HON. WILLIAM LEHMAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1974

Mr. LEHMAN. Mr. Speaker, less than 1 month ago, the Arab oil states including Saudi Arabia and Kuwait were waging economic warfare against the United States by their embargo on oil shipments to our Nation.

I had proposed at the time that we should in turn halt U.S. exports of goods, materials, and technology to these countries until they decided to halt their irresponsible and aggressive actions. The adoption of this policy might have proven especially effective against both Saudi Arabia and Kuwait which are 100 percent dependent on imports for wheat and feed grains. Whatever our response was to be, the polls reported that the American people were overwhelmingly opposed to our yielding to Arab oil blackmail.

Within weeks of the ending of the embargo, we now hear that agreement has been reached with Saudi Arabia on a massive agreement for U.S. arms involving hundreds of warplanes and the most sophisticated American tanks.

At the same time we hear that Kuwait will soon send a military delegation to the United States to discuss American offers to sell them modern jet fighters and transport planes.

Were these deals a part of the price our Government agreed to pay for the end of the oil boycott?

Will such a price satisfy the Arabs? The Arab leaders still consider oil to be a useful weapon and have declared that they can lift or impose the embargo at any time they so choose.

How does sending warplanes to Saudi Arabia and Kuwait make sense in light of our Nation's support for Israel? Units of the armed forces in Saudi Arabia and Kuwait are stationed in Syria at this very moment, supporting the Syrian shelling of Israeli positions.

The Arab leaders have repeatedly insisted upon their freedom to use the weapons they purchase at any time and in any place they wish. Are we to send Saudi Arabia and Kuwait warplanes to use against Israel?

The American people made their position clear that December when Congress voted overwhelmingly in favor of emergency security assistance for Israel. The American people do not want us arming the Arabs.

A LESSON TO THE GOVERNMENT—FOR ALL IN THE COMMUNITY

HON. RON DE LUGO

OF THE VIRGIN ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1974

Mr. DE LUGO. Mr. Speaker, in the RECORD of April 4, I praised a group of Charlotte Amalie High School students for their perseverance in combating the illegal concreting of a historic walk on St. Thomas.

In further acknowledgment of their success, community pride, and cultural sensitivity, I wish to bring to the attention of my colleagues an additional comment on these students:

[From the Virgin Islands Post, Mar. 27, 1974]

A LESSON TO THE GOVERNMENT—FOR ALL IN THE COMMUNITY

Several students at the Charlotte Amalie High School have taught the Government an object lesson in civics by forcing it to adhere to the law.

Through their perseverance the students made the Government admit its error and correct its mistake. Certain sections of the Government obviously had no intention of doing so and seemed to view the students' involvement as an intrusion on their prerogatives. But an appeal to the agency of the Government overlooked in the commission of the act contrary to law elicited a response that upheld the students' position.

The intent of the segments of Government originally involved—the Department of Public Works and the Governor's office—was not a malicious or subversive disobeyance of law. Nor we think in the later stages any attempt to antagonize or denigrate the students, but was rather a self-reliant ignoring of the students' legitimate complaint.

At the behest of members of the congregation of the Moravian Church, the Public Works Department proceeded to replace the disintegrating sidewalk on Norre Gade on the assumption that its condition endangered pedestrians. On that point they probably were right.

But art students at C.A.H.S. noted that the Public Works Department had no authority to alter the sidewalk. Concerned about the islands' cultural heritage they were aware that the sidewalk comprised part of the Historic District in Charlotte Amalie and that Planning Board's approval is required before any portion of the district can be changed.

The P.W.D. official responsible admitted to this newspaper that he was unaware of that law.

At the initial protestations of the students, the Administrator of St. Thomas attempted to mediate by explaining the necessity of the work, apparently giving the students' arguments about its illegal nature short shrift. Not yet disillusioned with the government's indifference to their position the students continued to press the issue finally appealing to the Planning Board who, they contended, should have been contacted in the first place. The Planning Board upheld their judgment and ordered P.W.D. to restore the original sidewalk as much as feasible.

The tenacity of the students throughout the episode is to be commended. It is graphic proof that the Government can be influenced by the average citizen if enough effort is applied.

In no society can it be reasonably expected that each citizen will have an equal voice in the determinations of the community, though that is the constant goal of democracy. What we can rationally hope to attain, however, is a society that excludes none from the decision-making process and is responsive to the legitimate aspirations of all.

This experience should illustrate that we all now possess these rights; well, that is, if we are both patient and energetic enough to achieve fulfillment.

The art students from C.A.H.S. were. We hope that indicates that many of their peers also maintain enough faith in the process of public decision-making that will persuade them to participate in its varied exercises.

This year we will tackle the most basic exercise of public decision-making as we elect our leaders. If this incident can be taken as any indication, young people may not fail to exercise their rights and responsibilities and may develop into a force with prodigious influence in the course of events in the Virgin Islands.

We certainly hope so anyway.

A COMMENTARY BY JOSEPH McCAFFREY

HON. LAWRENCE J. HOGAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1974

Mr. HOGAN. Mr. Speaker, now that the House has voted on the issue of racially balanced busing and it now rests before the Senate, I would like to insert a commentary by the veteran Capitol Hill correspondent, Mr. Joseph McCaffrey, pertaining to this issue:

A COMMENTARY BY JOSEPH MCCAFFREY

A news analysis in the New York Times leads off with the comment that there was considerable irony in the House two weeks ago barring long distance school busing. Inherent in this piece, which appeared last Saturday, is the suggestion that those in the North who oppose busing are hypocrites.

Well, that may be. But let's look at the record and I'll use myself as a witness.

I first saw, with shock and amazement, the use of busing when as a draftee I was stationed in Georgia. Later I saw it up very close in Alabama, Louisiana and Texas: young Negro children being bused past the school nearest them, sometimes taken for miles to a Black only school.

I thought it was wrong, morally and legally. When after World War II, I became a resident of Virginia I deeply felt this injustice and in 1954 I publicly endorsed the Supreme Court decision which ruled against separate but equal schools—a decision which was handed down 20 years ago the 17th of next month.

Today I still oppose young children being bused past the school which is nearest them. If this is hypocrisy, then my position of 30 years ago must have been hypocrisy.

When I was against busing back then I was called, with scorn, "pro-Negro" by many. Today my position, the same as it was 30 years ago, is called "anti-Black."

There is one conclusion to be reached. Either I and those who have always felt the way I do are crazy, or the rest of the world is crazy.

Looking around, I have a feeling the rest of the world has gone stark, raving mad.

CALLS FOR INVESTIGATION

HON. EARL F. LANDGREBE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1974

Mr. LANDGREBE. Mr. Speaker, the headline on the following item would lead the general public to think that a majority of the Members of Congress both Senate and House had carefully studied the automobile industry and had found some very serious charges to level at them.

Actually, I was disgusted to find the entire report to be the concoction of one Bradford C. Snell, staff counsel on a Senate subcommittee, headed by no other than PHILIP A. HART, Democratic Senator, from the greatest automobile State in the whole world.

It seems to me, Mr. Speaker, that Congress is rapidly abdicating its responsibility more each day as we observe staff members acting individually or collectively to writing and influencing legislation, oftentimes, without the knowledge of the Members. Of course, most glaring, Mr. Speaker, is the behind-the-scenes maneuvering of many staffs and staff members in the persecution of President Nixon. Staff members might be fine dedicated individuals but their major advantage is that they do not have to face the voters every 2 years as you and I have to do.

Perhaps, at some point the voters will "wise up" and hold Members of Congress responsible for all actions of staffers whether directly on the Member's payroll or under his direction on standing committees.

In conclusion, Mr. Speaker, I feel that the following article authored by Jack Thomas is of such serious nature that I hereby call for a full and complete investigation of his charges by a responsible House committee composed of responsible Members of Congress:

CONGRESS RIPS U.S. AUTO FIRMS

(By Jack Thomas)

WASHINGTON.—A new congressional study says most of the annual style changes in U.S. autos create an illusion of progress.

The industry's Big Three, the report concludes, thus avoid technical improvements that could save lives, reduce injuries and property damage, lower maintenance costs, conserve gasoline and diminish pollution.

The six-month study was prepared by Bradford C. Snell, a staff counsel for the Senate anti-trust and monopoly subcommittee, headed by Sen. Philip A. Hart, D-Mich.

Snell said American auto technology is basically unchanged since 1940 and new ideas have been used only under government madate or pressure from imports.

Snell blames this on lack of competition and a desire to protect billions invested in the production of conventional vehicles.

His report was the most critical testimony in recent hearings on Hart's proposed Industrial Reorganization Act, which would set up a commission to recommend ways to break up giant corporations which dominate industry.

"General Motors, the industry leader, makes most decisions," wrote Snell.

"The Big Three (GM, Ford, Chrysler) interdependently price new cars and parts with the same anti-competitive impact as if they had acted in collusion . . .

"Safety belts, crash absorption bumpers and collapsible steering columns were already standard equipment on foreign cars when, largely at the government's behest, the Big Three began to install them."

Most American innovations were developed prior to 1940 by smaller auto firms or independent automotive suppliers, Snell said.

Duesenberg pioneered four-wheel brakes in 1920. Rubber engine mounts, which reduce noise and vibrations were introduced by Nash.

Reo introduced automatic transmission in 1934 and, in 1939, Packard offered the first auto air-conditioning.

Snell calculated that in 1972 consumers paid $1.6 billion, or $170 per car, for model changes the Big Three claimed were related to improvements in performance.

He cited the difference in expenditures for style changes and for emission control.

"For the five-year period 1967 to 1971, the Big Three spent $7.1 billion for annual restyling" he said.

"Their combined expenditures for emission control to reduce pollution amounted to $832.6 million, or less than 12 per cent of the amount spent on restyling."

"Energy-Conserving, low-emission electric and steam vehicles would help resolve the acute petroleum shortage and help reduce the $6.6 billion in damages annually attributable to motor vehicle pollution," said Snell.

"In addition, there is evidence that electric or steam vehicles can be produced and they would cost half as much to buy and even less to operate than conventional gasoline automobiles.

"The application of a known metallurgical process," he said, "could permit doubling the life of an automobile for an additional cost of $36 per year, resulting in an annual savings to consumers of more than $2 billion."

A recent Environmental Protection Agency (EPA) memorandum indicates catalytic converters may pollute the air with more dangerous poisons than they were supposed to eliminate.

A DISCUSSION OF ARGUMENTS IN FAVOR OF AMNESTY

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1974

Mr. ASHBROOK. Mr. Speaker, debate has been taking place on the subject of amnesty. Young Americans for Freedom—YAF—a nationwide organization, has been opposed to the unconditional granting of amnesty. Recently, Jerry Norton, a Vietnam veteran and a member of the National Board of Directors of YAF, testified before a subcommittee of the House Committee on the Judiciary. In his testimony he refuted the four basic arguments in favor of amnesty and presented a primary argument against amnesty.

At this point, I include in the RECORD the testimony:

Four arguments are most frequently offered in favor of amnesty. We of Young Americans for Freedom would like to refute those four arguments, then offer what we see as the primary argument *against* amnesty.

I. "THE WAR WAS IMMORAL"

While some amnesty proponents claim that the issue of the war's morality is irrelevant to the amnesty question, to others it is a principle consideration. They say all or most Americans now realize that the war was a mistake, that those who fled the country to avoid serving in the war were right, and that those who mistakenly supported the war should thus ask deserters and draft-dodgers for forgiveness, not vice-versa.

We tend to agree that this argument, right or wrong, should not be crucial to the amnesty question, yet we recognize that the public would probably interpret amnesty as an admission that U.S. policy in Vietnam was wrong.

For the record then, we want to note that North Vietnam and its Communist allies were responsible for the war. They attacked South Vietnam. They currently occupy a considerable portion of South Vietnamese territory which they use to continue their military and political campaigns. They have shown that the conflict was not "just a civil war" by their aggression against Laos and Cambodia. Their continued efforts to gain control of Indochina show that their attitude has not changed, and that the much decried "domino theory" was and is valid.

Nor was U.S. conduct of the war immoral. Even the December 1972 bombing of Hanoi, so intensely criticized by the opponents of the war, took only 1,318 lives, military and civilian, by the Communists' own count. That hardly squares with the atrocity charges made against the U.S. but it does match the U.S. description of the bombing as precision aimed at military targets.

In contrast, the Communists have consistently followed a policy of terror against civilians and of execution of political opponents. In one instance alone, the occupation of Hue in the Tet Offensive, they cold-bloodedly executed more than twice as many South Vietnamese civilians as all of the casualties inflicted in the so-called "saturation bombing" of Hanoi.

Thus, any argument that amnesty should be granted because America was on the wrong side in the Vietnam war, or used immoral tactics, should be rejected.

II. "SO MANY YOUNG MEN"

This pro-amnesty argument from numbers asserts that so many men deserted or dodged the draft that America simply cannot get along without them. As substantiation for this, the figure for total desertions during the Vietnam war is given.

Such statistical "evidence," however, fails to mention that more than 90% of that total returned to military control, usually of their own volition. Hence, in late 1972, only 32,557 of the 423,422 men who had deserted since mid-1966 were still at large.

The pro-amnesty people also like to depict all these men as motivated by their consciences and heart-felt objections to the Vietnamese war, when most are motivated by other factors such as family problems, individual difficulties with their units, simple dislike for the military life, or nothing more sinister than a decision to take an extended and unauthorized vacation. Such factors may explain why only 5% of deserters in foreign countries, according to the Department of Defense, have made political or anti-war statements.

It should also be noted that while amnesty propaganda speaks of many thousands of men "in exile" overseas, the Department of Defense knew in late 1972 of only 2,525 deserters abroad and the Department of Justice only 2,760 draft-dodgers abroad—and only another 1,700 draft-dodgers believed to be in the U.S.

Finally, while pro-amnesty propagandists discount the above statistics, saying many draft-dodgers were never indicted and claiming that as many as 40,000 to 100,000 linger in Canada, immigration statistics show that if every American male in the military age bracket who went to Canada to stay between January 1965 and January 1972 were assumed to be a draft-dodger or deserter, the grand total would still be less than 17,000.

III. "BRINGING THE COUNTRY TOGETHER"

A central pro-amnesty argument is that amnesty would heal the divisions left in the country by the Vietnam war. It seems equally plausible that amnesty would polarize the country more, not less.

For example, Americans have made heroes out of the former prisoners-of-war. Would the public, not to mention the P.O.W.'s themselves, greet returning draft-dodgers and deserters with adulation or contempt?

Similarly, there are millions of Vietnam veterans. Though war opponents among them have been vocal, few would argue that such radical groups represent more than a small minority of veterans.

As for the rest, would they not resent the return of those who avoided service while they risked their lives and while many still bear the scars and wounds of war? How will the relatives of those men react, especially the relatives of those who lost their lives? While there are no doubt exceptions in each category, it seems reasonable to assume that most would not willingly accept amnesty.

Polls of the public have consistently shown that Americans at large oppose universal amnesty, and especially oppose amnesty for deserters. Thus, how amnesty would "bring the country together" is hard to understand.

IV. "THE HISTORICAL PRECEDENT"

A favorite argument of pro-amnesty forces is that amnesty is in a great American tradition, that there have been many amnesties after American wars. Such an argument is without foundation; the pro-amnesty forces call for a universal amnesty which was never granted in the history of our nation.

During the Civil War President Lincoln on several occasions offered amnesty to Union deserters, but the amnesty was always conditional. The condition was usually that the deserters had to return to military duty and forfeit a certain amount of pay. That is considerably different from universal amnesty. There was no amnesty for those violating the draft laws.

Amnesty with exceptions was offered by Lincoln to Confederate soldiers, but that obviously has no parallels with the current situation. Confederate soldiers were just that, soldiers, not individuals, who refused to fight. They were part of the army Lincoln was trying to defeat, which made it in his government's interest to encourage them to desert and deplete the enemy's forces. The Confederates also had to take an oath of loyalty to the Union, an explicit admission that they had been wrong.

After the war President Johnson offered amnesty for Union deserters *who returned to their units to serve out their military duty.* There was no amnesty for draft law violators. There were various amnesties for *Confederate soldiers* (again note the lack of parallel with those who want amnesty today), but there was no complete amnesty even for them until 1898.

There was no amnesty after the Spanish American War.

Fifteen years after the end of World War I President Roosevelt pardoned 1,500 individuals who had been convicted, *and served their sentences*, of violations of the draft and espionage laws. President Coolidge granted amnesty to about 100 men who deserted their units *after the armistice*. Again, wartime deserters received neither pardons or amnesty.

After World War II President Truman set up an amnesty review board that looked at individual cases and pardoned 1,523 of 15,803 draft evaders. There was not even this very limited amnesty for deserters.

There was no amnesty after the Korean War. In December of 1952 President Truman granted amnesty for those who deserted between the end of World War II and the outbreak of the Korean War, *peacetime deserters*. Moreover, all had been *convicted* of deserting, which meant they had served some prison time.

V. THE ARGUMENT AGAINST

Having examined the main arguments for amnesty, and the problems with them, we turn to the main argument against it. To permit amnesty for those who refused service in Vietnam is to set a precedent that says, "If you think a law is immoral, break it, because you may very well find that society changes its mind, forgives you and doesn't punish you." More simply it says, "You were completely right to disobey the law."

As conservatives, we in Young Americans for Freedom believe in individual liberty, yet we are also aware that the very concept of government becomes meaningless if individuals are free to pick and choose those laws they will obey and those they will disobey. This is self-evident. While those who have decided that the Vietnam War was totally immoral and indefensible may brush this argument aside, I suggest they ask themselves if they so readily forgive a white racist who follows his conscience and blows up a black church? Or on a more mundane level, excuse those whose consciences told them a given government program was immoral and therefore refused to pay the taxes to support it? (In this case we as conservatives would be paying very few taxes indeed.) To permit this is to create government of whim, not law.

Amnesty would make a mockery of law and government. It is one thing to disobey a law because one feels it is immoral—one can conceive of circumstances where conservatives might do just that—but it is quite another to expect the society that made the law not to punish one for that disobedience. Martin Luther King, Thoreau and Gandhi expected to go to jail when they violated the law; their concept of civil disobedience was not that of those who request amnesty, nor could it be if we have to have an orderly rather than anarchic society. The choice is not between liberty and order, but between having both or neither.

CECIL KING

HON. B. F. SISK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1974

Mr. SISK. Mr. Speaker, it is with a profound sense of sadness that I join with my colleagues in mourning the passing of our beloved former dean of the California delegation, Cecil King.

As we know, Cecil passed away on March 23 in an Inglewood, Calif., hospital.

While there is little irony in death, there is a special tone of it here because Cecil, of course, was the coauthor of the medicare bill which now provides hospitalization and medical care for all persons over 65 who could not otherwise afford it.

This giant of compassion for others was first elected to the 77th Congress in 1942 and retired in 1968, and during the interim rendered invaluable service, not only to California, but the entire Nation.

As one who served with him during the greater part of his term I can truthfully say there is no one whose passing I shall deplore more greatly.

Mrs. Sisk and I render our heartfelt sympathy to his family and can only counsel that they can be truly proud forever of his achievements.

STUDENT RECORDS: A PROPOSED STRATEGY FOR PREVENTING ABUSES OF THE RIGHT TO PRIVACY

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1974

Mr. KEMP. Mr. Speaker, at this point in the proceedings, I include the third part of the research paper, entitled, "Students, Parents and the School Record Prison: A Legal Strategy for Preventing Abuses," by Sarah C. Carey, attorney at law:

STUDENTS, PARENTS AND THE SCHOOL RECORD PRISON: A LEGAL STRATEGY FOR PREVENTING ABUSES—III

(c) *The Common Law*: Incorporated into the U.S. legal system are a series of basic traditions and customs dealing with the power of the states and the security of the person that were articulated initially in British legal writings and Court decisions. Unless subsequently modified by statute, these principles remain in effect today; and under rules of judicial interpretation, where a statute conflicts with a commor law rule, that statute must be construed narrowly. Since most of the basic common law tests of individual liberty have been incorporated into federal and state constitutional provisions, they are infrequently relied upon in judicial decisions;[30] however, they remain valid bases for the enforcement of personal rights.

A series of lower court decisions articulating parental rights based on common law principles are discussed below; they help to further elaborate the nature of the parent's right to control his child's education. Taken together, these cases suggest that even though the schools act "in loco parentis" they cannot replace the parent where he reserves areas of control.

For example, in *Morrow* v. *Wood* 35 Wis. 59, 17 Am. Rep. 471 (1874), the Court held that the teacher, knowing the father's wishes, could not compel the child to pursue study that was forbidden by the father. The Court found that the parent's desire not to have his child study geography because he wanted his son to pay more attention to arithmetic was possibly within the parent's right as long as it did not interfere with the general efficiency or conduct of the school. *Morrow* upheld the parent's right "to direct what studies, included in the prescribed courses, his child shall take." 35 Wis. at 64. (Based upon the above ruling, the case was reversed and remanded for a new trial.) In *Morrow*, the Court wrote:

"It seems to us a most unreasonable claim on the part of the teacher to say that the parent has not that right. . . . It seems to us it is idle to say the parent, by sending his child to school, impliedly clothes the teacher with that power, in a case where the parent expressly reserves the right to himself." (at 64–65).

Other State Courts have reached similar results, allowing the parent to withdraw his child from required courses, provided his request was reasonable[31] and did not interfere with the interests of other children. In *State ex rel Sheibley* v. *School District No. 1 of Dixon County et al.*, 31 Neb. 552, 48 N.W. 393 (1891) the Nebraska Supreme Court granted a parent the right to overrule high school regulations concerning curriculum on the grounds that a parent has a superior interest in the growth of his child. The Court pointed out that unlike the parent, who has an ongoing interest in the happiness of his child, the teacher has only a temporary interest in the child's welfare. The Court held: "The right of the parent . . . to determine what studies his child shall pursue is paramount to that of the trustees or teachers." at 395. In *Garvin County et al.* v. *Thompson et al.*, 24 Okl. 1, 103 P. 578 (1909) the Oklahoma Supreme Court created a presumption in favor of a parental request, (in that case the parent did not want his child to take singing lessons for religious reasons), relying again on the parent's greater concern for and knowledge of the child.[32]

One final common law-based decision granting a parent veto power over a school regulation deserves mention. In *Hardwick* v. *Board of School Trustees of Fruitridge School District*, 54 Cal. App. 696; 205 P 49 (1921), the District Court of Appeals in California held that a child could not be compelled against the wishes of his parents (based on religious principles) to attend dancing lessons required by school regulations. Touching only briefly on the religious question, the Court stated that the case involved "the right of parents to control their own children—to require them to live up to the teachings and the principles which are inculcated in them at home under the parental authority." 205 P. at 54. It acknowledged the greater interest and right of the parent to prepare the child for his future and concluded that that right must be valued by the school if reasonable and if not harmful to either the student or the society.

In its discussion of the relationship between the parent and child on the one hand and the school and state on the other, the Court raised issues of direct relevance to some of the current practices of educators that attempt to "treat" or counsel children for alleged psychological or other deficiencies where the treatment or its underlying assessment are in conflict with the parent's views. The Court's reasoning suggests that these practices may constitute undue interference with areas of parental prerogative. Specifically, the *Hardwick* Court questioned whether a law that interfered with the well-founded judgment of the parent would be valid, whether the state could take steps that would alienate the child from parental authority and asked, "may the parents thus be eliminated in any measure from consideration in the matter of the discipline and education of their children along lines looking to the building up of the personal character and the advancement of the personal welfare of the latter?" In answering its own questions it concluded that:[33]

"To answer said question in the affirmative would be to give sanction to a power over home life that might result in denying to parents their natural as well as their constitutional right to govern or control, within

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Footnotes at end of article.

the scope of just parental authority, their own progeny. Indeed, it would be distinctly revoluntionary and possibly subversive of that home life so essential to the safety and security of society and the government which regulates it, the very opposite effect of what the public school system is designed to accomplish, to hold that any such overreaching powers exist in the state or any of its agencies." (54 Cal. App. 696 at 701, 205 P. 49 at 54.)[34]

The common law decisions discussed above deal primarily with situations where a parent objects for religious reasons to enrollment of his child in a specific course.[35] In these cases the Courts have attempted to accommodate the interests of the individual parent without disrupting the general operations of the school. They provide strong support for the assertion of other parental preferences, particularly in areas that have to do with the spiritual or cultural[36] development of the child. Given current educational practices with their heavy reliance on behavioral and related assessments, the parents will face a difficult burden in demonstrating that his request is "reasonable" unless he has access to the data collected by the school on his child and an opportunity to present his own point of view. The exercise of his right of oversight becomes more difficult and attenuated when the challenged decision of the school is wrapped in professional jargon.

(2) *The Parent has a Right to Review His Child's Records Generally:* There are strong common law traditions and precedents granting the parent the right to review his child's records, unless the state has a law or formal regulation to the contrary. No state includes a statutory prohibition against the parent's reviewing his child's basic record; some states have restraints in regard to specific aspects of the record such as IQ assessments or results of psychological testing. Where prohibitions do exist it is more common for them to be based on practice (i.e. the discretion of local school officials) rather than law or regulation. These discretionary practices can probably be overcome by the assertion of the common law right of inspection.

The common law creates a strong presumption in favor of access to public records on the part of those who have an interest in or need to review the subject matter of the records. Although an exact definition of what constitutes a public record does not exist, it seems likely that, unless narrowed by statute, records maintained by a school including tests and assessments of academic or related performance are "public". Initially, need to review records was determined by whether the information-seeker needed the information to maintain or defend a lawsuit;[37] however, this has since been broadened to include an interest of the public in determining whether government officials are properly executing their duties.[38] The New York Supreme Court has applied this principle directly to school records, shaping it to fit the special relationship of parents to the schools.

In *Van Allen* v. *McCleary*, 27 Mis.2d 81; 211 NYS 2d 501 (1961), a parent who had been advised by certain school officials that his child was in need of psychological treatment, sought access to the findings of the school psychologist. The Court held that absent constitutional, legislative or administrative permission or prohibition, the parent has a common law right to inspect the school records of his child.

The *McCleary* Court found that despite compulsory school attendance laws, the parent retains the right to direct the overall education of his child, adding that to exercise this right and to discharge this duty the parent has to keep abreast of the child's development and advancement. It stated that the parent's rights "stem . . . from his relationship with school authorities as a parent who under compulsory education has delegated to them the educational authority over his child." The Court analogized the interest of the parent in his child's records to other interests that had already been recognized by the New York Courts under the common law principle: that of a patient to inspect his own hospital records; of a client to be given open and frank information by his attorney as to the state of his business; of a stockholder to inspect the records of his corporation, and of a member of a board of education to inspect records compiled by the superintendent of his own school district.[39]

The more recent common law cases dealing with record inspection suggest that a heavy burden will be placed on any public agency alleging that such review is either burdensome or inappropriate. This presumption of openness should apply to any situation where a parent needs underlying school data to make routine decision concerning his child.[40]

(3) *Where the School Makes a Decision that Threatens Deprivation of the Child's Legal Rights, the Parent is Entitled to Full Review of the Data that Formed the Basis for the Decision:* The cases discussed in sections (1) and (2) *supra* suggest lines of argument to support the right of a parent to obtain school records necessary for him to make or participate in basic decisions about his child's course of education. In addition to these lines of cases, more recent decisions rendered principally by the lower federal courts hold that where the child is denied access to public education altogether or is granted access on terms unequal to those provided other children, his parent has a right to challenge the school's decision. This right includes the opportunity to present the child's side of the story and to obtain full access to the underlying evidence that formed the basis for the school's action. Among the actions that have called forth procedural due process guarantees to date are exclusion or expulsion from school for a variety of reasons; assignment to special schools or special classes for students who are not meeting minimal standards; and tracking.

In 1961 the U.S. Court of Appeals for the Fifth Circuit, in *Dixon* v. *Alabama State Board of Education*, 294 F.2d 150 (5th Cir. 1961), held that students in good standing could not be expelled from a state supported college because of alleged misconduct without a hearing and an opportunity to challenge their accusers. The Court stated:

"Whenever a governmental body acts so as to injure an individual, the Constitution requires that the act be consonant with due process of law. The minimum procedural requirements necessary to satisfy due process depends upon the circumstances and the interests of the parties involved. 294 F. 2d at 155.

For the students in question, the Court found that the minimal requirements included a clear statement by the college of the specific charges against them, a hearing with both sides present, disclosure to the students of the names of the witnesses against them and the nature of their allegations, and an opportunity for the students to present their own witnesses and version of the facts.

Since the *Dixon* decision, the right to a hearing prior to expulsion has been recognized in a number of additional cases dealing with institutions of higher education; it has also been extended to high school students accused of violating various rules of conduct. Some cases premise the student's right to stay in school on state constitutional or statutory provisions that have been interpreted as guaranteeing a right to education; others simply assert the importance or fundamental nature of education without alluding to the source of the right. And others refer to denial of education as a state-imposed stigma.

In *Vought* v. *Van Buren Public Schools*, 306 F. Supp 1388 (E.D. Mich S.D. 1969), for example, the Court held that a student could not be expelled for possessing an obscene publication without having the right to be heard. The Court pointed out that Bellevue High School rarely expelled students and stated:

"It goes without saying, and needs no elaboration, that a record of expulsion from high school constitutes a lifetime stigma. It would seem that in taking an action of such drastic nature, the Board of Education would have been interested in providing plaintiff with the opportunity to offer his explanation of the circumstances *prior* to the actual expulsion by the Board." 306 F.Supp at 1393.

The Court ordered the school to conduct an adversary proceeding with the minimum safeguards enumerated in *Dixon*. Similar results were reached in *Williams* v. *Dade County School Board*, where the Court held that a conference held by the principal with the student and his parents to announce a decision to suspend did not satisfy due process. Relying on *Dixon* as precedent, the Court stated:

"We feel that a penalty of this magnitude ought not be imposed without proper notice of the charges, and at least an attempt to ascertain accurately the facts involved and to give the student an opportunity to present his side of the case." 441 F.2d 299 (5th Cir. 1971)[41]

FOOTNOTES

[30] For a discussion of common law and other non-constitutional bases for narrowing asserted school board authority, see *Goldstein*, "The Scope and Sources of School Board Authority to Regulate Student Conduct and Status: "A Non-constitutional Analysis, 177 U.Pa.L.Rev. 373 (1969).

[31] In *Crews* v. *Johnson et al.*, 46 Okl. 164, 148 P. 77 (1915), a parent's request that his child not be required to study grammar was held unreasonable.

[32] The Garvin County decision, like other decisions, quoted from Blackstone, the "Bible" of the Common Law. According to Blackstone parents have a duty "to their children" to give them "an education suitable to their station in life; a duty pointed out by reason, and of far the greatest importance of any. For, as Puffendorf very well observes, it is not easy to imagine or allow, that a parent has conferred any considerable benefit upon his child, by bringing him into the world; if he afterwards entirely neglects his culture and education, and suffers him to grow up like a mere beast, to lead a life useless to others, and shameful to himself." (*Commentaries on the Laws of England*, Sir William Blackstone, KT, Ed. William G. Hammond (Bancroft-Whitney Co., 1980)).

[33] Neither this nor other cases treat the situation where the family is so disintegrated as to preclude effective parental guidance of the child.

[34] Other decisions affirming a parental right of control include *Rulison et al.*, v. *Post* 79 Ill. 567 (1875); *Trustees of Schools* v. *The People ex rel. Markin Van Allen*, 87 Ill. 303 (1877); *State ex rel. Kelly* v. *Ferguson et al.*, 95 Neb. 63; 144 N.W. 1039 (1914). The parent's authority has also been discused (but not relied on) in cases, such as *State* v. *Zobel*, 81 S.D. 260; 134 N.W. 2d 101 (1965) dealing with child neglect and *Shepherd* v. *State*, 306 P.2d 346 (1957) dealing with an alleged violation of the compulsory attendance laws. See also *Consolidated School District, No. 12* v. *Union Graded School District No. 3*, 185 Okl. 485, 94 P.2d 549 (1939) at 550.

[35] In recent years, the sex education cases and resulting legislative enactments have generally established a parental right to provide this type of instruction at home and/or to withdraw his child from the school's course. Many states specifically provide by statute that enrollment of a student in a sex

education class must be with the consent of the parent; others require that the parent must either provide the education himself or let the school. Where the issue has resulted in litigation, the Courts have reached divergent conclusions, with one upholding a required course as within the state's power to protect the public health. *Cornwall* v. *State Board of Education* 314 F. Supp. 340 (1969); and another upholding the parent's right, on the basis of religious beliefs, to keep his children out of the class *Valent* 1. *New Jersey State Board of Education*, 144 N.J. Super. 63, 274 A.2d 832 (1969).

[36] It is entirely possible, for example, following the reasoning of these cases that just as a Baptist can withdraw his child from dancing or singing lessons, so too, a Black or Chicano parent could withdraw his child from courses that inaccurately or negatively portray his race or culture.

[37] *In re Caswell* 18 R.I. 835, 29 A. 259 (1893).

[38] *MacEwan* v. *Holm* 226 Or. 27, 359 P.2d 413 (1961); *Papadoponlos* v. *State Board of Higher Education;* 494 P.2d 260 (Or App. 1972).

[39] For a discussion of the *Van Allen* case see 20 Buffalo L.J. 255, "Comment Parental Right to Inspect School Records."

[40] If the relationship between teacher and student were viewed as a fiduciary relationship, high standards of disclosure of relevant information would apply. No court to date has defined the relationship in this manner; however, at least one has suggested it as a possibility. *Blair* v. *Union Free District*, 67 Misc. 2d 248,324 NYS2d 222 of 228 (1971).

[41] The Florida Department of Education has since promulgated regulations dealing with expulsion hearings.

MICHIGAN POLICE OFFICERS WIVES ASSOCIATION

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1974

Mr. DINGELL. Mr. Speaker, the Michigan Police Officers Wives Association will hold their fourth annual State convention April 27, 1974, in Dearborn, Mich.

Each year, during the fourth week in April, the Michigan Police Officers Wives Association receives proclamations citing that week as "Police Officers Wives Association Week."

This is a fitting tribute I believe to the women who give support to our police officers. Similarly, there is legislation pending in the House of Representatives which I have introduced to provide for the designation of the fourth week of April each year as "Police Officers Wives Association Week." I am referring to House Joint Resolution 530, which I introduced in the 1st session of the 93d Congress and upon which I am anxious to see action taken by the Committee on the Judiciary in the House of Representatives.

Upon the occasion this month of the Michigan Police Officers Wives Association Convention, I believe it appropriate to note that I have learned, in my continuing correspondence with Mrs. Martha Hart, president of the association, that these women work hard to promote good will, create better police-community relations, better their communities, and aid the families of the injured and slain police officers throughout the State of Michigan.

Mrs. Hart has informed me that their organization sends get-well cards to any officer injured in the line of duty in the United States and Canada and a sympathy card to the family of any officer slain in the United States and Canada. Likewise, these women stand ready to assist the families of those police officers who are injured or killed in the line of duty.

Mr. Speaker, these wives are actively engaged in their support of their husbands' work and, in fact, regularly attend scheduled courses at police training academies for new officers' wives.

It is my opinion that their efforts are worthy of the attention of Congress as these women work to secure a better way of life for all.

MILITARY SEEKS NAME AND ADDRESS OF EVERY LICENSED WISCONSIN DRIVER BETWEEN AGES OF 17 AND 26

HON. DAVID R. OBEY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1974

Mr. OBEY. Mr. Speaker, the driver control bureau of the Wisconsin State Transportation Department does a brisk business supplying confidential information out of its computerized files on the State's motorists.

To obtain your neighbor's name, age, address, and driving record in duplicate, simply send in a notarized statement and $1—unless you are an insurance company, in which case you can obtain the information in triplicate for only 50 cents.

Recently, the four major branches of the service tendered a joint request for the name and address of every licensed Wisconsin driver between the ages of 17 and 26. Fortunately, that request was denied, but only because the driver control bureau lacks the manpower to crank out such a massive list.

According to bureau director Dan Schutz, military authorities never specifically outlined their intentions for the data but indicated it would be used for recruiting.

This information comes from a three-part series by Timothy Harper of the Associated Press. Here is the series as it appeared in the Marshfield News-Herald, April 2–4:

FIRST OF THREE ARTICLES—SOMETHING NOTORIOUS ABOUT THOSE NOTARIZED REQUESTS

(By Timothy Harper)

MILWAUKEE.—A notarized statement and a dollar is all it takes to obtain your neighbor's name, age, address and driving record from Madison.

Of course, on the notarized statement you have to claim that you want the confidential information out of the state's computerized files for a legitimate reason relating to insurance, employment or credit.

But if the reason you give for the prying looks on the up and up, the Driver Control Bureau of the State Transportation Department will send you the data with no questions asked.

"We don't do a great amount of investigating into each statement," said bureau director Dan Schutz. However, he said, officials will ask for more information from persons requesting such information if the reason on the notarized statement isn't clear.

"That's why we ask for the notarized statement," he said. "It pust the burden on the person requesting the information rather than us."

He said most of the requests for information on driving records come from insurance companies, which have to pay only 50 cents for the traffic records of Wisconsin motorists.

"We more than make enough from the insurance companies to break even," said Shutz, referring to the cost of computer printouts.

However, he said his bureau also receives requests from many credit associations and businesses offering credit plans and charge accounts to the public.

"There's really nothing in the driving records about a person's finances," Shutz said, "but I suppose if a person had a bad enough record they (the credit investigators) could associate it with a particular type of lifestyle."

Betty Rayburn, the supervisor of driver records, agreed that no in-depth checks are run on requests for the confidential information to determine whether or not the person making the request has a valid use for it.

"An individual can always get his own records," she said, "but anyone else has to sign a statement explaining a permissable business reason."

She said insurance companies have to pay only half the usual $1 fee and get the records in triplicate rather than the usual duplicate because they often request records in greater volume and sometimes do some of the preparatory work for a computer run.

Despite his agency's admitted lack of probing the reasons behind requests for such data from citizens. Shutz said he is confident there are few if any driving records falling into unauthorized hands.

"We're pretty careful about this sort of thing," he said, "and we turn down a great many requests from mail order companies and that type of thing." He said a list of names and addresses from the drivers license files was once said to private research firm, but said the department banned such sales in 1972.

However, he agreed that it is possible for a person to obtain the record of a friend, neighbor, relative or acquaintance just for curiosity's sake if he was willing to sign a fraudulent notarized statement.

SECOND OF THREE ARTICLES—MILITARY SEEKING DATA ON RESIDENTS

(By Timothy Harper)

MILWAUKEE.—For the past two years, U.S. military officials have been seeking confidential information of hundreds of thousands of Wisconsin residents from computerized state files.

As yet, however, state officials have refused to turn over the data requested—the name and address of every licensed Wisconsin driver between the ages of 17 and 26.

"We have had numerous requests from the military for the names and addresses of everyone between 17 and 26," said Dan Schutz, director of the Driver Control Bureau in the State Transportation Department. "We've gotten inquiries from the Army, the Navy, the Air Force and the Marine Corps."

Schutz, in a telephone interview from his Madison office, said the armed services, which apparently wanted the names and addresses for recruiting purposes, have made numerous individual and joint requests for the data since the Selective Service draft ended.

Schutz, who said the information is readily available in state computer files of driver

records, said the main reason the military requests have not been honored is that his office simply does not have the staffing to crank out such a massive list, even though it could be printed out in one computer run.

"We just don't have the time or manpower," he said.

He said the requests for the information from the military had come frequently for several months after the draft was ended two years ago, but a lull followed until several weeks ago when the four major branches of the service entered a joint request for the data.

"They said they would share the information," Schutz said.

Schutz said military authorities never specifically outlined their intentions for the data, but said they indicate it would be used for recruiting.

"I suppose they would use the names and addresses to send recruiting information to young people," he said. "I guess they have to do more of this type of thing since the draft ended."

Ed Waycaster, the chief administrator of the Navy recruiting station in Milwaukee, said the requests for the information come from Washington.

"We just use them to mail out literature," he said. "It's like any big corporation trying to update its mailing lists."

At the Army recruiting office in Milwaukee, Maj. David Phillips said he had heard of the requests for the Wisconsin data, but had no idea what the information would be used for.

"The information serves a purpose to get leads for possible recruiting," he said.

But he added that he didn't know specifically how the recruiters would get "leads" for the potential new recruits from the files.

LAST OF THREE PARTS—STATE BLAMED FOR SOME MAILING LISTS

(By Timothy Harper)

MILWAUKEE.—Ever wonder how your name got on the mailing lists of all those junk mail companies whose advertisements often seem to clog your mailbox?

At least some of the firms get all or part of their Wisconsin mailing lists from the state.

Despite vehement criticism from politicians and citizens during the past seven years, the state continues to sell lists of Wisconsin motor vehicle owners to whoever wants them.

"We do it because we have to," said Eldon Schimming, director of administrative services in the State Transportation Department's division of motor vehicles. "The statute specifically says we shall sell them, so it's a mandatory type of thing."

He said the lists, sold primarily to auto dealerships for a maximum of $120 per year, include the license plate number of every vehicle registered in the state, as well as the name and address of the owner.

Schimming, in a telephone interview from his Madison office, said some private mail order firms may also buy the list since the state does not check on who makes the purchases.

"We sell them to anyone who is interested enough and wishes to pay for them," he said.

Schimming said he doesn't know exactly what auto dealerships do with the lists, but said his office has had complaints from citizens getting junk mail from firms which have bought them.

"We have had calls from some people who believe the mailing list is used in surveying parking lots," he said. He added that some vehicle owners believe their cars are checked for their age and condition, and then dealers look up the addresses of the owners on the list and send them brochures for new equipment or new vehicles.

Schimming said about 150 private firms purchase the list each year.

The controversy over the state sale of the lists, which were originally compiled for the convenience of law enforcement agencies erupted in 1967 when Sen. Gaylord Nelson, D-Wis., urged the legislature to outlaw the sales to cut down on junk mailings.

Since then, Govs. Warren Knowles and Patrick Lucey both assailed the practice as an invasion of privacy and joined Nelson in calling for an end to the sales.

No fewer than a dozen legislators, many of them criticizing the "bargain basement" $120 price tag for the lists when other states such as New York charge more than $80,000 for a single list, have introduced bills to prohibit such sales.

But none of the proposals got anywhere, and the law is still on the books.

And, as Schimming says, the state will continue to sell the lists as long as it is.

HOW SENATOR BUCKLEY IS MISUNDERSTOOD

HON. MORRIS K. UDALL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1974

Mr. UDALL. Mr. Speaker, a few weeks ago, the junior Senator from New York (Mr. BUCKLEY) startled many people by coming around to the same position I have been taking for months—that President Nixon should resign for the good of the American people and turn the reigns of Government over the Vice President GERALD FORD.

Unfortunately, the Senator's comments have been somewhat misunderstood and he has received quite a bit of criticism. Some critics, both in and out of Congress, say a Presidential resignation would injure both the Presidency and the democratic form of government, because a President should be forced out only by losing an election or by being impeached and convicted by Congress.

However, in his syndicated column last week, Senator BUCKLEY's brother, William F. Buckley, Jr., replied that a resignation would in no way contradict the intent of the authors of our Constitution.

As columnist Buckley pointed out, what Senator BUCKLEY really said is that a Presidential resignation would be "to perform an act of noblesse oblige. That is to say, to put his—Mr. Nixon's—country's interests above his own."

Senator BUCKLEY feels, as I do, that President Nixon has lost his credibility with the American people and is unable to provide the type of leadership the Nation needs. His ability to lead would be even more restricted if we have to go through the lengthy impeachment process.

And, as both Buckleys point out, President Nixon would not be abandoning his electoral mandate if he resigns. The mandate would merely be turned over to Vice President FORD who is, after all, President Nixon's handpicked Vice President and a man who shares his general political philosophy and views on most domestic and foreign issues.

Following is Mr. Buckley's column. I commend it to my colleagues:

HOW SENATOR BUCKLEY IS MISUNDERSTOOD

(By William F. Buckley, Jr.)

Even the water buffalo and the springbok in Africa were talking about the startling recommendation of the tormented junior senator from New York, that Richard Nixon resign the presidency pro bono publico. Returning from abroad and examining the response to his suggestion, one is struck by a number of misunderstandings which appear to have become institutionalized in American thought. Not only among conservatives, but among liberals as well.

Most of them, in my judgment, are explicitly or inexplicitly incorporated in a two-sentence statement by a Republican congressman from Tennessee, Dan Kuykendall. He is quoted as saying: "Senator Buckley's proposal is most dangerous as it would affect the Republic and its operations. His willingness to see a man forced out of office without proof of impeachable conduct shows a lack of understanding as to how this Republic was formed and how it operates."

If Mr. Nixon were to resign, would he in fact have been forced out of office? To answer in the affirmative, it is required that the word "forced" be used metaphorically. Because—obviously—there is no way to "force" Mr. Nixon out of office other than to impeach him, and convict him. Inasmuch as Sen. Buckley looks with horror at that prospect, the first part of which is by all accounts imminent, then the point to make is that Sen. Buckley desires very much that Nixon should not be "forced" out of office.

If Kuykendall is using the word figuratively, then the question to ask is: Are we really committed to the proposition that the people should not express themselves concerning that which they desire? Here again a distinction is necessary. If Sen. Buckley had said that every time the American people desire a president to resign he should do so, he would have thrown in his lot with the plebiscitarians—with whom, as a conservative, he desires no affiliation.

But he is not saying that. Nowhere in his profound statement is there a hint of it. He did not say that Mr. Nixon should resign because the majority of the American people would rather have another president.

He said he should resign because the alternatives—for America—are less desirable. The alternatives being (a) the probability of impeachment and the possibility of conviction; (b) a presumptive suspicion of presidential policies reflecting loss of confidence in Mr. Nixon; and (c) an Executive weakened as an institution by tormentors who, in their anxiety to get Nixon, are likely to move further than is good for the institution of the presidency.

What I understand Sen. Buckley to have done is to have asked President Nixon to spare the United States the ravages of a prolongation of the Watergate torture. I cannot see how, in doing so, he showed any lack of understanding of republican government.

Charles de Gaulle participated in a coup d'etat, in effect, one of the principal purposes of which was to establish a strong presidency. Even so, at a certain point, Gen. de Gaulle, surveying the situation about him—resigned.

He did not do so in order to inaugurate the plebiscitary government he replaced when he overthrew the Fourth Republic and instituted the Fifth. He did it because he saw that the signals suggested France would be better off without him.

Edward VIII, King of England, was not "forced" to resign: He elected to do so, and there are very few Englishmen—conservative as regards the monarchy in a sense unknowable to American republicans—who now believe that he did other than the statesmanlike thing.

Very recently the governor of New York State, elected in a landslide, resigned. His motives were complicated. But even his critics do not believe that he did anything

venal by resigning, or that he betrayed his mandate. Any more than Richard Nixon would betray his mandate, if he decided to turn over the reins of government to his own appointed successor, Gerald Ford.

Mr. Nixon has time and again stressed that he was elected in order to carry out certain programs. Does he recognize that he is saying, in effect, that these programs would not be carried out under his successor, Gerald Ford; if that is the case, why did he appoint Mr. Ford? He could have chosen anybody.

I understand Sen. Buckley to have asked the President to perform an act of noblesse oblige. That is to say, to put his country's interests above his own.

That is not, surely, to misunderstand republican government, but to express the highest faith in it. Those who are hellbent to impeach Mr. Nixon rather than to urge his resignation are the blood-lusters, hiding under the skirts of constitutional formalism.

Maybe Sen. Buckley's recommendations are misguided. Certainly they are not outside the spirit of the Constitution, which three times mentions presidential resignation as a possibility.

KING AND POWELL TRIBUTE

HON. JAMES C. CORMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 4, 1974

Mr. CORMAN. Mr. Speaker, I am grateful for this opportunity to participate in the special order commemorating the memory of the Honorable Clayton Powell, Jr. and the Rev. Dr. Martin Luther King, Jr. At a time when Congress and the American people turned a deaf ear to the special needs of blacks, poor people and other minority groups, these remarkable men stepped forward to prod the American conscience. Their goal: to make the American dream of freedom, dignity and equal opportunity a reality for everyone.

Adam Clayton Powell, Jr. was a product of New York's Harlem where he lived and which he represented. His flamboyancy and inconoclasm masked a deep commitment to the other America—the America of poverty, discrimination and unemployment. As chairman of the House Committe on Education and Labor from 1960 to 1967, he was the dominating force in the passage of 48 major pieces of legislation committing more than 14 billion Federal dollars to the task of providing equal opportunity for all Americans.

Some of the chief bills enacted through Chairman Powell's efforts were the 1961 Minimum Wage Act, the Manpower Development and Training Act, the Juvenile Delinquency Act, the Vocational Education Act, the Economic Opportunity Act of 1964 and the National Defense Educational Act.

As committee chairman and elected Representative, Adam Clayton Powell, Jr., was committed to the goodness and sanctity of human life.

The Reverend Dr. Martin Luther King, Jr.—perhaps more than any other person—brought the plight of blacks and poor people to the American conscience. Using the nonviolent tactics of Thoreau and Gandhi, Dr. King successfully challenged patterns of segregation in the North and South. His Montgomery bus boycott in 1955 marked the beginning of the modern civil rights movement.

As head of the Southern Christian Leadership Conference, Dr. King worked tirelessly to build grassroots support for the civil rights cause. His following transcended color, age, and economic class. For Dr. King understood early that no man is free until all men are free. His efforts led to a spate of civil rights legislation in the 1960's, most notably the Civil Rights Act of 1964. In addition, Dr. King's work in mobilizing the masses of poor in American to lobby for needed benefits won him the Nobel Prize for Peace in 1964.

The complementary efforts of Mr. Powell and Dr. King—one leading a legislative movement and the other a moral movement—awakened the conscience of America and set us on the path to freedom and justice for all.

MAKE THE SOCIAL SECURITY LEVY MORE FAIR

HON. JAMES A. BURKE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1974

Mr. BURKE of Massachusetts. Mr. Speaker, may I take this opportunity to bring to the attention of the Members of the U.S. Congress two articles that appeared in the Sunday editions of the Los Angeles Times and the Boston Globe. The Los Angeles Times article under my byline entitled "Make the Social Security Levy More Fair" and the Boston Globe article written by columnist David B. Wilson entitled "Payroll Taxes Unfair Burden":

MAKE THE SOCIAL SECURITY LEVY MORE FAIR

(By James A. Burke)

For more than half the population, Social Security taxes are larger than federal income taxes. A married couple with two children and an income of $7,000 a year, for example, pays $409.50 a year in Social Security tax—$3.50 more than their $406 income tax.

Moreover, the Social Security tax is regressive, in that low-income persons pay a higher proportion of their earnings than do high-income persons.

If there is to be a tax cut to help the economy, therefore, it should be in the Social Security tax. And there are strong arguments for such a tax reduction.

Americans are being financially crippled by the constant erosion of their buying power caused by skyrocketing inflation and declining employment. Increases in the price of gasoline alone have been equivalent to an $8 to $10 billion tax increase.

While consumer prices increased at annual rate of more than 12% during the first months of 1974, real spendable income of nonfarm workers dropped 4% from a year ago. Battered by runaway food and fuel prices, consumers pulled in their horns and cut down their spending. No quick rebound of spending is in sight.

To give the wage earner more spendable income as soon as possible in order to lubricate the economy and get it rolling smoothly again, there should be a reduction in taxes.

Reductions in taxes for low and middle-income persons, and changes in the regressive Social Security tax system, should be made this year. Easing this tax would increase real spendable income for a majority of Americans and be a big step toward freeing more money for consumer purchases.

With the support of a substantial part of the House membership, I have filed a bill that would cut the Social Security tax from its present 5.85% to 3.9% of income. It also would increase the segment of income to which the tax applies from the first $13,200 each year, as it is now, to the first $25,000. And my bill would provide for a three-way split of the tax burden among employee, employer and general federal revenues.

For the married couple with two children and an income of $7,000 a year, my bill would cut the Social Security tax from the present $409.50 to $273 a year.

For businessmen, reducing the employer's contribution to one-third (instead of the present one-half—the employer now matches the employee's 5.85%) would reduce the employer's cost of business and help make American goods more competitive abroad. And thousands of small businessmen, some of them on the verge of bankruptcy, would be able to invest money in new machinery and production techniques in an attempt to gain a competitive foothold.

A three-way split of the Social Security payroll tax is not an untried idea: Many European countries have used this system for many years. And the use of some general revenues, instead of only the payroll tax, has been recommended at regular intervals since Social Security began in the 1930s, beginning with the first Committee on Economic Security in 1935, and as recently as the Advisory Council on Social Security in 1971.

The changes proposed in my bill would reduce the Social Security tax's regressiveness, which requires low-income persons to pay a larger share of their income than high-income persons do.

SOCIAL SECURITY TAX

Annual income	Withheld from employee	
	Amount	Percent of income
$5,000	$292	5.85
$10,000	585	5.85
$13,200	772	5.85
$15,000	772	5.15
$20,000	772	3.86
$25,000	772	3.09
$30,000	772	2.57

Note: Rate is 5.85 percent on first $13,200 of income.

The reason for this inequity is that the tax of 5.85% applies to only the first $13,200 of income earned each year. Consider these three examples:

A person earning $6,600 a year pays $386 in Social Security tax, or 5.85% of his entire income.

A person earning $13,200 a year pays $772 a year, also 5.85% of his income.

A person earning $26,400 a year pays the maximum of $772 a year, but that is only 2.924% of his income—just half the proportion paid by the person earning $6,600 or $13,200.

There has been some suggestion that my proposal, by changing the base on which the tax is applied, and because it calls for general revenues to finance part of Social Security, represents a tax shift to the more progressive income tax.

I believe there is ample justification for such a move. Social Security is the best structure we have on which to build an income maintenance program, and I think we should shift the burden from the low and middle-income workers who now bear more of the load than other income groups, based

on their relative abilities to pay, and spread it more equitably throughout the population.

Many economists endorse the concept of changing the Social Security tax structure to reflect the fact that the program is no longer merely an insurance system.

Joseph A. Pechman, director of economic studies at the Brookings Institution, testified before a Senate committee last month that the Social Security tax "is the most regressive in the federal revenue system; at current rates, it is extremely burdensome on poor and near-poor workers.

"The payroll tax is defended by those who think of Social Security system as an insurance system, but everybody knows that payroll taxes do not pay for an individual's retirement benefits, even with accumulated interest. The insurance myth should no longer be allowed to perpetuate oppressive taxation," Pechman said.

Social Security is this government's major spending program, affecting more people directly than any other government program. It is this nation's major expression of social concern for its citizens. It is high time that the burdens of the program were spread more evenly among the American people.

And at a time when getting more spendable money into the hands of consumers would help combat recession, cutting the Social Security tax and making up that loss from general revenues would be a faster, fairer way of helping the economy than any other.

[From the Boston Globe, Apr. 8, 1974]

PAYROLL TAXES, UNFAIR BURDEN

(By David B. Wilson)

Harold S. Geneen, the fabled chairman of the international conglomerate known to politics and finance as ITT, received $814,299 in compensation in 1973.

If it had all been salary, the New York Times observed, Geneen would have paid his full Social Security payroll tax in the first week of January. Since it was about half bonus, it took two weeks for his F.I.C.A. deduction to be wiped out.

Geneen, under a system that most wage earners and pensioners seem to accept with all the stolidity, docility and sensitivity of stalled oxen, pays, Dear Reader, exactly what you pay if your income equals or exceeds $13,200 a year.

Of course, he did not pay F.I.C.A. on his $411,000 bonus. Nor was any income from interest, dividends, rents, capital gains or government payments subject to payroll tax. Nor did ITT, beyond matching from its gross revenues Geneen's contribution, feel the payroll tax bite on its corporate profits. For ITT, the corporate contribution is a cost of doing business.

No attempt is here being made to single out Geneen or his vast enterprise for criticism. But if your paycheck is presently being nicked for 5.85 percent of $13,200, the contrast may serve to illustrate with some force the injustice of the system.

There is no legal reason why Geneen should pay more. Taxes are exactions, not voluntary contributions. And Geneen quite probably pays a whopping Federal personal income tax.

What is perplexing is the apparent reluctance of Federal policy planners to consider the payroll tax in evaluating alternative strategies against the concurrent evils of inflation and recession.

On the same financial page of the Times, there is a piece by Leonard Silk reporting on various suggestions for jiggering the personal income tax to get more money into the economy.

None of them attempts to deal with the continuing scandal of the payroll tax which, in addition to sparing all kinds of income generally enjoyed by rich people, is outrageously unfair to working wives and imposes its burden (greater than the income tax for about half the nation's wage earners) on heads of families without regard to the size of those families.

Income redistribution has in the last few years become the biggest dollar function of government, bigger than defense by about 30 percent.

The total of transfer payments—of which Social Security checks form the largest single category—is estimated at a current rate of $130 billion annually, equal to a tenth of the Gross National Product.

At a time when inflation is producing a decline in real spending power, when soya flour is being merchandised as a desirable additive to ground beef, when taxes are soaring in response to the organized demands of government employees and dependents, working people with grocery, fuel and tuition bills to meet are being required to assume the same share of this burden as the chief executive officer of ITT.

This is a cynical, socially destructive, morally indefensible public policy which survives only because of the near-unanimous public misunderstanding of the way the Social Security system operates.

But what is even more discouraging than this continued grinding of the working poor by a heedless government is the failure of the economic planners even to consider reform of the payroll tax as a means of putting cash in the pockets of those taxpayers in greatest need of assistance.

US Rep. James A. Burke now has more than 100 congressmen signed up as cosponsors of his bill to cut the payroll tax rate from 5.85 to 3.9 percent and increase the wage base subject to tax from $13,200 to $25,000.

For the $10,000 wage earner, this would mean an effective annual pay raise of $195, which, even at today's prices, will buy a lot of groceries, heating oil and children's shoes.

And yet the emphasis of the sponsors has been upon repairing the inequity of the payroll tax and upon its burden on business and industry. It would seem as logical and perhaps more politically productive to pass the bill as a means of softening the impact of inflation and stimulating a lagging economy.

TODAY'S STUDENT GUEST EDITORIALS

HON. WILLIAM L. HUNGATE

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1974

Mr. HUNGATE. Mr. Speaker, as part of the University of Missouri's journalism intern program, two young people worked on an outstanding daily in my district, the Mexico Ledger. The following are their editorials on two issues which are much before the country:

WOMEN AREN'T ALL LIBBERS

(EDITOR'S NOTE: Miss Kimberly Mills, a journalism student at the University of Missouri, has written the following guest editorial while serving as an intern on The Ledger news staff. The opinions she expresses are, of course, entirely her own. RMWII)

(By Kimberly Mills)

"Harry, it's like I was telling you. Those women's libbers, you just can't figure them out.

"They say they want equality. Didn't they get it, away back, with the right to vote. They are still making a fuss about equality, only now it's about jobs."

Those comments, made by a species of man referred to by some as the male chauvinist pig, are justified. Women are making a fuss about occupational equality.

But some are striving for equalization in careers without earning for themselves and all women the reputation of women's libbers. For not all women are hard, brassy females who obnoxiously declare men their enemies and burn bras at sisterhood meetings. Just as all men are hardly male chauvinist pigs, all women concerned for their sex cannot be fairly labeled women's libbers.

The feminists of the 19th century, women like Elizabeth Cady Stanton and Susan B. Anthony, and the suffragettes of the 20th century, women like Carrie Chapman Catt, strove to better their lives as women. One goal emerged—the right to vote—and women of this period began equating enfranchisement with equality.

With the 19th amendment passed into law, the women's movement lay dormant for decades though women, as individuals, made great strides along with blacks and workers. Women such as Margaret Mead, Eleanor Roosevelt and Margaret Chase Smith demonstrated the individual's will to succeed.

The realization that the vote did not guarantee all kinds of equality to women came as women gradually became more disturbed by inequities in occupation, education and social avenues of life.

Inequities that kept women out of medical schools and law schools . . . inequities that relegated them to clerical positions rather than positions with responsibilities . . . inequities that denied them the same social outlets as men.

Some women spoke up loudly in the 1960's. Perhaps because they dared to speak above a whisper, judgments of "shrill" and "overbearing" were levied. Perhaps they were loud.

But loud in order that closed ears could not avoid listening—listening to women explain that the vote didn't bring true equality in every sense of the word. It brought a law upholding equality, not achieving it.

This is what many of these women, feminists and libbers, struggle for . . . the guarantee of equal pay for equal work . . . the right to executive positions with decision-making responsibilities . . . the chance to choose between botany and motherhood, aerospace engineering and secretarial employment.

Yet the struggle goes past the need for occupational equality. In the words of Betty Friedan, it represents the "chance for woman to fulfill herself, not in relation to man, but as an individual."

Then perhaps, the labels, women's libber and male chauvinist pig, will fall into disuse, to be replaced by a more positive term—humanists.

TOO MUCH WATERGATE TO FORGET

(EDITOR'S NOTE: Jay Silverberg, a journalism student at the University of Missouri, has written the following guest editorial while serving as an intern on The Ledger news staff. The opinions he expresses are, of course, entirely his own. RMWII)

(By Jay Silverberg)

President Nixon would like to see the Watergate controversy ended. He would like to see the myriad of problems, subpoenas, media coverage—the controversy surrounding him—all forgotten. He would like to see Watergate as a thing of the past.

Nixon has mentioned that with Watergate "behind us" his administration can turn to more important matters.

I believe Watergate cannot be pushed out of public view. We cannot allow Watergate to be simply forgotten. Answers to the many Watergate questions must be obtained before they become a part of history.

We are asked to forget by President Nixon that his innocence or guilt is questioned by a large segment of the population—his in-

nocence or guilt regarding income tax payment; his innocence or guilt regarding his knowledge of the Watergate charges now pending.

We are asked to move Watergate aside when Nixon stands suspected of breaking the law before the public which elected him by the largest majority ever given a man running for his office. More than 60 per cent of the people voted for him.

More charges against Nixon include improper use of government funds for improvement to his private homes, authorization of illegal wiretapping and illegal breaking and entering and accepting illegal campaign donations.

We are asked to forget when the president, elected to uphold the law, is now standing before it.

We are asked to forget that the results of Watergate investigations have left more than 30 of the president's associates charged with crimes. Of that number, over 20 have been convicted of their crimes or have pleaded guilty to charges brought against them.

We are asked by the President, though, to forget about Watergate.

We are asked to forget this by the man we elected, yet people ask, "How can we get the same income tax deductions that the President got?" We are asked to forget even the Watergate hearings are televised, when we read of subpoenaed information from the President's office and when senators and representatives call for and are considering Nixon's impeachment from office.

Not since the coverage of Vietnam has the American public been kept aware of one topic like Watergate. And with good reason.

It should be kept before the public until answers to the many Watergate questions are obtained.

Nixon cannot be allowed to leave Watergate behind. We cannot allow him to do it. People must continue to question his usefulness—something 70 per cent of them are doing now according to two national polls—and ask who is right or wrong. Congress must continue its quest for an answer and so should the press.

The discussion of Watergate must be kept before us. The facts must be known and Watergate must continue until a complete answer, if possible, is obtained. No matter how long it takes.

We have waited too long for the Watergate story to go unanswered.

Finally, allowing President Nixon to leave Watergate behind would discredit the democratic process he was chosen to uphold—that of fair and equal treatment to all, including the President.

DOD SUPPLEMENTAL AUTHORIZATION

HON. WILLIAM LEHMAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1974

Mr. LEHMAN. Mr. Speaker, due to an important commitment in my district, I was not present for the votes on the DOD supplemental authorization bill on April 4, 1974. Had I been present, I would have voted "no" on rollcall No. 144, the previous question on the rule to the bill.

Adoption of the rule would have prevented points of order against the section which raised the ceiling on appropriations for military aid to South Vietnam by $474 million. Not only do I oppose increased military aid to South Vietnam, but I oppose this backdoor attempt at increasing aid in a supplemental authorization bill after Congress has gone on record to limit such aid.

For these same reasons, I would have voted "no" on rollcall No. 147 to allow a $247 million increase in military aid to South Vietnam.

On rollcall No. 146, the amendment to delete funds for construction of naval support facilities on the Indian Ocean island of Diego Garcia, I would have voted "no." Our limited presence at Diego Garcia serves as an important signal to the Russians that we will not allow them a free hand in the Indian Ocean and the nearby Arabian Sea.

POW/MIA HERO BURIED AT ARLINGTON NATIONAL CEMETERY

HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1974

Mr. ZABLOCKI. Mr. Speaker, it was my honor on last Thursday, April 4, to attend the memorial burial services for Lt. Col. Wilmer Grubb at Arlington National Cemetery.

For Colonel Grubb it was, in fact, a second burial. In that sad knowledge lies a story of anguish for his family as well as a tragic testiment to the inhumane policy of North Vietnam.

Colonel Grubb actually died on February 4, 1966—9 days after he was taken prisoner by the North Vietnamese. Yet, it was not until December of 1970, almost 5 years later, that his family received the first unofficial word that he had died—a fact that was not confirmed officially until January 1973. Thus, for these many bitter years his wife, four sons, and his parents endured the prolonged agony of not knowing his true fate. Indeed, their plight was compounded by the fact that his voice was heard on North Vietnam radio in late February 1966 and a picture of him alive was released in March of that year—all calculated to suggest that he was still alive.

All of these facts and more were outlined in James Wooten's story of the burial service which appeared in the New York Times of April 5. I am privileged to place it in the RECORD at this point and recommend it to the full and careful reading of my colleagues.

EIGHT YEARS AFTER HIS DEATH IN NORTH VIETNAM, AN AMERICAN POW IS LAID TO REST IN ARLINGTON

(By James T. Wooten)

ARLINGTON, VA., April 4—Lieut. Col. Wilmer N. Grubb was buried here today, 2,616 days after his death in a North Vietnamese prison camp.

A misty rain settled softly on his widow, his aging parents and his four young sons as they joined scores of friends and relatives in a final tribute to the Air Force pilot who died a few days after he was shot down in early 1966.

His funeral today, with full military honors, was the first conducted for any of the 23 American prisoners of war whose bodies were released by North Vietnam and returned to this country last month—almost precisely a year after those prisoners who survived their internment were joyously welcomed back.

But the homecoming of Colonel Grubb and the others who died as captives, has gone almost unnoticed, another sign, perhaps, of the country's waning interest in the war, its issues, its anguish and its victims.

It was more than eight years ago that Colonel Grubb's body was interred in a cemetery just outside Hanoi, marked with his name inscribed in Vietnamese symbols. Now it rests beneath silver elms and oaks in Arlington National Cemetery, just down a long, green hill from Gen. John J. Pershing's grave, and within sight of the Washington Monument and the low, buff profile of the Pentagon.

"And so we commit the body of our friend to the earth and his everlasting spirit to the Lord," the Rev. Neil Cline intoned as he concluded his eulogy for his former Lutheran parishioner—and the quiet moment was immediately shattered by the explosive salute of a six-man Air Force firing party.

A SON HE NEVER SAW

With each of their 18 shots, Roy, the seven-year-old son whom Colonel Grubb never saw, trembled and inched closer to his mother. Finally, as the firing died away, he reached up for her hand, and stood motionless except for a trembling chin, staring hard at the silvery-gray coffin a few feet away.

The honor guard folded the American flag that had covered the coffin and Chaplain William G. Boggs, a colonel, presented the tight, cloth triangle to Mrs. Evelyn Grubb.

"On behalf of a grateful nation," he said, "this flag is presented to you—a symbol of freedom and of liberty and of a country your husband served so very well."

Then, as the sound of taps faded, she and her boys and her husband's parents, Mr. and Mrs. Newlan Grubb of Aldan, Pa., turned from grave No. 8–658–F and were driven away in Air Force sedans.

"He was a hell of a guy," Col. James F. Young, one of eight former P.O.W.'s who attended the funeral and Colonel Grubb's roommate in Saigon for the two months before his final mission, recalled, "and he was one of the best reconnaissance pilots in the Air Force."

Colonel Grubb was 33 when he died. He would have been 42 in August.

He had honed that skill over the years since his graduation from Pennsylvania State University in 1955 with Air Force assignments all over the world, including an earlier stint in Vietnam.

"HE DIDN'T VOLUNTEER"

"But he wasn't all that crazy about going back," said Mrs. Grubb before the funeral. "He didn't volunteer, but when they said go, he went."

That was on Nov. 11, 1965—the last time she saw him. She was pregnant when they said good-by.

His first-born, Jeffrey, was nine years old. Ronald, the next child, was four, and Stephen, their third, was one.

"I was never particularly prescient," Mrs. Grubb said today before the funeral, "so I can't really say that I knew or thought I knew he wouldn't make it back. But I worried. If you love a pilot, you worry."

Colonel Grubb took his RF–101 jet screaming out of the Tan Son Nhut air base in Saigon on the morning of Jan. 26, 1966, with its two cameras loaded with film and a flight

plan that would take him straight up the eastern coast of Vietnam, past the 17th parallel and then inland over North Vietnam.

His mission was to photograph bombing runs and to record damage inflicted by previous attacks. In the process, his plane was struck by ground fire, and minutes after his parachute floated him to the ground, he was a prisoner of war.

CAUSES OF DEATH GIVEN

On Feb. 4, nine days later, he died. A death certificate provided by the North Vietnamese wher his body was returned last month listed the causes of his death as a ruptured spleen and lung congestion.

Nevertheless, his voice was heard on Radio North Vietnam in late February and a picture of him, alive, was released in early March, leading his family to believe that he was still alive.

It was not until December, 1970, that Mrs. Grubb received the first unofficial notification that her husband had died, a fact that was confirmed officially when the North Vietnamese gave the United States delegation to the Paris peace talks a list of names in January, 1973.

"It was inhuman—what they did to us," Mrs. Grubb said today. "All those years believing one thing or not knowing what to believe."

Mrs. Grubb, an active worker in several prisoner-of-war groups, expressed some bitterness today at what she called the "disgraceful manner" in which Vietnam veterans were being treated and dealt with by the United States Government.

"Everybody is tired of talking about that war," she said. "But there is so much left to say."

That may have been on her mind later when her pastor, Mr. Cline, read from a World War I poem by John McCrea, which said:

"If ye break faith with us who die,
We shall not sleep, though poppies grow in Flanders fields."

In her only display of emotion, Mrs. Grubb leaned forward toward her husband's coffin and nodded her head affirmatively.

"The things that happened over there have to be talked about so they won't happen again," she said later. "After all, I have four sons."

HOW CAN WE SELL AMERICANISM?

HON. EARL F. LANDGREBE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1974

Mr. LANDGREBE. Mr. Speaker, I am pleased to place in our CONGRESSIONAL RECORD the following article "How Can We Sell Americanism?", by Dr. R. R. Spitzer, president of Murphy Products Co.

Not only do I personally endorse every word of this article but am delighted to report that it was called to my attention by none other than Henry C. Schadeberg, former Congressman from the First District of Wisconsin, with whom I have had the pleasure of serving. Mr. Schadeberg is now pastor of the First Congregational Church, Greenville, Mich.

HOW CAN WE SELL AMERICANISM?

1. Be aware of what you have, that you're blessed with needs and luxuries, that you are a free man. Next to life itself freedom is man's most precious possession.

2. Be alert to anarchists and communism . . . those who would destroy us. Understand that freedoms can be misused. As Author Paul Harvey has written: "Take the element nitrogen. It can be used to make fertilizer to enrich the earth, but it can also be used to build explosives to destroy the earth." My own feeling is that too much government soon suppresses the individual.

3. Help your church to grow. William Penn, "People not governed by God will be ruled by tyrants." We need to be on God's side. No man has become great who ignored the teaching of God. Our country was founded by men who recognized God. It's in our Declaration of Independence.

4. Be aware of your power. The tide can be turned and we can provide the sparks needed to make all Americans salesmen of Americanism. With this sales force our children will learn the truth. Your children are the strength of America tomorrow.

Voting on election day, letters, international travel, entertaining foreign visitors in our homes to expose them to the real America will all sell the American way of life to these international neighbors.

As housewives, laborers, professional people, farmers, students, businessmen . . . each of us has many opportunities each day to play the game fair, and to do unto others as we want them to do unto us. Remember Father Keller's words, "It's better to light one candle than to curse the darkness."

A great hope lies in the leadership potential of businessmen. Usually, natural leaders, we have too often neglected the responsibility of involving ourselves. Preoccupied with making the payrolls, meeting competition, complying with government standards or sometimes personal pursuits or responsibilities.

We need to realign priorities, placing concern for our nation, survival of the free enterprise system at the top. For here are the real answers to jobs, material needs and personal freedom.

Employees do look up to their bosses. Do these folks know where you stand?

5. Help with community and government affairs. Let's give thanks to teachers, ministers, priests, community leaders, school boards. Remember here it takes workers, not just planners, so let's work to help these real Americans. Too many of us are free to criticize but slow to help. If the people of this nation would work as hard during peace as we do during war, there would be no need for further wars. It's up to good citizens to take leadership roles in community life and in local, state and national government. Sincere interest in foreign relations is important because our country's foreign policy is shaped not only by key government personnel but also by the sum total of the thinking of American citizens.

6. Let's help bring economic literacy where there is darkness and misinformation regarding jobs, profits and enterprise. Our schools aren't getting this job done. Business can help.

7. Think positively about tomorrow. As we thinketh in our hearts so we are.

8. Be thankful we are citizens of a free country.

THE END OF AN ENERGY ORGY

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1974

Mr. BROWN of California. Mr. Speaker, the topic of "energy" will be with us for a long time, and the public will undoubtedly become tired of the subject before anything is really done about the past, present, and future shortages. Dr. Kenneth Watt, a distinguished professor from the University of California at Davis, recently wrote a brief but informative article on the nature of American energy usage. Dr. Watt is perhaps an optimist, in that he expects we will wake up in time to change fundamentally our pattern of energy waste. Recent pronouncements from the administration have convinced me that this administration will not face up to the real nature of the "energy crisis." I recommend this article as an introduction to the course of action that we must take:

[From Natural History, February 1974]

THE END OF AN ENERGY ORGY

(By Kenneth E. F. Watt)

By next month, the United States, particularly the northeast, may be in danger of economic strangulation because of the fuel shortage. How could we be so ill-prepared? The answer is that we are the victims of a defective pattern of thinking that originated in a series of historical accidents in the nineteenth century. The ultimate consequence of this erroneous thinking was inevitable; the Arab export embargo merely hastened the arrival of a crisis that would have arrived by 1979 at the latest.

In the nineteenth century we consumed wood, whale oil, and buffalo at astonishingly high rates. This pattern of resource use had profound implications on our later development. By 1850, 91 percent of our energy came from wood, and Americans were consuming fuel wood at an annual rate equivalent to the burning of 7,091 pounds of coal per person. To put this into perspective, in 1969 the total consumption of energy in all forms, in pounds of coal equivalents, was only 6,993 pounds per capita in Switzerland, and 6,235 in Japan. Thus, by the mid-nineteenth century, and perhaps even earlier, the United States—by cutting down the trees that surrounded its population—had attained a level of energy consumption that two of the most technologically sophisticated nations on earth would not reach until about 120 years later.

Wood did not decline significantly as an important source of fuel until 1880. It was replaced by coal and some oil, which had been used for over two decades. Long before wood ran out, other sources of energy became available. This pattern was repeated three times; coal became important before wood ran out: oil become important before coal ran out; and gas became important before oil ran out.

Two other resources, now almost forgotten, led the United States early in its development to a very high level of resources exploitation. By 1847, we were using 313,000 barrels of whale oil per year, or about 0.014 barrels per person per year. This got the United States into early and heavy use of oil for lubrication and illumination and set the stage for heavy use of crude petroleum shortly thereafter. To indicate the magnitude of forward momentum in oil use, by 1928 the United States consumed 7.62 barrels of crude oil per person, while in the rest of the world, average per capita use in the same year was only 0.19 barrels.

The sperm whaling industry collapsed from overexploitation in 1881, but by then crude oil in quantity was available to replace whale oil. As in the case of the shift from fuel wood to coal, the United States never got the chance to learn an important lesson: that the conversion from one energy economy to another takes a long time. Historically this country has taken from forty to

sixty years to get a new source of energy to the point where it could supply 10 percent of the national energy needs.

We acquired a taste for meat early. By 1872 we were killing seven million buffalo a year. A meat-eating society requires more land per capita to produce food than a largely plant-eating society. This is because of the lower efficiency in solar energy use, which must pass through one extra trophic level in the food pyramid, from plants to herbivores, before it reaches man. A superabundance of buffalo, combined with a greater availability of space per capita relative to other countries, taught us to ignore land or food as critical limiting resources. The ultimate result has been that farmland has been cheap compared to the same land converted to urban purposes. Even in the last few decades the value of land used for farming has declined relative to the value of that same land used for urban purposes. The consequence has been a trend toward incredibly sprawling cities with no real urban center. Only in Canada and Australia have similar cities developed, and in those countries, too, the temporary superabundance of farmland has deceived the population into thinking it did not matter if cities grew by spreading out, rather than up. In countries where farmland is at a premium, the typical city building is seven or more stories. Indeed, in many old European cities, it is difficult to find a building less than seven stories high, and new buildings on the outskirts of cities are often ten to thirteen stories high.

Unconsciously, we learned several lessons from our experiences with resources in the last century; unfortunately, they were incorrect, the result of temporary situations in which we managed to get by because of extraordinary luck. One conclusion we reached was that resources are limitless, so there is no need to conserve them. This produced an economy characterized by low unit costs for resources relative to the cost of labor. Since there is no historical precedent for high resource prices, politicians today hesitate to permit prices to increase sharply in the interests of conservation. We were also taught that it doesn't matter if anything runs out, because there is always a substitute. This is one basis for the widespread and unshakable belief that atomic energy will arrive in the nick of time. Also important, because there was always a substitute ready in time, we have come to ignore the great importance of time itself as a critical limiting resource. Thus, we are unaware of the enormous time required to get new technologies working.

Our experiences in the nineteenth century led us as a nation to acquire excessive faith in "Yankee ingenuity." Because of our superabundance of resources, our ingenuity never encountered an insoluble problem. Thus, we overemphasize what we can accomplish, and naively believe that nuclear energy, solar energy, wind, or gravitation fields will produce another miracle for us.

Each nation does what it can and what it must. Other countries have the same ingenuity as ours: the airplane, airship, automobile, and many other inventions were developed in several countries almost simultaneously. But lacking our resource base, other countries evolved in the direction of more efficient energy use. This meant trains and buses instead of cars; it also meant compact cities and different diets. Thus, while we instinctively used energy to solve all our problems, always deluding ourselves that high energy use means high technology, many other nations tended to equate high technology with great efficiency of resource use.

For a long time, advertising and our natural instincts to acquire goods have led us to use up much of our resources. Because we came to believe that our wants were insatiable, we never worried much about the possible consequences of market saturation. But wants can be satisfied, and the simultaneous total satisfaction of a wide variety of wants is having a profound effect on our economy. Even without the Arab oil embargo, we would have discovered that economic growth was slowing because we had a glut of cars, planes, luxury resort hotels, upper-class housing, and electronic goods.

Our most serious problem, however, is our selection of an erroneous set of national goals, which were based on our luck in the nineteenth century and which we have advertised with great vigor internationally. Rather than being concerned with the quality of life, we are committed to maximizing gross national product by maximizing the flow of matter and energy through the economic system.

Our current national goals maximize resource depletion, increase pollution, reduce life expectancy, destroy our city centers, and give us a slow, inconvenient, unhealthy form of travel. Shifting our goals to maximizing the quality of life would lead to less resource depletion, less pollution, higher life expectancy, more pleasure (more culture, entertainment, and less haste), and a faster, more convenient, transportation system less detrimental to health.

What happens to us if we don't change? We are in real danger of simply running out of everything while still expecting substitutes for soon-to-be depleted resources to show up, as they did many times before. The authors of Limits to Growth have alerted many people to a series of difficulties that can befall us. This book, however, was based on a highly aggregated model in which much detail was omitted by design (to expose the essential features of the big picture). But an interesting thing happens when we disaggregate to determine the impact of additional mechanisms on limits to growth. We discover that the timetable for troubles resulting from excessive growth is moved close to the present.

A highly aggregated global model tells us that given present trends, a particular resource will be gone in thirty years. A more detailed model that deals with the 175 nations on earth reveals additional difficulties because the nations placing the heaviest demands on the resource may not be those with the greatest supply. And a nation with a supply surplus may not allow all of that supply to go to another nation with excessive demand. The Arab oil embargo is the first major example of this phenomenon, but we will undoubtedly see many similar occurrencies involving many critically important minerals.

Less highly aggregated models reveal additional sources of difficulty when we divide the population into age classes. Rapid growth leads to very large imbalances in the age structure of the population, which quickly become so severe that, in reaction, birthrates drop in developed countries. This is currently leading to a situation in which only 69 percent as many children will be born in the United States in 1975 as in 1960.

No comparable decline over a fifteen-year period has ever occurred in U.S. history, not even from 1920 to 1935. What will happen to U.S. economic growth by about the year 2030, when the fifty-five-year-old class of 1975 will be trying to support the seventy-year-old class of 1960? Imbalances in year-class strength alone can bring an end to excessive economic growth.

We have deluded ourselves because of a set of historical accidents that were never perceived as unusual. Now we must quickly unlearn some erroneous lessons so that a future sequence of incidents such as the one that led to the Arab oil embargo will not catch us by surprise.

We should not perceive the energy crisis as a problem, but rather as a glorious opportunity, ripe for exploitation. Our history with wood, sperm whales, buffalo, coal, oil, and gas leaves little doubt about our ability to exploit glorious opportunities. We can do this in two ways: by converting to more efficient use of resources and by shifting a higher proportion of the labor force from manufacturing and transportation into service occupations. The improved efficiency would lead to more sophisticated, convenient technology for everything: transportation, communication, entertainment, and appliances. Shifting the labor force would bring better medical care and a cultural renaissance. Anyone for modern mass transit and community art centers? The more immediate problem is the transition period. The transition can be facilitated by community-organized car pools, dial-a-grocery delivery services, small companies marketing solar-powered home heating and cooling units, and aggressive organization of community theater, dance, music, and art groups. Also, now, when we are in danger of an explosion in unemployment, is the opportune time for massive political pressure to get cradle-to-grave, guaranteed comprehensive health care for everyone. This would certainly take up some of the slack in employment.

The time has come, in a sense, for America to grow up. For some two centuries we have lived luxuriously off the energy-rich land, like a spoiled child off wealthy parents. Now crises are forcing us into a period of maturity, to an awareness of the consequences of high energy consumption. The development of this maturity could bring a style and richness of life that Americans have never known. But it will take all our Yankee ingenuity—and more—to reach such a golden age.

A CLEANER ENVIRONMENT MUST NOT BE A CASUALTY OF OUR ENERGY NEEDS: IN TANDEM PROGRESS OF BOTH IS ATTAINABLE

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1974

Mr. KEMP. Mr. Speaker, I think each of us is acutely aware of the strains which the fuel shortages have placed on our Nation's environmental policies.

No doubt, we—as a nation and as a Congress which represents that nation—will go through a reeaxamination in the coming months of the interface between our energy demands and our environmental policies.

I think the worst thing which could happen—as an outgrowth of that reexamination—would be the use of an either/or, all-or-nothing attitude—in either direction, energy or environment—as the basis for future policies.

As I indicated in the remarks which follow, I believe strongly that there really is not all that much of a drastic conflict between environmental protection laws and demands for adequate energy.

It is important that those within the environmental field be sensitive to the Nation's energy needs. But, in return, it is equally important that those within the energy field be as sensitive to the Nation's commitment to restoring the quality of our environment.

I do not believe it is too idealistic to insure that we move ahead in tandem in meeting both our environmental and energy goals. In short, to meet either need—environment or energy—we must be sensitive to the other. That is why, in the long run, we will have more prog-

ress in both areas if we move in tandem—in concert.

This past weekend I had the honor of keynoting the Buffalo Federal Executive Board Seminar on the Impact of Energy Demands on Environmental Concerns. The Federal Executive Board—FEB—consists exclusively of highranking officials of the Federal agencies which provide services in western New York. In no small measure, the attitudes and positions—harmonious or conflicting—which prevailed among the FEB members at the seminar reflect accurately the attitudes and positions—again, harmonious or conflicting—now characterizing our Nation's debate on this issue.

The purpose of my address was to set forth the criteria which we ought to establish for decisionmaking on this issue. In short, what ought our perspectives to be?

Mr. Speaker, at this point in my remarks, I include the full text of my keynote address at the FEB seminar:

A CLEANER ENVIRONMENT MUST NOT BE A CASUALTY OF OUR ENERGY NEEDS

I thank you for giving me this opportunity to participate with you today on this important subject of how our energy and environmental demands interrelate. It is a subject in which I have a most profound interest as do those whom I am privileged to represent in the Congress.

Let me start by giving you the base line for my conclusions. I happen to be one who believes that there really is not a basic conflict between environmental protection laws and demands for adequate energy. It is important that those within the environmental field—in and out of government—be sensitive to the Nation's energy needs; but, in return, it is equally important that those within the energy field—again, in and out of government—be as sensitive to the Nation's commitment to restoring the quality of our environment. I do not believe it is too idealistic to insure that we move ahead in tandem in meeting both our environmental and energy goals. In short, to meet either need—environment or energy—we must be sensitive to the other. That is why, in the long run, we will have more progress in both fields if we move in tandem.

What appears to be coming from the stress of our current energy crunch is a forcing of the discussion on the issues of energy and environment. What we must be careful to guard against is going, once again, too far in any one direction. Environment cannot be the sole criterion, but neither can meeting all energy demands. A balance is not only desirable; it is also essential.

To the extent that this energy crisis has forced us to address ourselves to such matters as interstate and intracity mass transit; greater uses of clean coal; car pooling; voluntary reduction; oil shale research and use; greater exploration on the Continental Shelf; architectural redesign; extension of, but not elimination of, the effective date of auto emission standards; recycling; and smaller cars—all of which I support—et cetera, we can all be thankful. It's just too bad it had to happen this way.

In order to better recommend what it is we ought to do in the future, we had first better understand where we are today.

WHAT DOES THE ENERGY CRISIS REPRESENT?

What does the energy crisis represent?

First and foremost, it represents a gross mismanagement of our laws of supply and demand, a mismanagement which, in my opinion, arose from inadequate long-term planning in *both* the public *and* private sectors of our economy.

There has been much discussion—some of it very heated in Senate hearings—during the past six months on "what created the energy crisis?" Some have even called it a contrived crisis. Like most generalizations, saying that any one entity created the energy crisis is a misstatement of realities.

When demand rises at a steady rate and when supply levels off, it is a statistical inevitability that at some point the lines will first intersect and then demand will steadily exceed supply. This is certainly what happened. We all know that story. But, there is more to the story, if a lesson is to be learned. I speak of the dynamics between government policy and private production during the past fifteen years.

Beginning in the late 1950's, domestic oil and gas production began to level off. Rising costs, as well as disincentives arising from various forms of Federal regulations, moved the companies to seek foreign production where per barrel production costs were lower. The enactment of various foreign investment credits and incentives—now frequently criticized by some who seem to forget they once voted for their enactment—allowed the companies to meet the objective of both the producers and government regulators—keeping the prices the consumers paid down to the lowest levels. Unfortunately, these new, expanded foreign sources took the pressure off both making changes in laws on domestic production on one hand and production and recovery techniques essential to fostering greater domestic production on the other hand. In every aspect of oil and gas production, the price being paid by the end-use consumer was artificially low during the 1960's. We all thought we were using the world's cheapest fuels. That was wrong. We were simply paying the world's cheapest prices, deferring that day of reckoning when prices would have to rise to meet actual exploration, recovery, refinement, and marketing costs to the producer. In short, artificially low prices increased demand and consumption, while simultaneously producing disincentives for exploration and production. We thought we had the best of all worlds—low prices—when, in reality, we had the worst of both—artificially stimulated demand and depressed production.

Thus, while government policies helped to create the crisis, so too did industries' seemingly unquestioned reliance on those policies. Industry should have seen it coming. If it did and yet did nothing about it, it too is culpable. And, so too did the consumers who enjoyed fuels at below real costs and were also unwilling to pay real costs. In summary, I think all—Congress, the Executive, industry, and the consumers—share the guilt.

Has Congress learned its lessons?

I do not think so, at least not yet. Look at the myriad versions of the National Energy Emergency Act. Every version contained one or more provisions which would have kept the end-use prices below real price levels, usually in the form of so-called rollbacks. If we drive down production, we are most certainly going to continue and even worsen our present shortage problems. Increasing production will come only from the creation of incentives to production. You cannot expect industry to invest or reinvest funds, if it either never made a profit, or if the government confiscates it in the form of excessive taxes.

On the other side of the proverbial coin, we failed, as a Nation, to address ourselves to reducing adequately our demands for energy. Even if production had been increased, we were only postponing the inevitable shortages in first one energy source, then another, for all fossil fuels are limited. It is obvious now that there should have been a conscious and positive effort to reduce demand for energy in the United States. But, there was not. Now, more than ever, we must begin a deliberate program to reduce demand. If we do not, we are going to have a serious shortfall. As a matter of public policy, we need to target an attainable goal, something like reducing demand by at least 2.5 percent per annum. We simply cannot go on—as six percent of the world's population—using 30–35 percent of the world's energy consumption.

The lessons here are simple. Government policies should be based on the dual principles of increasing production and decreasing demand. If we do not heed these lessons, we are all going to be hurt further—government, industry, the consumer. Only when the dynamics between government, industry, and the consumer, and those between production and demand, come back into balance will this crisis be genuinely solved.

THE BALANCING OF ENVIRONMENTAL AND ENERGY CONCERNS

Now, what about these two concerns—adequate energy and adequate environmental protection. Too often, as I have indicated, these concerns are portrayed as being diametrically opposed to one another. I think to paint such an either-or, black-or-white picture on this issue is misleading.

Whether in physics or politics, we all know that when one facet of a tandem system gets too far out front of the other, a strong tension develops. And, the stronger the tension, the sharper the snap when they come into alignment. This is the history of energy and environment in our country. For far too many years, concern for energy went forward with little or no regard for the environment. Land was laid waste.

Then, in the late 1960's, demands for a restored environment began to catch up, through the enactment of some very strong Federal statutes. This was the snap which was all too predictable.

Because requirements were thereafter very different from what they had been before, many began to proclaim that environmental protections were about to destroy us. Sure, there were environmental excesses—instances where concerns for the environment were far outweighed by other concerns but where projects were, nonetheless, held up for inordinate periods. But, these instances were few; they were aberrations, not norms. That environmental considerations were outpacing demands for energy, however, was beginning to be reflected in projects which were being held back, making the potential fuel shortage much more of a reality: trans-Alaskan pipeline, offshore exploration and recovery, refinery expansion and construction, deepwater port development, et cetera.

One additional perspective: We must find non-political solutions to the energy crisis. To the extent that political solutions are used, we only postpone the economic realities on both sides of the scales—energy and environment. When the Congress and the government—and the people—have the stamina to use economic criteria, instead of the easy route of politics, we will have taken the biggest single step in resolving this crisis.

PARAMETERS FOR DECISIONMAKING

I am not about to stand up here and give you "answers" to this crisis. I have some ideas on specific solutions—deregulation of natural gas, the elimination of foreign tax credits, etc.—but this is surely the area where nothing I could say would be news to you.

What I prefer to do, in closing, is to recapitulate how we ought to examine proposed solutions:

Does the proposal rely basically upon the laws of supply and demand, with a minimum of interference in the market place? Is it essentially an economic solution?

Will the proposal either contribute to the

increasing of supplies necessary to meet reasonably anticipated demands on one hand or reduce consumption and demand on the other?

Will the proposal point towards greater reliance on increased domestic production, while not relinquishing to other world powers other nations' untapped resources?

Will the proposed solution seek a realistic price level for fuel consumption?

Does the proposed solution carry forward, in tandem, the dual concerns of adequate energy and environmental protection?

I think if we use these criteria as the parameters for our decision-making, we will not have allowed a cleaner environment to be the casualty of our energy needs.

Mr. Speaker, this Nation can have both a clean environment and adequate energy, if—and only if—we set as our goal the attainment of both and use a tandem strategy to achieve that goal. To this, I am committed.

AIDING THE VIETNAM VETS

HON. HENRY HELSTOSKI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1974

Mr. HELSTOSKI. Mr. Speaker, one of the major obligations now confronting Congress is the responsibility we have to provide the thousands of young men who served in Vietnam with realistic and comprehensive veterans benefits and training. The Vietnam veteran is tired of empty words and false promises, and rightfully so, for we have failed thus far to provide the kind of assistance necessary to help him begin leading a meaningful life.

Unfortunately, controversy and political differences are already beginning to cloud the fundamental issues. In February, for example, the House unanimously passed legislation which would expand veterans education and training benefits by 13.6 per cent—yet the administration still clings steadfastly to the notion that an increase of 8 percent would be sufficient.

Furthermore, the Veterans' Affairs Subcommittee on Education and Training, of which I am chairman, is presently considering a proposal to provide additional tuition payments to veterans when such payments are justified. This proposal, I firmly believe, is an important step toward achieving our goal of insuring that all veterans have access to a rewarding education. However, on March 28, the day hearings commenced, the Veterans' Administration came forth to oppose this measure.

Mr. Speaker, in view of the importance and complexity of the task now facing Congress, I would like to share a column which appeared April 3 in the Washington Post. The column, written by William Raspberry and entitled "Aiding the Vietnam Vets," provides some additional insight into the problems Vietnam veterans, and particularly those of minority groups, now face. In view of the fact that I found this article extremely interesting, and relevant to legislation now before my subcommittee, I would like to share it with my colleagues. Mr. Raspberry's column follows:

AIDING THE VIETNAM VETS

(By William Raspberry)

The American people came to hate the war in Vietnam, all right. But it does not follow that they also hate the men who fought in that war.

That fact is slowly seeping through the public consciousness. And the pitiful little Vietnam Veterans Day parade staged here last week—as little and as late as it was—offered some indication that it is also seeping into the consciousness of President Nixon.

In medical care, in education, in job opportunities—in all the "extras" that we customarily heap upon war veterans—the Vietnam veterans are being short changed. The reason, I suppose, is not that they were individually less heroic than any other category of water veterans but that they are not heroes generically, because they didn't save us from anything.

The only Vietnam veterans to be treated as heroes were the returning POWs, and after the initial fanfare, even these men have been pretty much forgotten as far as the administration is concerned.

As inadequate as the country's response to Vietnam vets generally has been, it has been even more inadequate for minority veterans, a point made last week by a task force of the Leadeship Conference on Civil Rights (a conglomeration of some 135 civil rights, labor, social and religious organizations).

"Because of inadequate and poorly managed programs. Vietnam veterans—and particularly minority veterans—have been effectively denied their earned benefits and have suffered grievous problems in trying to resume their civilian lives," said June Willenz, chairman of the Leadership Conference's Task Force on Veterans and Military Affairs.

She pointed out that while blacks comprised only about 12.6 per cent of the armed forces personnel, they accounted for roughly 20 per cent of the combat fatalities.

"Minority veterans who bore the brunt of a discriminatory discharge policy while in military service are now being discriminated against upon their return to civilian life," she said.

That last was in reference to a point made by the National Urban League earlier last month during House hearings on amnesty: that black GIs have received a disproportionately large share of less-than-honorable discharges from the military.

Ronald H. Brown, director of the League's Washington bureau told the hearing:

"The military, like the vast majority of our other institutions, has somehow learned to dispense justice in discriminatory measures. Minority members were drafted in greater numbers, assigned in greater numbers to front-line duty or to unskilled, dead-end jobs, and generally abused by the unfair system of military justice. Finally, those who were called upon to bear the brunt of duty were ejected in greater numbers with less-than-honorable discharges."

The less-than-honorable-discharge represents far more than a blot on a veteran's record. According to those who have studied the problem, such discharges are often used as a basis for denying employment.

Even many discharges that appear to be honorable, are "coded with personal characteristics which may serve to discriminate against millions of men who are not even aware of the presence of such codes," Brown testified.

While the discharge codes can work against any veteran, they work "a special hardship on minority veterans, who already face many hurdles in the American society," Brown said.

He said that there is evidence that many major employers are able to decipher the codes, even though most veterans have no idea what they mean. (The Defense Department announced last week that it would no longer code discharges.)

Unfortunately, the Urban League, the NAACP and other member groups of the Leadership Conference have had little success in getting the government to act on the special complaints of minority GIs—which isn't surprising in view of how little attention has been paid the plight of white GIs.

There is very little reason to be hopeful about the prospects of reinstituting special programs for minority veterans, but it wouldn't be surprising to see a major administration move to upgrade benefits for Vietnam veterans generally.

The President, so desperate for some gesture to improve his ratings that the has dredged up even the old standby of school busing, may find it politically attractive to climb aboard the veterans' bandwagon.

THE FUTURE OF DÉTENTE

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1974

Mr. ASHBROOK. Mr. Speaker, President Nixon has told us in glowing terms that we are approaching a generation of peace. One of the main reasons for his optimism is the current U.S. policy of seeking détente with the Soviet Union. Nixon believes this policy will result in a new accommodation with Kremlin leaders.

Nixon's optimism, however, is premature. No one should know this better than Henry A. Kissinger, who has been the chief architect of détente. After the Soviet invasion of Czechoslovakia in 1968, Kissinger wrote the following:

There have been at least five periods of peaceful coexistence since the Bolshevik seizure of power, one in each decade of the Soviet state. Each was hailed in the West as ushering in a new era of reconciliation and as signifying the long-awaited final change in Soviet purposes.

Each ended abruptly with a new period of intransigence, which was generally ascribed to a victory of Soviet hardliners rather than to the dynamics of the system.

The United States cannot afford to rely on Nixon's illusory promise of peace. Too many times our hopes have been dashed by a militant Soviet Union.

Kissinger's much heralded yet unsuccessful trip to the Soviet Union demonstrates this point once again. Columnist Milton Viorst, formerly a strong advocate of Nixon's policy of détente, writes:

Secretary of State Henry Kissinger's empty-handed return from Moscow last week exposes with embarrassing clarity a basic flaw in at least one dearly held tenet of liberal political theology.

The tenet was that if a spirit of friendliness—modishly known these days as "détente"—were established with the Soviet Union, then a process of practical achievement would automatically follow . . .

It's a disappointment that, to the Russians, détente is a strategic device—but it leaves us no choice but to revise our own conceptions accordingly.

Following is the complete text of Mr. Viorst's column:

IT'S TIME FOR A REVISION

(By Milton Viorst)

Secretary of State Henry Kissinger's empty-handed return from Moscow last

week exposes with embarrassing clarity a basic flaw in at least one dearly held tenet of liberal political theology.

The tenet was that if a spirit of friendliness—modishly known these days as "detente"—were established with the Soviet Union, then a process of practical achievement would automatically follow.

This tenet was based upon the premise that despite the popular American mythology that the Russians have been provoking us, we also have been provoking the Russians—and if we stopped, a new international amity would prevail.

This is the tenet which lay behind the so-called "revisionism" in which liberal as well as radical historians have engaged in recent years.

Depending on how revisionist they were, these historians may or may not have put some of the blame for the Cold War on Josef Stalin. But they argued invariably that the hostility which emanated from Washington made Soviet-American conciliation impossible.

I'm not suggesting that we have reason now to dismiss the lessons of the revisionists. They taught us much that we did not know, by indifference or choice, about the sequences of events of the postwar years. They forced us to rethink our way out of our self-righteousness.

But even revisionism must be subject to its revisionism—and now it's apparent that history, like diplomacy, lends itself poorly to theological verities.

The argument that the Cold War never would have happened but for the designs of the Trumans and Achesons surely is an oversimplification—just as the promise that a new era of amity would follow the purging of our Cold War attitudes has proven terribly naive.

I am willing to accept the sincerity of Richard Nixon and Henry Kissinger in wanting to give Soviet-American relations a new start. It is one of those paradoxes of democratic politics that only the most conservative, most anti-Communist of presidents could have reversed the old hardline course.

I'm not suggesting that this new direction was taken in a void. The administration kept an eye on traditional security requirements, and on the demands of the Pentagon, the business community and the electorate. But it decided that detente was genuinely in its interest, and the country's.

Most liberals applauded this course. Indeed, in the 1972 election, many haters of old Tricky Dick crossed over to cast a Republican vote solely and exclusively because Nixon had, presumably, ended the Cold War.

I shared this feeling of approval and, during the 1972 campaign, extolled Nixon for adopting the liberal tenet. I became suspicious of it only when I visited Moscow, just after the election, and from conversations there acquired some notion of what the Kremlin had in mind.

I wrote of my suspicions after my return, for which the Soviet Embassy, in a letter to the Washington Star-News, denounced me as an "old-fashioned cold warrior."

What Brezhnev and his associates seem to me to have decided is that detent is not an end in itself, which is how Nixon and Kissinger see it—but an alternate channel for achieving certain policy objectives that had previously been blocked.

The principal objectives were (1) neutralization of the United States in the event of a Sino-Soviet war and (2) the acquisition of American technology to make up for the huge lag in the Soviet Union's appalling backward consumer economy.

Since the United States has no interest in involvement in a Sino-Soviet war, objective (1) is no problem. But objective (2) must be considered within the general framework of detente, along with differences over the Middle East, the nuclear arms race and European security.

Indeed, under the old liberal theology, they should all be on their way to resolution. But they're not, and Kissinger came back from Moscow empty-handed. It's a disappointment that, to the Russians, detente is a strategic device—but it leaves us no choice but to revise our own conceptions accordingly.

THE NEED FOR A WORLD FOOD RESERVE

HON. JOEL PRITCHARD

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1974

Mr. PRITCHARD. Mr. Speaker, last October 16 I placed in the RECORD an article by Lester R. Brown, "The Need for a World Food Reserve," and an article by Dr. Roy L. Prosterman, "The Growing Threat of World Famine." It was my purpose at that time to alert my colleagues to the growing severity of a world food shortage, and what such a condition would mean to world stability and peace, not to mention the terrible human suffering involved. Since then the news media has carried the anguish of Ethiopia and the Sahel into the homes of millions of Americans. Seeing people starve to death is a terrible experience, and immediately demands an explanation as to what the United States is doing to relieve the situation. Accordingly, on February 15, I wrote Secretary of Agriculture Earl L. Butz on specifically what the United States food response was to the drought-stricken nations of West Africa. On March 1 I received a reply from Mr. Richard J. Goodman, Acting Administrator, Foreign Agriculture Service, which I would like to insert in the RECORD:

FOREIGN AGRICULTURAL SERVICE,
Washington, D.C., March 1, 1974.

Hon. JOEL PRITCHARD,
House of Representatives.

DEAR MR. PRITCHARD: This is in reply to your letter of February 15 to Secretary Butz concerning the drought situation in West Africa.

The drought in this region has been going on for several years and its cumulative effect is increasing. The countries in this area are among the poorest in the world and therefore receive commodities through the Title II donations program of the United States Food for Peace Program. They also received grants from other donors such as the European Community, United Nations organizations, France, Canada, and Sweden.

Currently, this area is receiving priority consideration in the programming of P.L. 480 commodities. This is being made available despite high domestic prices and the tight supply situation to meet a serious food shortage problem. We have, at present, pledged slightly over 500,000 metric tons of grain for food. About 150,000 tons was pledged in the last six months of Fiscal 1973 and the balance has been pledged this fiscal year. The grain is scheduled to arrive in the needy areas by next September—the start of the traditional rainy season. We will, of course, continue to assess the situation.

Great attention is being given this area by U.S. agencies. In addition to the food aid being provided, the Agency for International Development (A.I.D.) has launched a new rehabilitation and recovery program in the region. The initial allocation for this effort is $20 million. The program will concentrate on four major areas: (1) food storage and transport, (2) range management and irrigation, (3) agricultural production, and (4) public health facilities. This will be a start on the long-range task of halting the ecological and economic deterioration of the area which will require a sustained international effort.

We hope the above information is useful to you and your constituents.

Sincerely,

RICHARD J. GOODMAN,
Acting Administrator.

On March 3, the Carnegie Endowment for International Peace released a detailed study on aid given to the drought-stricken countries of West Africa. This controversial report claims "a pattern of neglect and inertia" in the administration of relief by the United States and the United Nations. It raises many questions which have not yet been adequately answered.

Last December, the Congress passed H.R. 11771 which included $150 million for disaster assistance for the Sahel, Pakistan, and Nicaragua. However, no money was forthcoming since the bill contained a qualifying clause which stated that funds "shall be available only upon enactment into law of authorizing legislation." On March 28, we in the House passed H.R. 12412, the necessary authorizing legislation, which specifically allots $50 million for Sahel disaster assistance.

As a dramatic example of individual concern for the suffering in West Africa, the African Drought Relief Committee has been organized in Seattle, and has been formally endorsed by the Seattle City Council. It will be my great pleasure to participate in a fund raising benefit for this organization on April 20 in Seattle.

LEST WE FORGET

HON. JOHN E. HUNT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1974

Mr. HUNT. Mr. Speaker, a statement of simple eloquence, and modest size, recently appeared in the April 1, 1974, edition of the Woodbury Times, Woodbury, N.J.

Because so many of us share the views expressed in this message, I wanted to bring it to the attention of all my colleagues. It is so refreshing, to me anyway, that in these complex times, when an overabundance of words is being bandied about, that my dear friend, and outstanding citizen of Pitman, N.J., Mr. William P. O'Halloran, can sum up the feelings of so many with this simple statement.

With thanks to Mr. Halloran, I submit his message to the RECORD:

LEST WE FORGET . . . AMERICAN WAR CASUALTIES

Yesterday—0.
Last week—0.
Last month—0.
Last year—0.
Thank you, Mr. President.
Hang In There.

WILLIAM P. O'HALLORAN.

ARTHUR COLLINS—MAN OF THE YEAR

HON. MARGARET M. HECKLER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1974

Mrs. HECKLER of Massachusetts. Mr. Speaker, with public confidence in Government at an all-time low, it is important that we remind ourselves that across this great land thousands upon thousands of men and women continue to serve the public with great dedication, ability, and integrity.

One such "unsung" hero is Arthur Collins, town clerk of Sharon, Mass., in my 10th Congressional District, and a dear personal friend. Arthur, with his years of selfless public service, exemplifies what is good about our public officials, and ultimately, what is good about America.

Recently, the Norfolk County Lodge of B'nai B'rith sponsored a long-overdue recognition of Arthur Collins, naming him their Man of the Year.

Donald P. Farwell, Sharon's witty and competent town treasurer, made some provocative and amusing remarks about Arthur, remarks I would like to share with my colleagues. His speech follows:

SPEECH OF DONALD P. FARWELL

Arthur E. Collins is truly a legend in Sharon. To my knowledge this is the first opportunity that there has been to put to rest some of the embroidered stories that never did occur in this man's history, and to lend credence to those which are appropriately a part of his past.

First, let's dispell the skeletons which have haunted this man's reputation by disputing some of the claims on an item by item basis. For instance:

We do not believe that while placing hay into a hay loft during his youth that Arthur Collins lost his pitch-fork and was stranded in the hay-mow because fellow workers took away the ladder until he found the pitch-fork.

We do not believe that Arthur Collins reproduced the answers he found for a high school economics class test. Nor do we believe that the teacher was so astounded with his test score that she had him go up and down the aisles of the class showing his exemplary paper.

We do not believe that it was the youthful Arthur Collins who pulled in the false alarm from atop Moose Hill—in spite of what the officer in Sharon Square said.

We do not believe that Collins is a tall iced drink with a base of distilled liquor.

We do not believe that in spite of the fact Sharon built a new town hall in 1962 that Arthur Collins is the only remaining relic of the old building not buried in the parking lot.

We do not believe that the drapes in Arthur's office at the new town hall were brought for any other purpose than to keep out the drafts from the extremly cold west winds to which his office is exposed.

We do not believe that all of Sharon's employees were polled before this gathering here tonight to find out what could be said about this man, and that their replies, to a man, when asked about Arthur Collins, said, "Arthur who?"

So much for the un-truths. Now for what we do believe.

We do believe that streaking is not new to Sharon. Its first streaker was King Philip, who streaked by Lake Massapoag on his way to his cave on Mansfield Street. That in itself is significant tonight because the only living person to remember that event is your guest, Arthur E. Collins.

We do believe Arthur, that this night is one which you will long remember. Perhaps not so much for what happens *here* at the high school, but more, because while you've been here with us, it has given the scoundrels time to clean all the valuables out of your house.

We do believe that Arthur is thrilled to see Margaret Heckler here this evening, and every time she comes to Sharon. Perhaps more than she knows, she has helped Arthur to fulfill his life-long ambition and carry out his theme song of—"I Love a Parade".

We do believe that Arthur learned how to do bookkeeping by copying the work of the fire chief when they were together in high school. That's why Arthur has so many "hot" tips.

We do believe that Arthur's handwriting is so bad that the auditors can never disprove his figures. No matter what the figures should be, Arthur's handwriting looks like that is what it could be.

We do believe that this "Marrying Sam's" personal wealth should be a matter of public record. His stock reply, when asked by the groom what his fee will be for the marriage ceremony, is, "what do you think she is worth?"

The previous notwithstanding, we do seriously believe that there is no one who has served in any capacity with Arthur Collins who has not been impressed with his dedication to the task at hand. Employees, townspeople, and all others, young and old, who come in contact with this man are appreciative of his thoughtful and helpful attitude. Arthur is both profound and pleasant, and we who know him are double beneficiaries of the credit and recognition which he brings to public service.

We do believe that Arthur is a dominant force in reconciling differences in Sharon's political life. His persuasive personality and astute analysis have extinguished many fires before they reached major proportions.

For all these reasons, we wanted to arrange for something to serve as an indication of our esteem for Sharon's outstanding town clerk and accountant. Therefore, the employees of the town of Sharon have something for you, Arthur, which we hope will be an aid to you on many occasions in the future.

First, it is a device which will hopefully assist you in counting votes at elections.

Second, it is an instrument for figuring the balances in the town's accounts.

Third, we hope it will be beneficial to you in computing your winnings at Foxboro, should you ever go there.

Lastly, we hope it will serve as a constant reminder to you that you "count high" with us.

Arthur, here is your abacus.

PERSONAL INCOME TAX

HON. CHARLES W. WHALEN, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1974

Mr. WHALEN. Mr. Speaker, today my wife and I mailed to the Cincinnati Office, Internal Revenue Service, our form 1040 for the year 1973. Accompanying this return was a check for $7,939.91, representing the "Balance Due IRS"—line 23—on a total tax liability for 1973 of $26,860.31—line 16.

In submitting our form 1040, Mrs. Whalen and I signed the following statement appearing at the bottom of page 1:

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief it is true, correct and complete.

I presume that all other American taxpapers will sign this same statement.

As I did for 1972, within the next few weeks I will provide for the RECORD a complete breakdown of my family's income, including taxes paid, for the year 1973. Also, I will include with this statement a complete listing of my wife's and my assets, liabilities, and net worth along with those of each of my six children.

PUBLIC WORKS SUBCOMMITTEE HOLDS HEARING IN INDUSTRIAL CALUMET REGION OF INDIANA

HON. RAY J. MADDEN

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1974

Mr. MADDEN. Mr. Speaker, the 93d Congress has passed a number of important pieces of legislation pertaining to our economy, education, health, rural problems, and so forth.

When this Congress, for the first time in history, recognized the catastrophic effects of congestion and other transportation difficulties in our urban areas, it crystallized the necessity of immediate action to clear up this traffic menace to the future progress of metropolitan areas throughout the Nation.

The Public Works Committee of the House, 2 weeks ago, designated several subcommittees to hold hearings in some of our congested cities, in order to prepare a comprehensive and equitable public works bill to carry out the purposes of the Federal Government's mass transit relief program.

The Calumet region of Indiana is probably the No. 1 concentrated industrial area in the Middle West. The cities of Gary, Hammond, East Chicago, Whiting, and other suburban areas are located immediately adjacent to the city limits of the city of Chicago, on the south shore of Lake Michigan and are in the immediate path of all auto, truck, and railroad transportation coming from the East, entering and passing through the city of Chicago, and also similar traffic passing in the opposite direction.

Last Friday, a subcommittee of the Public Works Committee held traffic hearings in the city of Chicago, and on the following day, Saturday, April 6, held hearings in the city of Hammond, Ind. Testimony was taken from the mayors of Hammond, Gary, East Chicago, and Whiting, also from members of the chambers of commerce, representatives of industry, retailers, and so forth.

Mr. Speaker, I submit with my remarks a news item from the Hammond, Ind., Times, setting out some of the facts concerning traffic congestion in the Calumet region.

The news item follows:

THE RAILROAD BLIGHT: AN END IS IN SIGHT

There are 120 rail and roadway grade crossings in Hammond.

Nearing 50 trains roll through the city on an average day.

They threaten life and limb.

They impede police on emergency calls.

They delay firefighters and ambulances.

They frustrate and enrage commuters, shoppers and shippers.

They are increasingly a millstone around the neck of established commerce, they empty storefronts.

Tomorrow, for the first time in more than 60 years, Hammond will be within reach of a solution to its oldest problem; a solution of benefit to every man, woman and child living, working, visiting or traveling within its limits.

The Public Works Committee of the U.S. House of Representatives is coming to town to study railroad crossing tieups, and how to fix 'em.

Rep. Robert Jones, D.-Ala., is chairman. With him will be Rep. John Klucynski, Chicago Democrat, and Rep. Robert Hanrahan, Homewood Republican. Also in town: chief committee counsel Richard Sullivan, and consulting engineer Lloyd Reward.

They're here at the behest of Rep. Ray J. Madden, 1st District Democrat and one of the senior statesmen of the 93d Congress, who has been in the forefront of the assault on the Hammond railroad problem.

At a luncheon-hearing, the committee will hear community sentiment concerning a plan to relocate Hammond railroad traffic over one existing right of way, thereby freeing most of the city from traffic jams, danger, delay and economic strangulation.

Developed by Mayor Joseph Klen's Rail Relocation Committee, the plan is the most positive step ever toward solution.

It would condemn no property, ease the burden in every part of town.

It would add to existing track on right of way already railroad-owned.

It would more fully utilize already-constructed overpasses, add two new overpasses over the Penn-Central at 165th and 173rd and an underground pedestrian crossing at Morton School.

It has the support of six railroads, The Louisville and Nashville, Erie-Lackawanna, Chesapeake and Ohio, and Norfolk and Western would all redirect traffic, the Penn-Central and Indiana Harbor Belt own the tracks over which much of the redirected traffic would roll.

It would make available for public use and commercial development miles of old commerical development, miles of old railroad right of way through much of Hammond, adding to the tax base and easing the real estate tax burden.

It would eliminate 40 per cent of current grade crossing traffic problems, including:

School buses and public conveyances dodging around lowered crossing gates.

Elementary, junior high and high school pupils sneaking through, over and under trains stopped at crossings.

95 persons killed or injured in 70 railcar accidents in the last six years.

262 ambulance delays for a total of 719 minutes in 1973.

53 fire truck delays for a total 130.5 minutes in 1973.

24 hours, 38 minutes of derailment-delay in 1973; 242 hours, 48 minutes of derailment-tieup already in 1974.

Uncounted hours of commuter, jobholder, shopper tieup daily.

There is support from major Region unions; from the Steelworkers and the Teamsters.

There is support from police and fire officials, from the Chamber of Commerce, from industry, from major civic establishments, from utilities and truckers.

The improved traffic pattern for all of Hammond would be more attractive to new industry and jobs; make more secure the jobs that are already here.

Relocation in Hammond is endorsed by the Northwest Indiana Planning Commission as a "good start" for the 25-year program envisioned necessary to improve railroad traffic patterns throughout the Region. Outlying problems can be solved only after the Hammond hub has been fixed.

A great many citizens—and their collective well-being—are intent this weekend on the deliberations of the House Public Works Committee convening in Hammond.

They are nearer than ever before to solution of the rail crossing tieup that has been a blight on their city, their Region and their lives.

EFFECTS OF THE ENERGY CRISIS

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1974

Mr. ROSENTHAL. Mr. Speaker, though the so-called energy crisis apparently has eased, its effects are continuing in the form of worsening inflation. A man who has done much original research in the area of "ripple effects" of the energy crisis, Matthew J. Kerbec of Output Systems Corp., in Arlington, Va., is convinced that sudden massive energy price hikes are the single greatest contributor to today's spiraling rate of inflation.

In a letter to President Nixon, Kerbec suggests a number of steps, including a price rollback for crude oil—which the President heretofore has opposed—stabilizing the U.S. economy by subsidizing import costs of energy, and investigating in more detail revelations about the "profits and monopoly practices" of the Arabian American Oil Co.—Aramco. These revelations surfaced during recent Senate hearings.

I insert Mr. Kerbec's letter to the President into the RECORD:

OUTPUT SYSTEMS CORP.,
Arlington, Va., April 5, 1974.

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

DEAR MR. PRESIDENT: This is our second report to the Office of the President directed toward presenting the inflationary effects of the sudden massive energy price hikes which have been implemented in the past six months.

For the first time since the Department of Labor began publishing the Wholesale Price Index, the price of fuels, related products and power have reached all time highs. The March 1974 Wholesale Price Index shows that all fuels (coal, gas, electric power, crude petroleum, refined petroleum products) have climbed 83.3% from March 1973 to March 1974. In the same period crude petroleum went up 75.5% and refined petroleum products spiralled to a new high of 145.7%. Remember these price indices are at the wholesale level and still have to be marked up through the industrial sector before filtering down to the ultimate consumer.

To put this in some meaningful perspective, it is informative to compare the 1973 sales of some of the largest industries as presented in the March 9, 1974 edition of Business Week. Oil led the list with sales of $117.9 billion, automotive was second at $95.174 billion, food processing accounted for $60.350 billion, electrical and electronics $39.959 billion, chemicals $35.501 billion and steel sales amounted to $28.501 billion.

More to the point, conservative estimates for additional refined petroleum product costs to be absorbed in 1974 will be $43.9 billion (see Table 1 for calculations). In accordance with Corollary 3 of the "Kerbec Energy Theory" which states:

"An energy cost is associated with obtaining, producing and/or transporting all raw materials and products and these costs are multipled and accelerated as they ripple through a profit oriented socio-economic society."

This $43.9 billion has the potential of more than doubling before reaching the retail level. It is interesting to note that if one dollar of energy costs in any raw material or product goes through three profit centers and is marked up 30% in each center the total compounded sum will amount to $2.19.

This is of course true for all commodities but Corollary 3 tells us that at each processing or transporting operation (without exception) an additional energy cost is incurred and creates new ripple effects. Thus, energy has more price leverage than any other commodity in that it is present in every product and activity. Contrary to the opinion of many private and government analysts, energy price effects are not a one-shot phenomena but are only the trigger which stimulates the following cumulative inflationary effects:

1. Agriculture and industry has to respond by equivalent massive price hikes. *Price and wage controls become meaningless* because massive increases in the prices of fossil fuel inputs and related raw materials make higher prices mandatory if energy intensive industries such as steel, food, transportation, petrochemical, power generating and other industries are to survive. The impact of current Cost of Living Council manufacturing price decontrol actions are now in the process of being converted into higher consumer prices.

2. Union workers are forced to ask for, at least, equivalent cost of living wage increases to meet the current inflation rate. Labor is the greatest operating production cost in the U.S. and when manufacturers again crank up prices to pay for increased labor costs a new massive price ripple effect is started and will continue even if energy prices are rolled back. The inflation rate was 10.2% for the past twelve months.

Many state and municipal governments are now faced with union demands for cost-of-living escalator clauses in addition to direct wage increases and fringe benefits. The New York Transit Authority, for the first time allowed a cost-of-living clause in addition to a graduated 14% wage increase in its latest labor contract. Other New York unions are on record as seeking similiar concessions for police, firemen, sanitation and other workers.

In addition, skyrocketing fuel costs are driving many local governments toward insolvency and these governments will require large tax increases and/or massive injections of Federal aid to maintain essential services. Private bus companies in New York are asking for a 41% fare increase and there is no reason to believe that this fuel-wage cost spiral will not be experienced by all government entities. Again, energy price hikes were and are the primary *cause*—wage, tax and price increases are *effects*.

3. Reduced buying power caused by massive inflation will effect employment. Greater percentages of income will have to go for necessities, spending patterns will be distorted and savings, investments and interest rates will be affected. In 1973 approximately 63 million of the total 83 million workers in the U.S. were not represented by unions. Depending on how incomes vary for the 63 million nonunionized workers relative to a greater than 10% rate of inflation, it is certain that less goods and services will be purchased. Under these conditions there will be pressure to reduce savings and capital investment.

4. With rising inflation, the demand for luxury products and non-essential items, depending on income distribution, will decrease leading to more layoffs that will affect executives and workers at all income levels and will further impact savings investment and interest rates.

The inflation-recession pressures will primarily be related to what happens to the spectrum of disposable income by the middle 60% of all wage earners. (In 1972 the bottom 20% of all family income resulted in an average annual income of less than $3,500 for more than 10 million families.) As inflation keeps rising more and more people are relentlessly being squeezed between soaring prices and relatively fixed incomes which generates a socio-economic environment that may well lead to violence or other anti-social and anti-governmental actions. Events after Effect 4 are anyone's guess. The U.S. is definitely at Effect 1 with prices continuing to rise at unprecedented rates. Effects 2, 3 and 4 are showing the same type of activity now being felt in Great Britain and Japan. One thing is certain—there will be delayed effects long after the high priced energy is fed into our economic system.

For example, according to a February 15, 1974 Wall Street Journal article, fossil fuel based chemical "feedstocks" such as various styrenes and resins rose 50% in February 1974. These products go to over 300 industries with total sales over $100 billion and are used in the manufacture of items such as phonograph records, vinyl flooring, plastic containers, tires and tubes and electrical appliance parts and other products. Also in the past six months basic steel has increased their prices over 10% with more to come starting another series of rippling price effects. These increases have yet to be felt at the retail level. On the food labor front new precedents were set by the Philadelphia meat-cutters union. In addition to graduated pay increases of 19% they negotiated an "open ended" cost-of-living clause which means that as the cost of living goes up, wages go up and prices increase again to pay for the wage hikes. The United Mine Workers have served notice that they will ask for a similar clause. Again it is strongly emphasized that these wage increases are *effects*—the primary *cause* was the sudden massive energy price increases.

In view of the above considerations I respectfully offer the following suggestions:

1. Reverse your opposition to a price "roll back" for crude oil. The massive percentage price hikes allowed in the past six months have set precedents which are causing coal and natural gas prices to follow crude oil prices and each of these commodities are stimulating additional growing ripple price effects in all basic industries with resulting equivalent wage demands. It is important to remember that almost all of these inflationary effects are due to price increases that have little or nothing to do with changes in production costs and this situation is analogous to the 1929 stock crash in that stock prices at that time were bid up to the point where they had no relationship to the value of the stock.

2. Stabilize the economy of the U.S. by subsidizing import costs of energy. I do not believe that there is anything more unsettling for American businessmen or consumers than to be exposed to a daily barrage of news concerning the probable actions of the oil exporting countries that might result in still higher energy prices and/or shortages. On April 1, 1974 the Wall Street Journal reported that Indonesia had again raised its price for crude oil from $10.80 per barrel to 11.70.

The head of your energy office, William E. Simon, has repeatedly been quoted as saying we have no control over foreign oil prices. A suggested approach is that he reactivate the team that was so successful in implementing the oil import quotas. If the U.S. can be shielded from a drop in foreign oil prices there is no reason it cannot be shielded from a price rise even if subsidies are required, particularly when only 15% of our total energy needs are imported. From any management standpoint there is absolutely no logical reason to allow the entire U.S. economy to be levered by the actions of foreign oil producers and there is no other conclusion except to admit that our management has lost control of our economic system. The stabilization of our economy is a fundamental responsibility and of necessity must be considered as a top priority .

3. Shocking revelations were surfaced by the Senate Subcommittee on Multinational Corporations during their hearings concerning the profits and monopoly practices of the Arabian American Oil Company (ARAMCO). According to a March 28, 1974 front page Washington Post article, ARAMCO Senior Vice President Joseph J. Johnson, was asked repeatedly what incentive ARAMCO and its owners had to press for lower prices—he was unable to suggest one. Also, ARAMCO supplied data showed that in 1973 ARAMCO dividends increased by 350% ($2.59 billion). In the same preiod the royalties and income taxes collected by Saudi Arabia also rose by 350%. If this is true it represents price gouging on a tremendous scale when it is realized that the operating and general expenses associated with producing a barrel of crude oil is about 20 cents. According to the testimony, ARAMCO's profit went from $2 per barrel after the embargo in 1973 to about $4.50 thus far in 1974, and that these profits were made as the result of and during our domestic energy crisis. The testimony also indicates a systematic planned pattern of price fixing, monopolistic practices and controlled production.

Mr. President, I strongly suggest you initiate action to start Grand Jury hearings under a Special Prosecutor such as Leon Jaworski and start examining this testimony and evidence in addition to the Federal Trade Commission's allegations of unlawful monopoly.

For those who believe that our continuously climbing inflation is going to stop or taper off in late 1974, let's look at inflation in other countries who have allowed energy prices to reach cartel levels. Great Britain is now at a 20.4% rate of inflation with Japan runnning a close second at 20%. France, Italy and other European countries are also experiencing climbing inflation rates.

The U.S. is showing the same upward climb in prices and wages and if some rational energy price actions are not taken soon, we will be locked into a price-wage-recession-inflation spiral that no one can stop. It is not necessary to be an economist to realize that the financial health of all industries depends on the financial health of the consuming public and if one gets sick both get sick.

In closing I would like to leave one basic question open: "How Can You Logically Budget or Allocate Resources to Achieve Energy Self Sufficiency at a 20% or Greater Rate of Inflation?" For those who say it can't happen here Great Britain and Japan did not think it could happen either.

Sincerely,

MATTHEW J. KERBEC,
President.

THE TRADE REFORM ACT

HON. SAM GIBBONS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1974

Mr. GIBBONS. Mr. Speaker, I would like to bring to the attention of my colleagues a statement I made recently on the Trade Reform Act.

The statement follows:

STATEMENT OF HON. SAM M. GIBBONS, DEMOCRAT OF FLORIDA, BEFORE THE SENATE COMMITTEE ON FINANCE ON THE TRADE REFORM ACT, APRIL 1, 1974

Mr. Chairman and Members of the Committee, I appreciate the opportunity to appear before you today to talk briefly about some of the considerations which I believe are very important as you begin to make decisions on the proposed Trade Reform Act.

I notice that the arguments you've been hearing on trade are pretty much the same ones that we on the Ways and Means Committee heard during our five months of deliberations on the trade bill. It was good to see that at least some of your witnesses praised the House-passed version of the bill as an improvement over the Administration's original proposal. I think this is so, and I sincerely hope that the decisions we made and the language we drafted will be helpful to you and may even shorten the time you have to spend marking up the bill.

As you know, the Ways and Means Committee is not known to be a bunch of free traders, and I can certainly vouch for the accuracy of that reputation. It came as a bit of a surprise to many people, I think, that the trade bill finally approved by the Committee—by an overwhelming vote of 20 to 5—was as well balanced and as carefully drawn as it was. I have talked to both supporters and opponents of a continued expansion of world trade who feel that the bill we approved was, all things considered, quite a satisfactory one.

It grants to our negotiators the flexibility and strength they need to strike sound and mutually beneficial bargains with our trading partners, but it introduces a great number of procedural safeguards and consultation requirements—far more than were requested by the Administration. By providing for Congressional review and even possible veto of important trade decisions, it also gives real recognition to the Constitutional grant of power to the Congress to "regulate foreign commerce."

The House-passed bill is a real improvement over present law with regard to providing relief from the effects of unreasonable import competition. All forms of import relief are made easier and quicker to get and adjustment assistance is made more generous.

I didn't come here to pat myself on the back for the House-passed trade bill. Indeed, there are a few provisions in the bill that I would like to see deleted, and there are amendments which I fought for in the Committee that are not included in the bill. However, the decisions on all of these matters are now in your hands.

NOW IS THE TIME TO MOVE FORWARD ON TRADE

The reason I asked to be heard by you is this: I believe strongly that a continued expansion of mutually beneficial trade among the nations of the world is very important to this country, both economically and politically. Therefore, the timely enactment of a good trade bill is deserving of our best efforts. In fact, such fairly recent developments as world-wide energy and food shortfalls and galloping inflation have made it even more urgent that we continue to assume world leadership in finding cooperative solutions to world-wide economic problems. The proposed trade bill is an integral part of our efforts in this area.

You are, of course, familiar with the traditional arguments on why trade is so important to us, so I won't dwell long on these. Many of you have seen in your own states just how important export business has become to many of our factories and farms. In an era of resource shortages, imports have also become important to both

consumers and producers. Today, more than 14% of our goods are exported, and about 14% of the goods we consume are imported. Some of our industries, such as aerospace and agricultural chemical industries export 40–50% or more of their production. Moreover, we are dependent on imports for more than 50% of 6 of the 13 major raw materials need by our industries.

It's no longer possible for us, or perhaps any nation, to cut off trade and investment flows and say that we will "go it alone." Trade and investment and the operations of the MNC have simply become an integral part of growing economies here and abroad. Our choice is not whether we will "allow these to exist" or not, but whether or not we will harness and regulate these phenomena for our benefit and that of the rest of the world—and whether this country will reassume the leadership role in this area that we assumed at the end of World War II.

Some of those who testified before the Ways and Means Committee painted trade issues in terms of black and white. All of us know that this is no longer possible, if it ever was. To be sure, the issues involved in trade are complex and politically sensitive ones. They cut right across employment problems, foreign policy attitudes, and the vested interests of numberless economic groups—and they cannot be solved easily. If they could, it would not have taken the Ways and Means Committee five months to report out a trade bill. Literally cutting off trade and investment, as some have suggested, would not have taken the Committee long at all. However, it soon became clear that such a step would have been no solution at all. Also, we realized that we could dismiss these issues, or not act on them, only at our peril.

The Ways and Means Committee soon found that some of those who testified on the trade bill simply did not want a trade bill enacted and had no interest whatsoever in working with the Committee to come up with a balanced bill. This was hard to understand, since some of these people would benefit greatly by the approval of a good, balanced trade bill. Nonetheless, these people continued to cling to their simplistic and illusionary proposals to virtually cut off trade and investment even after these had been rejected by large margins in the Committee.

It couldn't be more clear, it seems to me, that this country has everything to gain from approving a sensible trade bill and maintaining the momentum toward a new round of international trade negotiations designed to reduce the barriers to trade.

It's a puzzle to me that some people feel that this country should not enter into trade negotiations. It's not going to be easy to work out mutually beneficial trade agreements. Obviously, each country has to give up something for what it gets in terms of reducing the trade barriers that have been erected, and each trade agreement will affect economic interests in the various countries. However, the demand for U.S. products is great world-wide and it is growing fast. There are a great number of barriers to the entry of U.S. exports into other countries and we have everything to gain by at least undertaking trade negotiations and making a real start toward reducing trade barriers.

The U.S. economy is becoming ever more dependent on trade for continued growth and the reduction of trade barriers is becoming ever more important to us. Something which we sometimes tend to forget—that our businessmen discovered long ago—is that there's a great wide world beyond our borders which offers tremendous outlets for our products, as well as new sources of raw materials for our industries.

Right now, we can negotiate from a position of strength with our trading partners. Our economy is strong. We have been affected by the Arab oil boycott and the four-fold increase in the price of crude oil this last year far less than countries who are more dependent on imported oil for their energy supplies. The floating of national currencies has provided needed flexibility in the international monetary system, and the strength of our dollar in this new scheme of things reflects the strength of our economy.

It's been the fear of some that our trade negotiators would "sell out" certain American interests. This fear is, I think, baseless, and has been made completely irrelevant by those sections of the House-passed trade bill which require prenegotiation procedural safeguards and continuing close Congressional scrutiny of the negotiations and their results.

If we do not move forward in entering a new round of trade negotiations, we have much to lose besides the opportunity to eliminate or reduce existing barriers to U.S. exports. In the world economy, not to move forward is to drift backward toward the kind of economic stagnation, resurgent nationalism and isolationism which we knew in the 1930s, and even toward war itself. The sudden emergence of food and fuel shortfalls, rampant inflation, and high-cost oil has made this "drift backward" a potential headlong rush toward trade restrictionism and isolationism.

We saw what happened in the '30s, when we imposed the Smoot-Hawley tariffs in an attempt to reduce our depression-level unemployment. We found too late that the only result was trade retaliation by the other countries of the world, a worsening world-wide depression and economic conditions which helped lead up to World War II.

It's perhaps not too far-fetched to say that the economic conditions we face today present the same kind of challenge to a peaceful and continually functioning world economy as those of the 1930s.

The four-fold increase in world crude oil prices in the past year is likely to lead to balance of payments deficits for all of the developed countries. Already we are seeing our $1.7 billion trade surplus of last year pared down by the greatly increased prices we must pay for imported oil—and we are one of the countries of the world least affected by this phenomenon!

Already there are signs that some countries will try to pass their billions of dollars in balance of trade and payments deficits resulting from higher oil prices to other developed countries by import restrictions, unreasonable export subsidies, or competitive devaluations. This simply is not possible. There literally is no place to which these deficits can be passed. They share a common cause and they are shared by all developed countries.

This is to say nothing of the less developed countries. The food, energy and fertilizer shortages and the high prices they face today subject them to the real danger of not only even lower rates of economic growth, but, for some, even famine.

The severity of this problem cannot be overemphasized, for, as we've learned all too vividly in the past, world economic problems which are neglected spread like wildfire. This is more true every day, as countries become even more interdependent.

We must and of course are making all kinds of different efforts on the international scene to resolve the economic conflicts relating to fuel and food shortages and rampant inflation.

Nonetheless, if we do not pass a trade bill and embark on bold international trade negotiations, we will be losing quite an opportunity to resolve what have become urgent and sticky economic issues among nations. Since World War II, we have had a great deal of success in managing trade issues in the institutional framework and under the agreed upon rules of the GATT. The nature of these issues has changed dramatically in recent years. For instance, while import restrictions remain a problem, the management of resource shortages has emerged as a problem of similar importance.

This has not changed the fact that we must look to cooperative undertakings to find real and lasting solutions to these problems. The need for revision of the GATT rules to handle these problems—and for our countries to show the national will to look for multilateral solutions in an institutional framework such as the GATT—is urgent, for the danger of economic warfare and a real confrontation between rich and poor nations is great.

Also, it's clear that near-universal cooperation among nations is the only way for us to break the stranglehold of a supply cartel like OPEC.

In many ways, our economic relations with other nations are at the base of our political relations with them. If we do not negotiate to find solutions to these "pocketbook" issues which divide us, we cannot hope to settle our political differences.

Because of our differences over such things as how to react to the Arab oil embargo, how to treat the Soviet Union, and how to view the Atlantic alliance, we seem to be on a collision course with the Europeans in our political relations. Some wonder if the Europeans care whether they have any relations at all with us any more. However, I've just returned from talking with members of the European Parliament in Europe, and I know that the Europeans still look to us for leadership in settling difficult international economic issues.

They are watching us to see whether we have the political will to do any real negotiating on tough trade issues—whether we are willing to raise our sights from the economic irritations which rub against us day after day to a bold new attempt to not only try to resolve these day-to-day issues but also foster a new climate of cooperation in settling troublesome international economic problems—indeed, they watch to see whether we are even going to pass a trade bill.

It's also my observation from meeting with the European Parliamentarians from time to time over the past three years that the European Community is stronger, more unified, less concerned about internal matters and better prepared to make the decisions necessary for trade negotiations than they have ever been. I also know that the Europeans have finally abandoned their search for additional reverse preferences.

It's my firm personal belief that the continued expansion of mutually beneficial world trade and the increased contacts among nations which it brings not only redound to our economic welfare, but also help to build peace and understanding in the world. Certainly we've seen that the opposite of this is true—trade retaliation and economic warfare can lead to world-wide depression and actual warfare.

It's unfortunate that so much of the attention given to the trade bill has focused on Title IV. All of us are concerned over the conditions under which nondiscriminatory tariff treatment and Export-Import Bank credits should be granted to the Soviet Union. However, the thrust of the Trade Reform Act is to provide an opportunity for the free nations of the world to get together to work out their trade differences. What is most important is that we continue to expand this trade among the free world countries in order to strengthen the U.S. economy and other free world economies.

We should not lose sight of this fact, and the fate of the Trade Reform Act should definitely not rest with the fate of Title IV. Our trade with the communist countries is minimal and unlikely to amount to very much in the foreseeable future. While I be-

lieve that trade with these countries in nonmilitary items is desirable as an instrument of ending the isolation of these nonmarket economies and bringing these countries into the community of nations, our economic and political relations with our traditional allies must not be eclipsed by our concerns about East-West trade.

One of the most serious problems we are going to face for years to come is that of severe, world-wide inflation. Trade helps to allocate world resources better and can have a significant effect in keeping consumer prices down and also keeping producer costs down.

Already, nations have begun suspending some of their import restrictions for the stated purpose of combatting domestic inflation. We ourselves have done this, as in the case of our meat import quotas, and Title I of the House-passed trade bill provides a great deal more flexibility for this kind of action.

World-wide inflation makes it even more important that consumers be allowed the chance to purchase less expensive goods from abroad, especially when this does no harm to U.S. workers or industries. We have found that the resources of this world can be quite limited in some ways, and trade helps us to make the best possible use of these resources.

We are a rich country. Our standard of living is half again as great as that of the next richest country. We do indeed have our problems, but even in difficult times we should not forget our responsibilities toward the rest of the world, especially toward the poorest of countries.

Our trade with the less developed countreis (LDCs) is of benefit to both them and us. This trade accounts for one-third of total U.S. trade. Last year alone, our trade surplus with these countries rose by a billion dollars, and much of the LDC foreign exchange earnings from this trade is used to buy goods in the United States. The development of the LDCs is of special interest to us, since it not only promotes peace and world stability but also provides expanded markets for U.S. exports.

The LDCs have been especially hard-hit by the greatly increased cost of petroleum products. It thus has become even more important that their products have access to the markets of developed countries, so that they can earn the foreign exchange they need to pay for their energy needs and also the goods they need to develop their economies.

With the great needs of the LDCs, it only makes sense that the developed countries should try to give the LDCs some kind of break in this trade. In fact, a commitment was made several years ago to do just this, and Europe and Japan have already taken steps to grant tariff preferences to the exports of the LDCs.

Title V of the House-passed trade bill would grant tariff preferences to the LDCs with quite strong safeguards designed to insure that this action does not adversely affect American workers and industries.

THE TRADE REFORM ACT IS A GOOD BILL

Some have criticized the House-passed trade bill as "worse than no bill at all." I think you will find this charge to be baseless. Although I'm somewhat at a loss to understand why the charge is made, I suspect it may be because the bill does not deal with all aspects of our international economic policy. Frankly, the bill was never intended to do this. While a few other subjects might be included in the bill, it would not seem wise to try to do in one bill everything that should be done in this area. The field of trade itself is complex enough.

The House-passed bill does not address the issue of U.S. taxation of foreign source income. I believe that our tax laws do provide some incentive for investment abroad and I have sponsored legislation designed to eliminate this. The Ways and Means Committee's windfall profits bill would tighten up our tax laws as they relate to income earned and losses sustained abroad by our oil companies. Further, the Committee will undoubtedly take further action in this area as we take up general tax reform, which is our next order of business, along with national health insurance.

It is my own view that the over-valuation of the dollar for so many years before the President's action of August 15, 1971, provided a far greater stimulus to investment abroad by U.S. businesses than any provisions of our tax laws have. The current floating of national currencies and the more realistic exchange rate of the U.S. dollar will do much to reduce, if not eliminate, excessive investment abroad by U.S. firms.

The House-passed trade bill does not touch on the very important subject of regulating the activities of the multinational corporation (MNC). A great deal of work needs to be done before we can establish a sound institutional framework and set of rules to guard countries from the excesses of MNC operations across national borders. However, work on this is already under way in the OECD, the United Nations and other agencies.

I've been involved in consultations on this subject with members of the European Parliament and the North Atlantic Assembly. It's clear to all of us that the need for timely multilateral action in this area is great.

Foreign investment and the operations of the MNC have perhaps displaced trade as the most important elements in the world economy. These cannot be neglected by governments, just as the problem of undue resort to export controls cannot be neglected.

The House-passed trade bill does not address the reform of the international monetary system, which is perhaps as important to the health of the world economy as anything else we do. Progress is being made on this front, although the frictions resulting from the actions of the Arab oil countries have impeded this.

Perhaps the most relevant new element which might be included in the Trade Reform Act is some kind of amendment relating to international agreements on the problem of short supplies and export controls. This is a most important area for your consideration. I know several of you have already proposed amendments of this sort.

LET US BEGIN TO MOVE FORWARD

These are some of the points I wanted to make to you because of my strong feelings about the importance of trade to us, economically and politically, and to the prospects for peace and prosperity on this fragile planet.

Besides enacting a good trade bill as soon as possible, I believe that it is also important that we take a more active role in exercising our Constitutional mandate to "regulate commerce with foreign nations."

Our trade and economic relations, as they grow ever more important, are also growing more complex. During the Ways and Means Committee deliberations on trade, it became clear that many of our past trade decisions and policies were not well monitored by either the Executive Branch or by the Congress and some in fact were ill-considered to begin with. More attention to this area, more oversight and more analysis of the facts surrounding specific types of trade are needed.

The Ways and Means Committee worked hard to try to make the House-passed trade bill one which would meet the legitimate grievances of those who might be adversely affected by trade. This was done by specific procedures whereby the facts and all appropriate views on a particular case could be presented in the open and a decision could be made by a set, orderly process. In my view, it is only by this kind of decision-making process that we can (1) restore eroding confidence in government, and (2) convince all affected parties, and the public, that our trade policies are made on the basis of the facts, not rhetoric or political pull, and that they are prudent ones which benefit rather than harm our workers, consumers, industries and farms.

It is my sincere hope that the trade bill which is finally approved will require us to pay more attention to our trade and other economic policies and to make better decisions in these areas. If we are to do a good job on this, we're also going to have to make sure that we have top-flight people staffing the important agencies which deal with trade, including the Tariff Commission.

The timely passage of a good trade bill will, I feel sure, go a long way toward minimizing our economic conflicts with other nations. The economic and political benefits which will flow from this will be enormous.

Thank you for your time.

MEMORIES OF HON. CECIL R. KING

HON. JOHN J. McFALL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 2, 1974

Mr. McFALL. Mr. Speaker, to leave the world a better place by having lived is perhaps the greatest gift a person may bestow on those who remain.

Such a legacy was left by our former colleague in the House, Cecil R. King, whose recent death we mourn.

My memories of Cecil go back to 1957 when I came to the Congress. By that time this fine man already had served in the House for 15 years and had established a reputation as an outstanding legislator and representative of the people. When he retired in 1968, he had become the dean of our California delegation, respected and loved by all of us.

Intellectually and financially honest, Cecil set a high standard by his devotion to the people and the public interest which we could seek to emulate but never hope to surpass. Quiet—not flamboyant—he was just the opposite of the cartoon Congressman.

What was it in the background of this man that prepared him for a distinguished career in the Congress? He did not have the benefit of academic degrees resulting from higher education. He served his country in World War I as a private in the Army during his 19th and 20th years. A dry cleaner by trade, he became interested in politics and was elected to the California Assembly where he served for 10 years from 1932 until he was elected to Congress in a special election in August of 1942.

Perhaps it was in the State legislature that he learned how to be a great public servant. But I think not. I believe it came from something deep inside—a native intelligence, a love of people, a delightful sense of humor, a complete lack of concern for himself—traits that marked him as a remarkable man.

In the House, Cecil demonstrated time and again a rare ability to get to the heart of a matter. In the exhausting and intricate work of the Ways and Means Committee, he was a leader. He became a recognized authority in international trade; he represented our country in

Common Market negotiations and served as a congressional adviser to the United Nations Conference for Trade and Development.

He led an investigation by the committee of wrongdoing within the Bureau of Internal Revenue and the tax division of the Department of Justice which remedied many abuses that occurred in the early fifties.

His crowning achievement may have come from his tenacious efforts to bring better health care for the elderly through establishment of the medicare program.

From his rather humble beginning one would be tempted to say he was an ordinary American. But this was wrong, for Cecil King was an extraordinary American.

He used all of the qualities with which he was graced to their maximum effectiveness, and the Nation was better as a result.

To his wife, Gertrude, his daughter, Mrs. Louise Bonner, and his sister, Gladys Rose, we offer our condolences. We have lost a friend who made being a Member of Congress during his service a rare opportunity. But we can take comfort in knowing that there will be others in future generations who will come forward to meet the needs of our country, for the strength of America is that it produces men like Cecil King.

NORTHERN IRELAND: WHY THE VIOLENCE?

HON. ANGELO D. RONCALLO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1974

Mr. RONCALLO of New York. Mr. Speaker, I would like to share with my colleagues the following article by Father Denis Faul which appeared in Triumph magazine recently regarding the fate of the Catholic people in Northern Ireland:

A short time ago, Triumph *received a report from Father Denis Faul, a pacifist priest who watches closely the fate of the Catholic people of the North of Ireland, Father Faul condemns all violent acts—whether of the British army, Ulster Protestants or the IRA. But his unswerving dedication to the peace of Christ does not allow him to avert his gaze from the essentially violent and vicious political and social milieu that Britian has maintained in the North's Six Counties in collaboration with her loyalists. The following condensation of the report from Belfast is one case history of such institutionalized violence:*

Newtownabbey was . . . formed in 1958 from seven old villages and a number of post-World War II housing estates on the north side of Belfast. . . .

Up to 1969 there was one Catholic parish covering the whole area. In that year, due to the rapid increase in the number of Catholics in the area, the parish was divided into five new parishes. These were:

Whitehouse, 4,000.
Greencastle, 3,500.
Whiteabbey, 2,400.
Glengormley, 3,200.
St. Gerard's (Antrim Road), 1,600.

At the time of the division these numbers were increasing, especially in Whiteabbey and Glengormley which are developing areas. *In 1969 Catholics formed about 28% of the total population.* The expectations were that this percentage would increase. . . .

The position *in 1974* is:

Whitehouse, 1,800.
Greencastle, 3,100.
Whiteabbey, 1,300.
Glengormley, 5,500.
St. Gerard's (Antrim Road), 1,850.

Catholics now form about 22% of the total population of Newtownabbey.

Why are Catholics leaving?

Catholics are leaving Whiteabbey and [Whitehouse] for two reasons: intimidation and fear of being assassinated.

1. *Intimidation*

Until comparatively recently, most of those who felt they were either actually intimidated, or feared that they would be, due to the general atmosphere of intimidation which prevailed in the area. Protestant extremist groups such as the UVF, UFF, UDA, LAW and Tartans are particularly strong in the district. From time to time members of the UDA in paramilitary dress patrol openly . . . without interference by the security forces [Royal Ulster Constabulary and the British army]. Catholics have sometimes been imprisoned behind UDA barricades. Catholic homes have been petrol-bombed. Young Catholics frequently have been stabbed and beaten. . . .

The following extract from an as yet unpublished report of the Community Relations Commission indicates the attitude of the police in the area:

"Definite sympathies with the UDA have come to light in our investigations. The loyalist outlook of certain members of the RUC at Whiteabbey and York Road colors their perception, judgment and response in dealing with intimidation and its attendant problems."

2. *Assassination*

In recent weeks there is alarming evidence of an organized campaign to assassinate Catholics in the Newtownabbey area. The following [partial] diary of events supports this belief.

December 4, 1973:

Catholic home in Greymount Drive, Greencastle, petrol-bombed. Father escaped through the back door; mother, son, and daughter jumped from an upstairs window. All hospitalized for burns. . . .

January 8 1974:

Two Catholic families in Clonbegg Drive, Rathcoole, petrol-bombed.

January 31, 1974:

Gunmen robbed a group of 13 workers who were playing cards in their hut at lunch time. . . . Two Catholics were shot dead . . .

February 11, 1974:

A carload of five Catholics from the Bawnmore area of Greencastle was ambushed as it arrived at the Abbey Meat factory, Glenville Road, Whiteabbey, at 7:56 A.M. Thomas Donaghy, 16, was killed; Margaret McErlean, 18, is still critically ill in the hospital; Alice Hughes, less seriously injured, is also in the hospital. The UFF . . . claimed responsibility for the shooting. . . .

February 12, 1974:

About midnight, shots were fired into the Poland home at Downpatrick Green, Monkstown. A bullet was found in the mattress on which a young child was sleeping. The Poland family and another Catholic family left the area the next day. . . .

The security forces are not following an impartial line in stamping out terrorism. It is particularly noticeable that in [majority] Protestant areas like Newtownabbey, where the RUC can patrol freely, extremist groups have a free hand to intimidate and assassinate Catholics. On February 15, 1974, a reporter wrote in the [Belfast] *News Letter:*

"Why choose Newtownabbey for the butchery? One theory is that the random attacks on Roman Catholics within the 60,000 population are aimed at driving them out of the area."

Unless the security forces, particularly the RUC, change their present policy, the assassins will succeed in their objective.

RECORD OF DISTINGUISHED SERVICE

HON. RON DE LUGO

OF THE VIRGIN ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1974

Mr. DE LUGO. Mr. Speaker, as I noted in the RECORD of April 4, Miss Enid Baa has retired from her position as Director of Libraries, Museums, and Archives of the Virgin Islands. Although All Virgin Islanders know that she will contribute to the community as a private citizen, we cannot help but regret her departure from an illustrious career of public service.

I wish to share with my colleagues another editorial praising the superlative life and career of Miss Enid Baa:

RECORD OF DISTINGUISHED SERVICE

One of the Virgin Islands' most scholarly citizens, Enid Maria Baa, is retiring from public service this week. When she leaves office on Monday after 20 years as Director of Libraries, Museums and Archives, Miss Baa will be sorely missed, particularly by those who have the preservation of the islands' history and culture at heart, but her accomplishments in over four decades of service to the islands will be a beacon to students and scholars for years to come.

Born in 1911, when these islands were still under the Danish flag, Miss Baa's efforts have done much to preserve the history of those long ago years for the students of today. Her achievements in her chosen field have received the highest recognition throughout the Caribbean, on the mainland and the international library world, as well as in the Virgin Islands.

Miss Baa was attracted to library science at an early age. Being one of the first high school graduates on St. Thomas, she took part in establishing the island's high school library, demonstrating such interest in the field that she was selected for the first Interior Department Scholarship and enrolled at Howard University. After only a year there she was chosen by Governor Pearson and the Carnegie Foundation for a scholarship to the Graduate Library School at Hampton University. When she returned to the islands in 1933 she was named head of the then Department of Public Libraries, becoming the first woman to hold cabinet level office in the Virgin Islands.

In the next decade Miss Baa worked with real zeal to expand and improve the libraries on all three islands, and in 1943 she entered Columbia University to complete the undergraduate work she had cut short to accept the Carnegie scholarship. There she worked in the university library and after graduation became fellow librarian at Queens College and also worked at the United Nations in English, Spanish, Portuguese and French, before becoming a specialist in cataloguing Spanish and Portuguese materials at the New York Public Library.

Miss Baa returned to her home island to become library consultant to Governor Morris de Castro in 1950, and in 1954 was appointed by Governor Archibald Alexander to her present post. In the next two decades her achievements and the honors she was awarded make an impressive list. Among them was the John Hay Whitney Foundation Fellowship for her contribution to the preservation of the Sephardic Jewish records in the Virgin Islands, editing the "Current

Caribbean Bibliography" while acting as librarian in charge of the Caribbean Organization Library, election to the Virgin Islands Academy of Arts and Letters, honorary doctorate in philosophy from Colorado State Christian College, gold medal from the Royal Mint in London, and the publication of numerous papers and dissertations.

Perhaps best known of all her achievements, though, is the Von Scholten Collection, one of the rarest collections of Virgin Islands materials housed in the public libraries. Named for the emancipator of slaves in 1848, it has grown from some 30 books in 1933 to hundreds of rare books, newspapers, periodicals and other material. The collection is still constantly growing and is much used by students from schools and colleges, as well as by scholars in the field of Caribbean studies.

Miss Baa's contributions to these islands are a truly impressive list, and for many years the community will be grateful for her distinguished service in the field of Virgin Islands history and culture.

MEET A JEWISH GRANDMOTHER

HON. EDWARD I. KOCH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1974

Mr. KOCH. Mr. Speaker, countless words have been used to describe the Jewish mother. One such Jewish grandmother recently won the traditional Jewish chicken soup contest held by Abraham & Straus in Brooklyn, N.Y. The article describing Elsie Zussman, done with great care and insight, will give those who have not had a Jewish grandmother the pleasure of meeting one. The article follows:

HER WAY OF MAKING SOUP: LOOK BACK AND REMEMBER

(By Lisa Hammel)

There was no difficulty telling where the contest was. All you had to do was follow the smell of chicken soup.

It permeated the fifth floor of Abraham & Straus on Saturday where, in its gourmet kitchen in the housewares department, nine finalists in a cooking contest were madly stirring stock, boiling matzoh balls and tossing bits of this and that into steaming pots.

The finalists, whittled down from 47 entrants, were competing in three categories—traditional Jewish chicken soup, nontraditional soup made with chicken, and matzoh balls.

Naturally, a Jewish grandmother won the Jewish soup contest.

The contestants had been asked to show up at about noon (although several were waiting when the store opened) to cook their creations on the spot before an informal audience of onlookers and kibitzers. At 3:30, the four judges—one Catskill hotel owner, two men from A & S's food services division, and the store's resident demonstrator-cook—solemnly sipped and tasted, marked their scorecards, and agreed on the winners.

Elsie Zussman, the chicken soup champion, is a 74-year-old widow with "four gorgeous grandchildren—three in college and one who is 10." Like virtually all the other contestants, she learned to cook by a mysterious process of cultural osmosis.

"When I was young, to me to read a book was important. I wasn't interested in cooking. But my mother, she was a terrific cook. She made all the chicken soup for the weddings where we lived in Russia.

A CARROT FOR COLOR

"One day," Mrs. Zussman continued, "she was visiting relatives in another town and she couldn't get home in time to make the meal for the Shabbes. So I remembered the best I could. That's how I always cooked—I looked back and remembered.

"And when she came home, did she praise me! You see, it's an inheritance. Mine son is a very good cook; mine daughter-in-law, not so good—but some things she makes I could never make that good."

Mrs. Zussman is getting to be an old hand at cooking contests. Last year she was a finalist in A & S's challehbaking competition.

"Before that, I had to work for a living. Who could enter contests!"

As to her prize-winning soup, "maybe it's not better," she said, "but it's different."

What makes it different was the accident, about 20 years ago, of finding herself without soup greens. "So I put in a leek, and it was delicious. Onions are not so good, it gives you a little sour taste. Sometimes, if I want to splurge, I go down and buy a big red carrot, to give it color."

It was not easy for Mrs. Zussman to give the store an exact recipe that they could print for interested customers.

"Who uses a recipe for chicken soup?" she said.

But she tried.

"I start with a chicken," she said. "A good chicken. A cheap chicken wouldn't make a rich soup. And it has to have gray feathers."

Gray feathers? But how did she know if the chicken had had gray feathers?

"They pluck it right in front of me," she said. "You see, the gray-feathered ones are especially fed. They give you a better soup without greens because they're sweet."

And what size pot did she use?

"Enough for the chicken and the water."

How much water?

"About two glaysles a pound."

But what size glasses?

"Whatever size I have."

PRIZE-WINNING RECIPE

Elsie Zussman's chicken soup

1 pullet, no less than 3 pounds (preferably Kosher and with gray feathers).

2 glasses of water (about 8 ounces for each pound of chicken). Salt to taste.

1 parsnip (optional).

1 carrot.

1 large leek.

1. Leave the breast portion of the chicken whole. Cut the rest into pieces. Using a pot large enough for chicken and water, add salt and bring to a boil.

2. Lower flame and simmer over low heat for an hour.

3. Add parsnip, carrot and leek. Continue to simmer for 45 minutes to an hour, but never more than an hour.

IN THE WAKE OF WATERGATE

HON. ROBERT F. DRINAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1974

Mr. DRINAN. Mr. Speaker, I am happy to bring to the attention of my colleagues an excellent article by Paul G. O'Friel, the director of the Lincoln Filene Center for Citizenship and Public Affairs at Tufts University in Medford, Mass.

Mr. O'Friel, who has an extensive background in law, broadcasting, and corporate and community public affairs, points out dramatically the urgent necessity for an intensification of training for citizenship. He points out that—

The Lincoln Filene Center for Citizenship and Public Affairs is nationally the one remaining institution specifically chartered for civic education and purposes. . . .

Mr. O'Friel's article is taken from the March 1974 issue of the Common, a journal which describes itself as a "meetingplace for education in New England."

Mr. O'Friel's perceptive and provocative article follows:

IN THE WAKE OF WATERGATE

(By Paul G. O'Friel)

It is 1974 as I write these words, but it is 1973 that is paramount in my thoughts; for 1973 will, beyond any question, enter the annals of American history as a landmark year, one of those dates like 1776, 1789, 1812, 1861, 1918, 1929, 1933, 1941, and 1963, dates that represent events or experiences that radically altered the attitudes of much of our people and the nature of our national life.

In 1973, a seemingly unending series of mind-boggling disclosures about the conduct of our national government began to be made, but it is not, in my opinion, the sickening litany of Watergate and related changes, crimes, and conspiracies for which last year will long be remembered, as much as for what then began to happen to our collective awareness as a people.

For it was in 1973 that Americans reluctantly discovered what their older and more experienced brethren in western society have known and understood for longer: that a democratic government can be taken away from its people, almost without their even realizing the figurative "disenfranchisement" that has occurred.

It was in 1973 that a distracted and hyperactive populace suddenly learned that a government "of, by, and for the people" can, through the manipulations of the mendacious or the misguided, become government "of, by, and for the few."

CITIZEN SHOCK

The initial shock the citizen experienced as a result of these revelations was somewhat dulled by several decades of a conditioning process that had whittled down the significance of the individual as a participant in a system, not only as seen through his or her own eyes, but also as perceived by the blurred vision of the bureaucratic structure itself.

It is now becoming apparent that an initial attitude of resigned or indifferent acceptance, has given way to a mushrooming national mood of rage and righteous indignation that has already thwarted the dangerously near successful plots and programs of a corrupt and arrogant government, and now threatens to sweep it from power.

So 1973 was a year of learning and discovery for our people in the "classroom" of experience and action, a dramatic lesson in civics for all of us as life-long students in the "schoolhouse" of citizenship.

These observations are all by way of setting the stage of timeliness for additional comments on the contemporary crisis in civic education, and an expression of my own opinion that training for citizenship must become (and it is not now) education's priority goal.

That there is a crisis in civic education appears to be beyond doubt; in fact, the newly elected president of the Council of Chief State School Officers has recently said that the principal concern of his administration of that important organization, will be to renew the waning interest of the nation's schools in citizenship training.

For all practical purposes, the Lincoln Filene Center for Citizenship and Public Affairs at Tufts University is nationally the one remaining institution specifically chartered for civic education purposes, and we take our "survivor status" seriously.

We consider it a mandate to keep alive and

nourish the original and still valid notion that teaching students to understand, adjust to, and work within the established order of our political, legal, and economic systems, is a vital role for the well-being of any democratic society.

The Center has in the past taken a significant part in the promotion and discharge of that educational function through the traditional methods of curriculum development, teacher training, and the preparation of materials primarily for public elementary and secondary schools, and we currently sponsor and conduct such activities in the topical areas of education in economics, intercultural and intergroup relations, law, and political science.

This concept of civic education has produced much worthwhile effort over the past generation, some from the Center and much from many, many dedicated persons in both the public and private educational systems, and its contributions towards the development of those insights and capacities required for effective citizenship, have been real, although limited.

Much of the limitation, at least in recent times, has resulted from a widespread failure to appreciate that the concept of civic education, like many admirable ideas, needs periodic adjustment, if not an occasional overhaul, in order to be able to continue to play a significant role in the syllabus of learning and confer genuine benefits on those it is designed to assist.

My own view is that the governmental and political events of 1973, the Watergate "fall out" in a sense, have established conclusively that the time is now ripe for such an overhaul in the concept of effective civic education, in order that an informed and alert citizenry may protect itself from such abuse of power and arrogance of authority in the future.

Civic education can and should (now we may say that it must) be restructured to fit the dimensions of citizenship itself, so that it will develop in every segment of society, and at every age, the potential for more effective citizenship, by the training of as many people as possible to participate more fully and more constructively in the obligations and responsibilities of the democratic process.

This is admittedly a huge task and a somewhat intimidating challenge but it can be done by the development of innovative methodologies that will make possible overcoming the obstacles and responding to the opportunity.

EXPAND LIMITS

The repertoire of pedagogic techniques must be expanded beyond the traditional limits to encompass a greater topical variety and a larger range of less structured mechanisms, such as clinical and adjunct teaching and learning experiences, that will complement but not displace the usual classroom approaches.

The focus of these institutes, seminars, colloquia, dialogues, assemblies, lectures, forums (or what have you), should be broad enough to respond to the growing public demand for continuing education, including, most importantly, training for that most important of vocational roles, that of "citizen" itself.

The Board of Education has well stated the objectives of civic education for the established institutions of the public educational system; now that system must work *together* with its private counterparts and other participants, institutional as well as unstructured, to make that objective a reality—and they must all work *hard*.

The alternative to such cooperative and energetic enterprise may be the evolution of a type of citizenship no longer worth training for or educating about: Not a role graced with rights and responsibilities, but a status fashioned of functions and fears.

The Year of Watergate—1973 has sounded the alarm; now the people will come to know and act on the knowledge that training for citizenship *must* be education's priority goal.

HOWARD UNIVERSITY PRESS: A PUBLISHING MILESTONE

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1974

Mr. RANGEL. Mr. Speaker, today marks the culmination of a great deal of effort by Dr. James Cheek, the president of Howard University and his dedicated faculty to achieve a significant first in the history of black education in America. The Howard University Press has just become the first black university press in the country.

I and the other members of the Congressional Black Caucus commend Dr. Cheek and Howard University for this achievement and we welcome the Howard University Press as an important addition to the distinguished educational efforts which characterize Howard University and the other black institutions of higher learning which have served and continue to serve our people.

I enclose for the information of my colleagues an article which appeared in today's Washington Post on the Howard University Press:

HOWARD UNIVERSITY PRESS: A PUBLISHING MILESTONE

(By Joel Dreyfuss)

Early this afternoon, Dr. James Cheek, the president of Howard University, is scheduled to receive copies of four books that mark a milestone not only for the university but for the publishing industry as well.

The books are the first products of the Howard University Press, which was set up two years ago as the first black university press in the country.

At the top of the list is "A Poetic Equation," a discussion between poets Margaret Walker and Nikki Giovanni.

The other titles are: "Quality Education for All Americans" by William Brazziel, which examines the shortcomings of school systems and makes some proposals for solving them; "Bid the Vassal Soar" consisting of separate interpretative essays on two early American poets, Phillis Wheatley and George Moses Horton; and "Song for Mumu," by Lindsay Barrett, a Jamaican novelist.

Barrett's book, which was hailed by British critics but never released in this country, is an example of one function executive editor Charles Harris sees for the press, providing an outlet for black writers who have no other recourse.

The four books on the first list, of 12 to be published this spring, reflect the press' philosophy of concentrating on the works of black authors.

"We won't just publish blacks," explains Harris, who spent a dozen years in New York at Doubleday and Random House before being lured to Howard, "but we do think that there will be people who will send us manuscripts because they will be aware of and more comfortable with our interest."

Temporarily quartered in century-old Howard Hall, once the residence of the school's founder, the Howard University Press, like most black institutions in this country, finds its mission in making up for inequities that exist under the present system.

"There is a feeling among many publishing houses that blacks don't read," says Harris. However, he points out, the top 10 public school systems in this country are predominantly black and Howard hopes to move into those areas with textbooks and materials.

"When publishers say that black books don't sell," he suggests, "I assume they're talking about novels, and that's a problem with all novels.

"The commercial publishing industry is a fad industry. At one moment it's women liberation, the new left, confrontation politics, Indians or blacks. At many publishing houses you don't have a commitment."

Harris and his staff of 12 are openly committed to black literature and to writers who find little understanding elsewhere.

"Many black writers are influenced by black music, so they have an approach to their art that is not classical," he says. "These things are not compatible with whites who think that Faulkner and William Styron are the living end."

Howard's list of books reflects the intention not to follow the traditions of other university presses. There is "Aiiieee!," an anthology of Asian-American writing, several other novels as well and scholarly works, including books by members of the Howard faculty.

"I like to view the university press simply as a publishing house owned by a university," said Harris. "We won't be in the posture of publishing books that only a thousand people can read. We see the press as a very innovative effort."

So far, Harris calls the response "strongly positive." He hopes to arrange paperback editions and distribution through larger publishing houses and expects to reach an output of 40 books a year by the end of 1975.

The press is funded from the university's private funds and does not expect to make money. "What we do hope is to be self-sufficient in about 5 years."

The first steps toward that goal will be celebrated today at a "Howard University Press Day" luncheon at the National Press Club and a reception on Capitol Hill in the evening sponsored by the Congressional Black Caucus.

END OF THE OIL EMBARGO: WHAT NOW?

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1974

Mr. BINGHAM. Mr. Speaker, the end of the Arab oil embargo against the United States, announced March 18, forces us to reflect on what the crisis of the last 5 months has taught us, and what effect the ending of the critical shortage will have on our growing energy problem and our resolve to become energy independent.

The energy shortage is not a brand-new phenomenon. According to experts, the worldwide petroleum-based energy shortage has been developing since 1970. U.S. domestic production peaked in that year and shortages in fuel oil and gasoline began showing up in scattered areas on the east coast in 1971. That year a group of us in Congress urged an end to the restrictive oil import quota system, which prevented the Northeast from easing its fuel situation, and replacement of it with a tariff system and the establishment of national defense petroleum reserves in the United States. These measures were designed to counter one of the principal arguments supporting the oil

industry-backed quota system which was protection of the United States from a cutoff of oil from insecure foreign sources. At that time the main insecure source we were mentioning was the Middle East supply. Our advice went unheeded. The quotas remained to "protect" the domestic industry and encourage domestic production. Instead production decreased and demand increased at an alarming rate. Under public and congressional pressure the quotas were lifted in 1973, but no national defense petroleum reserves adequate to handle a potential long-term foreign embargo were established. Many officials believed that such an embargo would never happen and looked to increased imports as the way to ease the immediate U.S. supply problem. Other industrialized nations followed the same course. The actions of the Arabs last fall crystallized the existing energy problem and made all of us realize how dependent we had become on Arab oil. Now that Arab imports are to resume, the danger is that we may be lulled into complacency again about the supply of energy and will postpone the hard decisions which must be taken now if we are to retain control over our economic and political destiny.

IMMEDIATE EFFECT

Federal Energy Office officials estimate that it will be early June before the full effect of the lifting of the embargo will be felt at the retail gasoline pumps. While oil industry officials are more optimistic about this timing, they agree with FEO that resumption of Arab oil imports will not end the U.S. oil shortage, and that we can expect continued high prices at the retail level.

It is estimated that by June total U.S. oil imports will be up to the level it was last October before the embargo. This amount—6.6 million barrels a day—is still about 4 percent short of our total oil needs. FEO hopes that conservation measures will take care of this remaining shortfall. However, our import needs are expected to grow as the year progresses. We will require imports of about 7 million barrels a day in the third quarter of 1974, and 7.4 million barrels a day in the fourth quarter. If sufficient foreign oil supplies are not available at that time, then the shortfall will be more severe.

Arab oil currently costs the United States about $14 a barrel when the cost of delivery is included. Foreign oil from Venezuela, Iran, and elsewhere is even more expensive. These prices are almost triple the cost of domestic "old" crude oil from established wells which was set at $5.25 a barrel by the Cost of Living Council last December. Domestic oil from new wells sells at the free U.S. market price of about $10 a barrel.

The U.S. petroleum price situation is further complicated by the rise in imports of refined petroleum products which U.S. companies buy at inflated international prices. Those public utilities and other businesses which do not have access to the lower priced domestic oil, and which depend increasingly on imported oil for their fuel or petroleum-based products, are suffering meteoric cost increases which are being passed on to the consumer in the form of higher prices. The Northeast, which depends on imported oil to a far greater extent than any other section of the country, has been especially hard hit by this price explosion. Illustrative of this are our recent Con Ed electric bills, which are causing intense hardship in many cases. Yet FEO officials and oil industry representatives offer no hope of relief; they have even been warning consumers to expect 60- to 75-cent gasoline in some areas this summer.

The allocation and domestic petroleum price control programs will remain in force until next February under a law passed last year. Fair distribution of oil supplies and price stability will depend on the ability of the Federal Energy Office to remedy the present inequities in the allocating program and to hold the oil companies in line in regard to their refining, distribution, and pricing policies to better meet the changing supply and demand situation. I have been especially critical of the FEO for not adequately dealing with the utility price explosion which has hit the Northeast. Utility rates in this area have increased an average of 44.3 percent since January 1974, while west coast rates have been raised only 5.6 percent in that time. For all-electric home users, the increases are 72 percent in the Northeast, as contrasted with 10.1 percent in the West. The differences of course stem from the degree of utility company dependency on fuel oil from foreign sources, which for west coast companies is only about 10 percent as compared with 85 percent for Con Ed. Those of us who are concerned about this kind of unequal price burden are pressing the FEO to correct the situation administratively by establishing a pooling system in their allocation program so that utilities in each part of the country receive a fair mix of expensive foreign and cheaper domestic crude oil for electrical generation purposes. We estimate that pooling would reduce the consumer's electric bill by as much as one-fourth in the Northeast.

The ending of the embargo has brought an all too quick relaxation, in my opinion, of voluntary conservation measures encouraged by Federal-State, and local governments. The voluntary ban on Sunday gas sales has been lifted by the President, and many jurisdictions have discontinued odd and even gasoline sales. Also the FEO and oil companies have increased gasoline allocations allowing stations to further ease restrictions on hours of operation. In addition the President has promised to increase fuel allocations to industry and agriculture to 100 percent of need for the coming months. However, certain other conservation measures continue to be stressed—lower speed limits, carpooling incentives, as well as encouragement to use private and public mass transit.

My concern is that the President's desire to report good news to the country causes him to belittle the very real possibility that the Arab oil embargo could be reimposed in June and to make light of the long-term energy shortage that faces us. We must bear in mind that the Arabs clearly indicated their intention to continue to use their control over their oil exports as a means of trying to influence U.S. actions and policies in the Middle East. Whether or not we can prevent early reimposition of the embargo by stimulating steps toward peace in the Middle East, our vulnerability to international political blackmail is intolerable and cannot be allowed to continue. Clearly, we must decrease our reliance on foreign oil—now about 35 percent of our domestic needs—by vigorously pursuing energy conservation measures, coupled with a program to provide the United States with alternative sources of energy. However tempting it may be to return to our "fuelish" ways because the short-range picture looks brighter, we must resist the temptation. If we do not, we may well be in worse shape the next time the oil blackmail tool is used.

We must also take into consideration the dangerous implications for our economy and the economies of Europe and Japan, as well as of many developing countries, which the massive outflow of currencies to the oil producing nations represents. Many foresee a worldwide depression as a result. The oil producers may well be in the process of killing the goose that laid the golden egg with their greed. But whatever happens to prices and to the embargo, we must take every step within our power to put an end to our dependence on insecure and possibly unfriendly sources of energy.

THE ENERGY CRISIS CREDIBILITY GAP PROGRAM

The operation of the oil and gas industry is one of the most secret and complex in this country. Government regulation of the industry has also been cloaked in secrecy, and incredibile as it may seem, that regulation has often been based on inadequate information.

A recent poll showed that more than 60 percent of the American people believe that the energy crisis is not real, but was contrived by the major oil companies to push up profits and was aggravated by Government ineptitude. Although in my view the shortage is real, so far as long-range prospects are concerned, there is certainly evidence to support the conspiracy theory. A preliminary Federal Trade Commission report on the oil industry issued last July revealed the anticompetitive nature of the industry. It noted that the major oil firms "have behaved in a similar fashion as would a classical monopolist; they have attempted to increase profits by restricting output." The report concluded that the major oil firms "have used the shortage as an occasion to debilitate, if not eradicate the independent marketing sector." Critics of the "majors" have pointed to capped domestic wells, increasing industry hoarding of supplies, restrictions on crude oil and refined products sales to independent refiners and retailers, monopolistic control of the pipeline distribution system, concentration on production and refining abroad rather than here at home, and an increasing monopolistic tendency toward control over other energy industries from production to retail sale. Current shortages, critics believe, were manufactured by the oil companies, not only to force out the independents, but to maintain favorable tax benefits, and reduce the influence of the environmentalists over energy resource exploitation and energy use.

To resolve the credibility gap problem should be one of the first tasks of any

comprehensive attack on the energy problem. This task involves two basic objectives: to fully investigate the factors which led to the energy crisis, particularly the role played by the oil and gas industry; and insure a flow of energy supply, production, price and profit information. Congress has recognized the information gap. We included a provision in the Emergency Energy Act passed in February, enabling FEO to require oil companies to report supply and production data in a manner that could be independently verified by Federal officials. Unfortunately, ths effort failed when the President's veto killed the bill.

Despite the veto, Congress is pressing ahead with a variety of hearings and legislative proposals on the energy credibility and information problem. Even the administration now favors comprehensive energy information legislation and has proposed its own bill.

In addition, there are other steps to be taken. I have proposed legislation that would create a select committee to study the causes of the energy crisis, particularly the oil and gas industry's involvement. Also, I have introduced a bill which would establish a national energy information system open to the public and require the Department of Interior to undertake a complete inventory of all U.S. energy resources on public lands and elsewhere to be monitored by Congress watchdog agency, the General Accounting Office. This last proposal is especially vital if the Federal Government is to make energy policy in the public interest. I am advised that the Senate Interior Committee is marking up a bill similar to mine and I am hopeful for congressional action in the near future.

LOOKING AHEAD

The hardships of the last 5 months have not yet produced a consensus on what our national energy policy should be. There is vague agreement on seeking energy self-sufficiency, but vigorous differences on when and how this goal can be achieved and what human and environmental costs are acceptable to achieve it. The energy information gap, aggravated by the narcotic effect of the ending of the embargo, is a major cause for this lack of consensus. In addition to its efforts to cope with the shortrun problems, Congress is also at work on a variety of legislative measures seeking to increase U.S. energy supplies and our future energy alternatives, but with discouraging slowness, partly because of committee jurisdictional conflicts. We must also try to bring a measure of justice to the energy supply and price distribution system in this country. Hopefully, the day when the oil and gas industry could have things all their own way is over.

RESULTS OF SURVEY ON LAND DISTURBED BY SURFACE MINING

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1974

Mr. MICHEL. Mr. Speaker, I have just obtained the results of a new survey conducted by the Soil Conservation Service in the Department of Agriculture of the status of land disturbed by surface mining in each of our States.

While similar surveys were made by SCS in 1964 and 1971, the 1973 survey is the first to break down the disturbed acreages into three categories of minerals—specifically, into coal, sand and gravel; and all other surface mined commodities. In light of current national interest in surface mining for coal, this is a most timely and useful breakdown.

In some ways, the result of the latest survey are distressing; in others, they are encouraging.

First, the survey reports that a total of 4.4 million acres of land has been disturbed by surface mining in the United States over the years. Of this total, more than 2.5 million acres are in need of reclamation—an increase of half a million acres since the first survey conducted by SCS in 1965. Almost a million acres needing reclamation were disturbed by coal mining.

At the same time, however, SCS reports that nearly 1.9 million acres of surface mined land no longer require reclamation, either because natural processes have healed the scars or, more significantly, because of the reclamation efforts of thousands of individuals and companies, many of them working in close cooperation with local conservation districts.

The role of soil conservation districts in mined land reclamation is not generally understood or appreciated. Restoring surface mined acres to productive use is as much a part of the day-to-day work of these districts as is healing the gullies in fields eroded by water or keeping the soil from blowing in the Great Plains.

The SCS survey reveals that 1,973 local conservation districts—or about two-thirds of all the districts in the Nation—have been involved in efforts to reclaim more than 1 million acres of surface-mined land. This work is not limited to a few localities, but is being carried on in 49 of our 50 States. The conservation districts, together with the SCS technicians assigned to work with them, have assisted 22,511 district cooperators with mine reclamation projects. It should be remembered that most of these cooperators are not mining companies, but are individual farmers and ranchers. The overwhelming majority of the acres on which reclamation is taking place are privately owned farm and ranchlands.

SCS statistics also reveal that the pace of reclamation work by private landowners is speeding up. Previous surveys by the agency reveal involvement by only 1,337 conservation districts, compared with the nearly 2,000 today. The number of cooperators increased from 10,000 to the present figure of more than 22,000—more than double in less than a decade. And the acres reclaimed have risen from 338,000 to more than a million today. This rapid increase in activity is an indication of a growing recognition of the need for mined land reclamation by both districts and individual farmers and ranchers.

This widespread reclamation work through the country is resulting in significant reductions in soil erosion, sedimentation, and pollution of streams from acid mine waste. It is adding to the scenic beauty of our countryside. And it is helping to transform useless lands into productive lands—useful for forests, for pasture or range, wildlife habitat, recreation, crop production, or even building sites.

Some of the specific contributions of the conservation districts and the Soil Conservation Service to mined land reclamation include providing soils information; guidelines for shaping the damaged land; information on new plant varieties to fight erosion and provide attractive ground cover; and designs for water control structures to prevent further damage to land and waterways.

Many of the plants which are proving most effective in revegetating mined areas were developed by SCS at one of its 20 plant material centers around the country. The SCS center at Quicksand, Ky., was established specifically to locate, study, and increase the supply of plants to reclaim surface mined land. Some of these plants grow well in thin or acid soil; others thrive on steep slopes, where they prevent further erosion and slides. Among the most useful of these plants are cardinal autumn olive, Arnot bristly locust, Rem red amur honeysuckle, emerald crownvetch, Japanese bush lespedeza, and weeping lovegrass. These plants are well adapted to mined areas and provide needed surface cover faster than trees. Several varieties also provide food and cover for wildlife and are most attractive.

But encouraging as this work may be, we should not lose sight of the fact that the acreage of surface mined land requiring reclamation is also going up, and that reclamation of many hundreds of thousands of acres may well be beyond the financial reach of many farmers, ranchers, and small companies. The districts and the SCS technicians have enormous technical competence, but it will take more than competence alone to restore many of the "orphan" mined lands in the United States. It will also take money and leadership.

I include the results of the January 1, 1974, survey by SCS of the "Status of Land Disturbed by Surface Mining, by States," in the RECORD:

U.S. DEPARTMENT OF AGRICULTURE,
SOIL CONSERVATION SERVICE,
Washington, D.C., March 26, 1974.

From: Kenneth E. Grant, Administrator.

Re: Status of Land Disturbed by Surface Mining as of January 1, 1974, by States.

The recent estimates made of the status of land disturbed by surface mining in each state is summarized in Table 1. This is the third such estimate. Prior ones were made in 1964 and 1971 by the Soil Conservation Service. This is the first one, however, to show the status of disturbed acreages by the kind of mineral materials removed (coal, sand, and gravel, and all other surface-mined commodities).

Recent federal legislative proposals have focused on surface mining for coal. For this reason, this newest survey is the first one by the Soil Conservation Service to separate surface mining for coal from sand and gravel and all other surface mining.

Some legislative proposals have separated "orphan" surface-mined lands from active and future surface mining activities. "Orphan" lands are ones which have been abandoned. That is, the economically minable materials have been extracted and the

mining operation has ceased. There is no evidence that the mining operation will be reopened.

Table 2 shows the nationwide changes in the status of surface-mined lands from 1964 through 1973. In the publication, "Surface Mining and Our Environment—A Special Report to the Nation," by the USDI, it was estimated that "153,000 acres of land were disturbed in 1964 by strip and surface mining. . . . This annual rate of disturbance is expected to increase in future years." Table 2 shows that the total land disturbed annually in the last two years has indeed exceeded the 1964 rate of disturbance by 35 percent. The present concerns about energy combined with the knowledge about our huge coal reserves make it quite likely that the annual rate of land disturbance will be even greater.

We are pleased to see the increasing role of conservation districts and their cooperators in reclaiming surface-mined areas. Tables 3 and 4 summarize their inputs.

These data may be used in news releases, feature stories and other informational activities. They will prove useful, too, in planning program activities and evaluating progress in surface-mined area reclamation.

In connection with using individual statewide figures, we noticed that a number of states showed fewer acres of total land disturbed in this newest survey than is shown in the 1972 survey report. In some instances we know this has been due to more precise information. We believe these kinds of differences do not seriously affect our national figures. However, state conservationists should be aware of any problems which might occur as a result of such differences in figures for their state.

NORMAN A. BORG,
Acting Administrator.

TABLE 1.—STATUS OF LAND DISTURBED BY SURFACE MINING IN THE UNITED STATES AS OF JAN. 1, 1974, BY STATES[1]

State	Land needing reclamation						Land not requiring reclamation	Total land disturbed
	Reclamation not required by any law			Reclamation required by law				
	Coal mines	Sand and gravel	Other mined areas	Coal mines	Sand and gravel	Other mined areas		
Alabama	57,878	17,369	17,747	7,118	1,800	2,816	75,432	180,160
Alaska	2,400	1,900	4,000				4,260	12,560
Arizona	150	3,180	48,700				43,070	95,100
Arkansas	9,451	7,973	10,293	494	3,417	1,515	14,822	47,965
California		62,730	6,970				109,500	179,200
Caribbean area								
Colorado	4,687	20,655	512	641	18,484	417	13,582	58,978
Connecticut		9,930	160		4,675	425	130	15,320
Delaware		2,558	330				1,717	4,605
Florida		11,144	110,402		1,467	71,472	54,694	249,179
Georgia		1,285	14,779		1,125	12,425	8,744	38,358
Hawaii		25	1,000				250	1,275
Idaho		10,635	13,598	175	594	938	3,251	29,191
Illinois	49,748	4,840	3,130	20,891	45	1,284	103,579	183,517
Indiana	2,500	8,500	7,800	6,000		200	123,662	148,662
Iowa	25,650	20,300	2,414					48,364
Kansas	43,700	13,062	19,052	2,500	598	2,068	14,028	95,008
Kentucky	69,000			117,000	2,852	7,083	94,000	289,935
Louisiana		14,820	959				6,925	22,704
Maine		23,030	1,592		1,236	455	13,287	39,600
Maryland	2,250	11,825	3,942	3,851	4,749	966	16,683	44,266
Massachusetts		15,642	1,738		12,798	1,422	23,150	54,750
Michigan	500	43,402	24,769		7,286	880	22,601	99,438
Minnesota		29,789	25,592		9,124	5,288	69,071	138,864
Mississippi		34,529	10,069				873	45,471
Missouri	72,506	6,426	11,850	1,250	75	625	20,596	113,328
Montana	300	9,800	5,090	300	200	660	15,260	31,610
Nebraska		15,138	4,087				6,156	25,386
Nevada		16,474	5,491				13,288	35,253
New Hampshire		7,900					4,400	12,300
New Jersey		16,500	500		600	200	12,200	30,000
New Mexico		6,506	14,150	25,798			1,261	47,715
New York		38,184	17,426		6,123	1,752	18,458	81,943
North Carolina		11,900	4,800		3,700	5,200	7,000	32,600
North Dakota	10,000	9,200	2,500	200	500	100	23,000	45,500
Ohio	23,926	15,557	19,276	45,825			225,664	330,248
Oklahoma	13,858	6,348	5,209	6,350	2,044	2,883	21,211	57,903
Oregon		5,105	1,495		80	20	2,900	9,600
Pennsylvania	159,000	10,500	20,500	33,000	12,500	22,500	220,000	478,000
Rhode Island		2,000	700				1,300	4,000
South Carolina		8,500	12,000				15,000	35,500
South Dakota	790	9,455	5,601		6,012	595	51,084	73,537
Tennessee	20,500	4,850	6,000	5,200	100	600	88,450	125,700
Texas	5,470	126,595	51,927				30,311	214,303
Utah	120	1,480	1,800				2,800	6,200
Vermont		4,350						4,350
Virginia	18,000	1,725	5,475	5,014	775	2,455	38,664	72,108
Washington	471	11,328	6,935	1,010	9,649	1,146	2,494	33,033
West Virginia	25,720	1,000		51,560			197,930	276,210
Wisconsin	234	40,526	5,406	76	7,204	990	23,887	78,323
Wyoming	3,078	400	11,920	2,828	280	7,686	15,398	41,590
Total	621,887	756,870	549,686	337,081	120,092	157,066	1,876,028	4,418,710

[1] Based on information supplied by Soil Conservation Service State conservationists.

TABLE 2.—STATUS OF LAND DISTURBED BY SURFACE MINING IN THE UNITED STATES FROM JAN. 1, 1965 TO JAN. 1, 1974

[Thousand acres]

	1965[1]	1972[2]	1974[3]
Land requiring reclamation	2,040.6	2,181.2	2,542.7
Land not requiring reclamation	1,147.2	1,823.7	1,876.0
Total land disturbed	3,187.8	4,004.9	4,418.7

[1] Surface Mining and Our Environment—A Special Report, app. I, table 2.
[2] Survey made by the Soil Conservation Service and reported in the Congressional Record—Senate, p. 16371, Oct. 29, 1972.
[3] Survey made by the Soil Conservation Service.

TABLE 3.—MINED LAND RECLAMATION WORK IN CONSERVATION DISTRICTS THROUGH JAN. 1, 1974

State	Number of districts involved	Number of district cooperators	Area reclaimed (acres)
Alabama	52	536	48,565
Alaska	1		200
Arizona	8	14	6,400
Arkansas	72	738	9,173
California	42	58	7,500
Caribbean area			
Colorado	12	8	2,348
Connecticut	7	26	1,940
Delaware	3	78	1,211
Florida	46	421	33,823
Georgia	19	170	5,192
Hawaii	2	2	200
Idaho	51	65	2,583
Illinois	60	130	90,000
Indiana	15	224	123,662
Iowa	29	169	3,500
Kansas	102	4,739	7,660
Kentucky	54	152	94,000
Louisiana	24	296	4,155
Maine	16	218	920
Maryland	24	287	7,838
Massachusetts	15	250	23,150
Michigan	85	431	11,484
Minnesota	92	1,527	7,041
Mississippi	80	834	12,263
Missouri	22	57	2,130
Montana	50	105	2,950
Nebraska	24	250	19,225

TABLE 3.—MINED LAND RECLAMATION WORK IN CONSERVATION DISTRICTS THROUGH JAN. 1, 1974—Con.

State	Number of districts involved	Number of district cooperators	Area reclaimed (acres)
Nevada	3	3	265
New Hampshire	10	50	210
New Jersey	7	10	400
New Mexico	52	986	730
New York	39	159	3,674
North Carolina	73	407	6,100
North Dakota	65	1,500	17,000
Ohio	88	400	225,664
Oklahoma	73	849	8,650
Oregon	20	50	250
Pennsylvania	66	800	58,500
Rhode Island	3	6	
South Carolina	15	25	1,600
South Dakota	63	1,120	2,140
Tennessee	20	222	10,030
Texas	190	3,226	38,410
Utah	7	8	306
Vermont			
Virginia	15	38	23,020
Washington	62	442	2,059
West Virginia	11	2,600	73,000
Wisconsin	72	758	5,593
Wyoming	12	22	6,430
Total	1,973	22,511	1,013,144

TABLE 4.—NATIONAL TRENDS IN MINED-LAND RECLAMATION WORK INVOLVEMENT BY CONSERVATION DISTRICTS, 1965–74 [1]

	1965–72	[2] 1974
Number of districts involved	1,337	1,973
Number of cooperators	10,218	22,511
Acres reclaimed (thousand acres)	338.0	1,013.1

[1] Based on information from Soil Conservation Service State offices.
[2] Total to Jan. 1, 1974.

ARTICLE CLEARLY DESCRIBES DISPUTE OVER ADEQUACY OF VIETNAM ERA VETS BENEFITS

HON. H. JOHN HEINZ III

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1974

Mr. HEINZ. Mr. Speaker, there is a pressing need to greatly upgrade and extend educational and rehabilitation benefits for veterans, especially those of the Vietnam era. I hope that with such eventual upgrading will come equalization so that recent veterans will have the same opportunities as those afforded veterans of World War II and Korea.

That is the aim of H.R. 12506, which I introduced on February 4, 1974.

In the Sunday, April 7, edition of the Washington Post, there appeared an article which spells out precisely the problems facing today's young veterans. I think it provides valuable insights into a problem affecting many of our young men and women today and I am having it inserted in the RECORD at this point for the benefit of my colleagues who might not have read it:

[From the Washington Post, Apr. 7, 1974]

ARE VETS' BENEFITS ADEQUATE?

(By William Greider)

There's an established tradition in America that, in between wars, people argue about how the country is treating its old soldiers.

Donald E. Johnson, a World War II vet himself and former national commander of the American Legion, blistered public indifference toward the veterans in typical rhetoric, designed to provoke patriotic guilt.

"They believe they are forgotten men, fighting to halt aggression halfway round the world and receiving little or no recognition for it," Johnson complained.

That speech was in 1953 and the vets were from the Korean War. Now there is a new generation of "forgotten men" from Vietnam. And Donald Johnson, as President Nixon's chief of the Veterans Administration, is catching the flak about how they are treated.

Last week, for instance three national veterans' organizations, an influential congressman and a senator called for Johnson's ouster as head of the VA. They accuse him of crippling both educational and medical programs, and blame him for problems ranging from poor care at the VA's 170 hospitals to late benefit checks for the 1.5 million Vietnam vets who are going to school on the GI bill.

"The present GI bill system," the Vietnam Veterans Center proclaims, "violates the intent of Congress and denies education and training to millions of needy Vietnam era veterans."

Yet Donald Johnson says, in so many words, that U.S. veterans never had it so good. The government is spending $13 billion a year on them now, an enormous increase over the last few years, and they are using the programs—from educational aid to home loans—in record numbers.

The VA asserts: "The average Vietnam veteran attending a four-year public or a two-year public institution has educational benefits slightly higher than his World War II counterpart when adjustments for changes in the Consumer Price Index are made."

So, for veterans, it is either the best of times or the worst of times, depending on whom you listen to. Which one is right?

The answer is complicated because, in some respects, they are both right. For millions of young men home from Vietnam, the GI bill today gives them everything their fathers got when they came home from World War II and maybe even a little extra. Yet for another group of today's veterans—especially the poor, especially the young married men—it's not such a good deal. A lot of them—millions of them—are not going to school because today's GI bill doesn't pay the bills the way it did a generation ago.

To understand the arguments on both sides, you have to go back to the heady fanfare which greeted the homecoming GI's after V-J Day in 1945. In its patriotic fervor, Congress had already enacted the GI bill, an unprecedented plan to help the veterans of World War II—low-interest home loans, temporary housing, cash supplements during their first year of adjustment and most important, an educational aid program which helped to revolutionize higher education in America.

Every veteran could go to school anywhere he chose and the government would pick up the whole tab for books, fees and tuition, up to $500. Even with the postwar inflation, $500 would buy the best education in America. Harvard's enrollment in 1947 was 59 percent veterans. The money went directly to the schools and each veteran, if he was single, received $75 a month for his living expenses, slightly more if he had a family.

The plan worked so well, opening doors for so many young Americans who would never have dreamed of a college education, that it is fondly remembered as an important social equalizer, a chance for millions to raise their economic status.

Yet VA officials had a different memory burned into their collective consciousness—a national scandal. In 1950, congressional investigators discovered that a lot of schools and colleges were getting rich on the vets, jacking up tuition rates to collect more from the government treasury.

One college increased its charge for vets from $25 to $100 per quarter. Anothr raised its rate from $15 to $100 per quarter. Another raised its rate from $15 to $200 though its cost per student averaged $65 after its other federal aid grants were deducted.

One state military school collected from both the state government and the VA and then paid cash bonuses to its students when they graduated. Some colleges built fancy stadiums, thanks in large part to the GI bill.

As it hapepns, that 1950 investigation was led by Rep. Olin Teague (D-Tex.), former chairman of the House Veterans Affairs Committee and still its ranking Democrat. The experience persuaded Teague that university administrators couldn't be trusted with direct tuition grants. It absolutely traumatized the VA bureaucrats. Never again, they said.

The system was changed for the Korean conflict veterans. Instead of direct payments to the schools, each vet would get a monthly allowance which was supposed to be large enough to cover his tuition and his living expenses.

That approach is under attack now as inequitable and terribly inadequate for millions of veterans. Some senators and congressmen (though not Teague) are pushing legislation which would create a tuition supplement, up to $600, depending on the cost of a veteran's particular school.

The Vietnam vet, if he is single with no dependents, receives a monthly check of $220—or $1,980 which has to cover his tuition, books, fees, and nine months of rent, food and so forth. Obviously, that won't get you into Harvard where tuition, room and board will cost $5,700 next fall. Harvard had 1.5 percent veterans in its 1972 enrollment.

But it also won't get you into Slippery Rock State College in Pennsylvania, which will cost $2,350 next fall, or scores of other private and public institutions where the price of higher education has skyrocketed. NYU had 14,359 vets in 1947—last year it had 463.

Congress has raised the education allowance twice in the last five years, both times over objections from the VA and the White House. The House recently passed another increase of 13 percent and Senate leaders are thinking of an even bigger figure, though the Nixon Administration wants to hold it to an 8 percent increase.

Overall, the VA insists that current participation under the GI bill is better than it ever was before. Approximately 51 percent of the Vietnam era's 6.5 million veterans have used the aid for some kind of schooling (24 percent of them went to college). That compares to 42 percent participation after the Korean war and 50 percent for World War II vets (when 15 percent went to college).

The trouble with that comparison, according to the critics, is that Vietnam vets are coming home to a different world—where college education is not so rare. In 1940, only about seven percent of Americans, age 25 to 29, had been to college. By 1970, that group had nearly tripled in size. Thus, the World War II vets were breaking the national pattern and reshaping it. The Vietnam vets are more or less following it.

But the major complaint is that the current system of monthly checks serves veterans in a discriminatory way. If he lives in a state like California where public education is virtually free, the $220 a month is a good deal. Even if he is married with children, he may be able to manage it. Even if he is poor.

But if he lives in a state like New York or Ohio or Indiana or Pennsylvania where even public schools charge some stiff fees, his opportunities go way down, especially when the local job market is so tight he cannot find parttime employment. California, which supports a large system of junior colleges as well as four-year colleges, has the highest college participation rate among its veterans—37 percent. In Indiana, it is 4 percent.

"The GI bill is adequate," said Forrest Lindley, one of the young vets lobbying for improvements, "only if you are a single vet going to a public school in a low-tuition state."

For instance, two-thirds of the Vietnam veterans are married, but only about one of seven of them is using the GI bill. Lindley

and others also argue that on a strict dollar-for-dollar comparison the maximum World War II benefits equal about $3,800 in current dollars, compared to the $1,980 in allowances provided today. Vets are also more likely to use the GI bill if they were already in college before the war—suggesting that middle-class vets are cashing in more easily than the poor.

The VA turns the question around, however. By looking only at those who are using the GI bill today, most of whom are going to public low-cost schools, it concludes that a slight majority of them would actually lose if the government returned to the old system. For instance, the old $75 allowance translates into about $166 a month in today's dollars. A Vietnam veteran who is now getting $220 a month (and who attends a tuition-free school) gets a little more cash.

But what about the millions who aren't going to school? Or those who just happen to live in states where public education isn't so cheap? The reformers are pushing a "tuition equalizer" which would help them—a government voucher for tuition costs over the national average of $400 but limited to a ceiling of $1,000.

That still wouldn't get many veterans into Harvard, but it would open up a wide number of public and private colleges, especially in the Midwest and East, which are now too dear for someone trying to live on GI benefits. There are companion proposals too, such as an "accelerator" provision which would allow married vets to use up their entitlement faster and get more cash each month.

The VA opposes those measures. So does Rep. Teague. In terms of choice, they would agree that today's veterans can't afford the more expensive schools which were open to vets after World War II. But then neither can the non-veterans. College enrollment has shifted heavily toward public institutions because of soaring tuition, a trend which the VA doesn't see as especially harmful.

Likewise, they concede that the present system creates some geographical bias. A Pennsylvania vet has money problems which don't confront a California vet.

"There's no pretense," said Meadows, "of the program being designed to meet all the peculiar problems of the individual. It's designed to provide equal benefits for equal service."

The critics argue that the principle is a sham when so many veterans can't buy the same educational services with their "equal benefits." Yet, as Meadows argues, if Congress does provide tuition supplements for states which don't provide low-cost public schools for their young, is that fair to states like California which do?

"You're not going to shovel out 600 to high-cost schools in Pennsylvania or New York without the others wanting the same thing," Meadows warned.

Congress will have to answer that question if it goes for the tuition plan this year. Meanwhile, it will be fighting the Nixon Administration over Donald Johnson's management of the VA as well as on the basic issue of how much benefits should be increased to keep up with inflation. The old soldiers won't be forgotten, at least for a while.

CASE FOR A FEDERAL OIL AND GAS CORPORATION—NO. 18

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1974

Mr. HARRINGTON. Mr. Speaker, in an extension of remarks I inserted in the RECORD of March 18, I pointed out that the President has recommended that Standard Oil of California be permitted to extract up to 160,000 barrels of oil a day from the Navy oil reserve at Elk Hills, Calif. Such action would ostensibly help relieve the energy crisis; however, as I noted, while Socal would realize $200 million in profits in the first year of production, our energy plight would be unaltered because the amount of oil which could be recovered represents only nine-tenths of 1 percent of our total domestic consumption.

On March 23, the New Republic discussed the consequences of allowing Socal to develop Elk Hills, and suggested that a Federal Oil and Gas Corporation "explore, maintain, and exploit Federal oil lands," if such lands are to be exploited at all. The article illustrates the possible value of a Federal Oil and Gas Corporation in safeguarding resources like Elk Hills, and I wish to call my colleagues' attention to it.

The article follows:

STANDARD OPERATING PROCEDURE

The President and three congressmen from California, Alphonzo Bell, James Corman and William Ketchum, are leading a campaign to open the navy oil reserve at Elk Hills to private—not public—development. Under existing law, written to prevent a repetition of Teapot Dome scandals, it can't be exploited except during a national emergency, and Mr. Nixon tells us the "crisis has passed." The last time anyone opened Elk Hills other than in wartime was during Warren Harding's administration when the reserve was leased fraudulently to oil magnate Edward Doheny. (His leases were subsequently cancelled.) But in 1970 Mr. Nixon began promoting a plan whereby oil companies would give the government certain leases of doubtful value in the Santa Barbara Channel, some of which proved unusable after the famous blow-out that soaked the beaches with oil, and in return the government would give the companies either money or an equivalent in oil to repay their losses in Santa Barbara. Either way, fabulously rich Elk Hills was to be tapped to finance the transaction. Congress was not impressed by the plan and it was set aside. What was not set aside was the President's request for immediate authority to open Elk Hills. The navy was persuaded that an emergency exists, approved the request and passed it on to the Senate, which quickly drafted legislation.

The legislation might have been approved by Christmas if the meddlesome House Armed Services Committee hadn't interfered. Rep. Edward Hébert (D, La.), chairman of the committee, has a literal mind no one would open Elk Hills until Hébert was convinced there *was* a national emergency. He turned over the Elk Hills proposal to a subcommittee "for study," which is to say, for burial. On March 5, however, Rep. Bell, former president of Bell Petroleum in California, and Rep. Ketchum, whose district includes Elk Hills, announced they were filing a "discharge petition" to force Hébert to release the bill. They have since been joined by about 25 cosigners, including Reps. Corman, Drinan and Conte. The petition needs 218 signatures to prevail.

Who would benefit? Consumers would barely feel the effect, for the legislation would allow production of only one percent of the amount of gasoline used each day in the United States. But the effect on California oil companies would be tremendous, the chief beneficiary being Standard Oil of California (Socal), the largest oil company in the state, which owns about 20 percent of the land inside the navy reserve. In 1944 Socal signed a special contract agreeing not to remove oil from its part of Elk Hills without the navy's consent; that is, only in the event of a national emergency. Socal also runs the reserve for the navy, because it owns the only pipeline in the vicinity.

When the administration wanted to trade the Santa Barbara leases for Elk Hills four years ago, Richard Kleindienst, then Deputy Attorney General, advised the White House against it. His confidential memo, released on March 7 by Rep. John Moss, shows that from the beginning both the White House and the Justice Department were aware of the flaws in the Santa Barbara deal and of Socal's monopoly position in Elk Hills. Kleindienst, writing to Robert Mayo in the budget office, pointed out that Socal had large investments in the troubled Santa Barbara Channel, and that an increase in Elk Hills production would probably damage the reserve. He described Socal's monopoly in the clearest terms: ". . . the question is whether the navy can sell the oil on the open market at a fair market price. While the navy could, of course, purport to make the oil available on arms length competitive bids, lack of opportunity for effective competition with respect to oil on the reserve would prevent establishment there of a fair market price. Standard Oil Company of California is in a controlling position with respect to such oil sales. . . . Standard owns the only pipeline connected to the field, which any purchaser of Elk Hills oil must use for the first link in transportation to any refinery. The Standard line, however, is a private carrier, handling only oil owned by the company. Consequently, in order to move the oil, any purchaser must make arrangements for sale to Standard and repurchase from it at the delivery point. These factors constitute a serious limitation of the opportunity of competitors of Standard to bid."

That warning went to the White House in April 1970, but didn't stop the administration from pushing the Santa Barbara trade-off. Nor did it stop the President from approving a special contract with Shell Oil for the sale of excess oil coming out of the reserve. The government only considered two bids for that contract, tendered by Shell and Socal. They were identical.

Rep. Moss has released another batch of confidential memos that give us a glimpse of Socal's inner workings. They reveal that Socal executives in San Francisco have been trying since 1970 to find a way to tap oil pools under its property which run into the reserve. If they were tapped they would cost the navy not only oil, but extra maintenance fees paid to Socal. Most of the discussion in these memos turns on the problem of how to drill close to Elk Hills without alarming the navy or exciting the interest of its legal team. A company recommendation of June 21, 1973 says, "The play [exploratory drilling] should be given further detailed review from an operating standpoint to determine how far away from the boundary of the reserve drilling and production could be kept, and how long a time might go by before evidence of potential drainage of the reserve might become evident." A memo in July written by John Thacher, then assistant to the chairman of the Socal board, warned against drilling too close to the reserve: "I think we should exercise extreme caution before drilling locations to the south of the initial well. . . ." In another memo written just before Socal made up its mind to drill near the reserve, Thacher proposed defending the action, if challenged, by saying that the drill site at "7–R" was chosen because Socal thought it would do the least damage of several sites being considered. Thacher was overruled by the president of the company, Harold J. Haynes, who argued that Socal might want to bite deeper into the reserve later on. Socal wanted to move discreetly; it also wanted to move quickly, as

one memo said, because this "could allow considerable production *before* government reacts."

The game plan was a success. With negligible exploratory and legal costs, Socal sank 10 wells next to the reserve last year and removed 1.5 million barrels of excellent crude oil before it was stopped. At the free market rate that oil was worth $15 million. After proving that the company was draining the reserve, the navy went to court and won an injunction against Socal on February 14.

Why does the President believe that Elk Hills must now be opened? As noted the bill in Congress if passed would supply only 70,400 barrels of gasoline a day in a country that demands between six and seven million barrels a day. It wouldn't lower the price of gas, because under present regulations the Elk Hills oil would be sold at the free market rate, about $10 a barrel. But it *would* help the California oil industry and some of the President's friends at Socal. They kicked in about $163,000 for his campaign in 1972.

If the Arab embargo is soon to be lifted, as reported last week, the President's rationale for quick action on Elk Hills may be rendered "inoperative." But basic decisions still have to be made. As panic subsides Congress can more coolly consider whether there are not better ways to dispose of public-owned oil than by dumping it into the tanks of the nearest monopoly. A public corporation of the sort envisioned in Sen. Adlai Stevenson's energy bill (S2506) is the appropriate instrument to explore, maintain and exploit federal oil lands. The bill, now in markup before the Senate Commerce Committee, would set up an oil and gas company that reports to but is independent of the federal government. The FOGC, as it is called, would be entitled to 20 percent of all federal oil and gas leases offered each year, and it would become the prime contractor for all work on the reserves. It would end Socal's stranglehold on Elk Hills and prevent similar monopoly exploitation at other reserves.

WANTS YOUR OPINION

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1974

Mr. EILBERG. Mr. Speaker, every year I have been in Congress since 1967 I have sent a questionnaire to every home in my district. This is the eighth time I will be sending out this survey. Each of the previous questionnaires have proved invaluable to me as the representative of the people of the Fourth District of Pennsylvania.

At this time I enter into the RECORD the letter to the residents of my district which will accompany the questionnaire and the questionnaire itself:

WANTS YOUR OPINION

APRIL 1974.

DEAR FRIEND: Every year I have been in Congress I have asked for your help in deciding how I should vote on the issues before the country. This year more than ever, it is vital that you speak out. The manner in which we solve the problems now facing us will affect our lives for many years to come.

Henry Clay said, "Government is a trust, and the officers of the government are trustees; and both the trust and the trustees are created for the benefit of the people."

For the first time in this century, the nation has been confronted with the possibility that this trust has been violated, and the question of the impeachment of the President of the United States is under serious consideration.

While my decision on how I shall vote on the matter of impeachment must be based solely on the evidence gathered by the staff of the Judiciary Committee of the House of Representatives, I should know your feelings on questions of policy and the President's conduct.

Additionally, the country is facing the combined problems of a shortage of energy, rapidly rising prices for basic necessities, and increasing unemployment. It is a situation we have never had to deal with before.

If I am to represent your interests in the Congress, I must know how you have been affected by these conditions and what you believe should be done about them.

It will only take a few minutes to answer the questions. Your answers will be confidential. If you have any additional comments, please do not hesitate to add them to the questions.

If you want more than one questionnaire for your family, please contact by district office, 216 First Federal Building, Castor and Cottman Avenues, Philadelphia, Pennsylvania, 19111 (RA 2–1717).

When the answers are tabulated, I shall send the results to every household in the district.

With best wishes.

Sincerely,

JOSHUA EILBERG.

1. Do you believe the President's statement that he had no knowledge of either the planning of the Watergate break-in or the cover-up which followed it? Yes, no, undecided.

2. Should the President be held responsible for the actions of his aides? Yes, no, undecided.

3. Do you believe President Nixon should give the House Judiciary Committee all of the information the Committee requests for its impeachment inquiry? Yes, no, undecided.

4. If the President fails to comply with the Committee's requests, do you believe he should be impeached for withholding this evidence? Yes, no, undecided.

5. Should the United States refuse to grant trade concessions to the Soviet Union until the Russian Jews are permitted to emigrate to Israel? Yes, no, undecided.

6. Do you believe the "energy crisis" has been at least partially manufactured by the oil companies? Yes, no undecided.

7. Are the oil companies using the "energy crisis" to increase their profits? Yes, no, undecided.

8. The eight major petroleum companies control more than 50 percent of the industry. In order to increase competition in the oil industry, should these firms be forced to give up either the production and refining of fuel or the retail selling of gas and oil? Yes, no, undecided.

9. Should environmental regulations be reduced in order to make more fuel available? Yes, no, undecided.

10. If the fuel shortage continues, should the country adopt a system of gas rationing? Yes, no, undecided.

11. Do you believe the experiment with year-round Daylight Savings Time should be continued as a means of conserving energy? Yes, no, undecided.

12. Should grain sales to Russia and other countries continue if these sales continue to cause higher food prices? Yes, no, undecided.

13. Are you buying more or less:

Meat, more, less, same amount.

Poultry, more, less, same amount.

Fish, more, less, same amount.

Fresh fruits and vegetables, more, less, same amount.

Canned, powdered, and frozen foods, more, less, same amount.

14. Have the increases in the prices of basic necessities caused a noticeable change in your style of living? Yes, no, undecided.

15. Will you take a shorten or less expensive vacation this year? Yes, no, undecided.

16. Do you believe the Administration's policies will solve the nation's economic problems? Yes, no, undecided.

17. Do you believe the President is more concerned with helping big business instead of the consumer? Yes, no, undecided.

18. Should the United States reduce the number of troops stationed in Europe? Yes, no, undecided.

19. What do you think are the three most pressing problems facing America today: (Please list in order of urgency)

20. What is the one local problem which troubles you the most?

SUPERIOR JUDGE BOWIE GRAY

HON. DAWSON MATHIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1974

Mr. MATHIS of Georgia. Mr. Speaker, recently, in the Georgia Courts Journal there appeared an article written about a distinguished jurist in Georgia, Judge Bowie Gray. Judge Gray is a personal friend and an outstanding judge whose record of service is unsurpassed. A fair man, a learned man, a compassionate man, a tough man, Judge Bowie Gray is also a good man.

The article, written by another distinguished judge, James B. O'Connor of the Oconee Judicial Circuit, was reprinted in the Wiregrass Farmer in Turner County, Ashburn, Ga.

I was so impressed by the article that I include it in the CONGRESSIONAL RECORD for all to see:

SUPERIOR JUDGE BOWIE GRAY

It is a challenge and honor to write a "Profile" on Judge J. Bowie Gray, of Superior Court of the Tifton Judicial Circuit. He was born in Cragford, Alabama, graduated from high school and received the AB and LLB degrees from Mercer. From 1936 to 1940 he taught school, acted as athletic coach and practiced law in Adel. In 1940 he began service as a special agent with the F.B.I. with a variety of work assignments, mostly on the West Coast. In 1947 he began the practice of law in Tifton, a city which he selected solely as a personal choice, and served as Solicitor General of the Tifton Circuit from January 1, 1949, until January 8, 1955. At this time he was appointed to the present judgeship he holds to fill the unexpired term of William Clyde Fourhand. He has been elected to five full terms without opposition, his present term commencing January 1, 1973.

Bowie Gray is a "family" man whose success is based on a team effort with his lovely wife, Julia. She once attended his court and, after observing a lot of apparently idle moments on the bench, suggested that he take to court some Christmas cards and help her with the addressing. Julia recently "retired" as church organist at the First Methodist Church in Tifton after twenty years of service. They have two children, one daughter, Mrs. Gaines P. Wilburn, who lives with her husband, an IBM engineer, and their son, Brent, in Winston-Salem, North Carolina, and one son, J. Bowie Gray, Jr., a Mercer Law School graduate. He plans to begin the practice of law in Tifton and pending results of the Bar examination, he will be associated with a law firm there.

Judge Gray is an exceedingly qualified and

popular court judge. First, he competently and efficiently operates the courts of his four-county circuit on a well planned schedule. He is unafraid to experiment and try the innovative to improve his programs and techniques. His humor, patience, fairness and kindness are legend. Yet he knows also how to effectively use the vast authority of a superior court judge with fairness to all interests and he is in full control of his court at all times. He is very likely the least criticized and most liked trial judge in Georgia.

Bowie Gray has probably done more for the advancement of the judiciary in Georgia than any other person. He has missed almost no meetings of the Council of Superior Court Judges and its executive committee for over a decade. Untold hours have been expended by him in planning and participating in programs of enrichment of trial judges and planning agendas and legislation in their interests. He served as president of the Council of Superior Court Judges for the period December, 1968, through June, 1970. He was recently honored by being named a charter member and elected vice chairman of the Judicial Council of Georgia. He developed a jury charge in divorce cases which was presented at a seminar and which has become a standard work-tool for most superior court judges of Georgia.

Everyone should observe Bowie Gray participate in seminars such as the one presented for newer judges at Savannah last year to understand how he teaches others those attributes of an excellent trial judge which we all seek but rarely attain: respect for the other man's opinion and time, patience under all circumstances, often listening to arguments and opinions of others concerning problems in which he is much more well versed, never being critical or short with another judge and using authority only when it is appropriate to the situation. He is truly a man fitted to his role, successful in family life, church and community and a judge's judge, taking life and cases, big or small, in stride and keeping his head when others might lose theirs.

He avers that he is going to retire soon and with Julia do a bit of traveling and taking it easy. Whatever he does, his life and work serve as a model for all the trial judiciary of Georgia.

INSIDE THE MIDDLE EAST

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1974

Mr. HANNA. Mr. Speaker, the following is a report of a visit I made to the Middle East in January of this year. The report was prepared for Chairman HENRY GONZALEZ of the Banking and Currency's International Finance Subcommittee. Because of the growing national interest in relations between the Arab world and this country, I felt that the report might be of interest to all of my colleagues:

INSIDE THE MIDDLE EAST

I. MEETING BETWEEN CONGRESSMAN RICHARD HANNA AND VICE GOVERNOR KHALID AL-GOSAIBI ON JANUARY 29, 1974

On this date, I met with the Vice Governor of the Saudi Arabia Monetary Agency (SAMA). Mr. Al-Gosaibi is about 35 years old and studied in California at the University of California, receiving a Business Administration degree. He is next in line to Anwar *Ali, Governor of* what is in all respects the Central Bank of Saudi. Governor Ali, a Pakastani, is quite advanced in age and is presently not in good health, and it is our opinion that Al-Gosaibi will be the next Governor of SAMA.

In the discussions, the Vice Governor declined to outline plans under SAMA's consideration, stating that only Governor Anwar Ali was in a position to describe specific action being contemplated. He did, however, reveal several key facets of thinking of Saudi financial planners which could affect the direction and velocity of Saudi investments. The following points were those which we think indicate these facets of thinking:

(1) The Vice Governor stated that the Saudi by nature was cautious and from this he drew the implication that any plan now under consideration would have to be subject to a period of careful consideration.

(2) He pointed out that, if foreign businesses or foreign governments are to play an effective role in Saudi developmental planning, a meaningful dialogue must be established prior to the presentation of specific proposals. Al-Gosaibi agreed that such a dialogue was important because the Saudi's are hopeful of seeing an atmosphere of understanding established between themselves and the Western world and are desirous to observe that there are sincere efforts equally to appreciate their particular position and their peculiar problems.

(3) The Vice Governor also emphasized the Saudi preference to receive specific proposals from foreign businesses or foreign governments. He predicted that his country's decision-making process would be based on a thorough review of the proposals submitted. He indicated that, rather than the Saudi's actively developing their own plans for the immediate future, their *modus operandi* would be more that of reacting after a thorough review of proposals submitted by others.

(4) In a rather candid expression of basic Saudi and Arab characteristics, the Vice Governor reminded me that the earliest Western visitor in modern times, Lawrence of Arabia, had observed that the Arab was poor but proud. He expressed the hope that the Western world would not now judge that the Arab was rich and humble. This suggests to me that there has to be some acceptance and understanding by the westerner of the pride that is characteristic of the Arab today, as in other days, and that proposals must be couched in such a manner as to respect the cultural heritage that each Arab reflects and that his aspirations will be based upon the value systems of his own culture.

Finally, although I made efforts to make contact with Governor Anwar Ali before leaving in January, he was ill and, thus, was unavailable to renew our previous long-standing friendship.

II. SUMMARY OF VIEWS FROM KUWAIT

I spent a period from January 19–23, 1974 in Kuwait and I will set herein below an abstract of what appeared to be the principal points relative to Kuwaiti assessment of the economic, financial and monetary picture, both domestically and in the world sense as it affects them domestically.

The persons with whom I had dialogue and conference included Dr. Mohamed Shamali, Director of the Kuwait Institute for Scientific Research; Mr. Hamza Abbas Hussain, Governor of the Central Bank; Mr. Yusuf al-Shayji, Director of the Savings and Credit Bank; Mr. Abdulrahman al-Ghunaim, Undersecretary of the Ministry of Posts, Telephones and Telegraphs; and an important group from the Ministry of Finance and Oil embracing the Undersecretary Abrulwahab Mohamad Abdulwahab, and Mr. Khaled Abu Saud and Mr. Mohedin Farraj. I also spoke with Mr. Ahmad Duaij, Director General of the Kuwait Planning Board and further, had a discussion with a group headed by Abd al-Aziz al-Sagar, Chairman of the Kuwait Chamber of Commerce. After that meeting, I met with three general managers of the major banks, all westerners: Mr. Robert Sinclair, a Scotsman, head of the Gulf Bank; Mr. Philippe Dupardin, a Frenchman, head of the Ahli Bank of Kuwait; and Mr. C. D. Fears, an Englishman, who heads the National Bank of Kuwait. I will discuss my impressions of these meetings under the following headings:

A. Kuwaiti attitudes on oil production and the world monetary situation

The general agreement was that Kuwait sees the pressure for production of oil as a demand for a transfer of assets; a transfer, that is, of oil reserves to western world currencies and such investment as these currencies might make available. The oil reserves in the ground to the Kuwaiti look safe and durable, having an assured, continuing value. They view these reserves as protected from the erosion of inflation and from the gyrations of currency floats and, further, as a firm deposit of wealth for future generations in their country.

Most Kuwaitis contend that, although they would like to respond reasonably to the energy requirements of other nations in the world, they would prefer some assurances that in the transfer of assets they would not lose the desirable characteristics which they now attribute to their actual reserves. The confidence they seek seems to require new ingredients which at the present appear to be as difficult as they are desirable; to wit, they want peace in the Middle East and stability in the international monetary situation, to which we should all issue a solemn Amen.

It was clear that the Kuwaiti in particular, and perhaps the Arab in general, is very unenthusiastic about currency floats which erode his money assets. The bankers with whom I talked indicated that this was one of the greatest problems they face in terms of their relationship with their Arab clients. The Arab adverse attitude towards currency fluctuation plays a very heavy role in making sales subject to letters of credit adjusted to currency changes exceedingly difficult.

The Arab mind finds it impossible to accept that someone can, by an unrelated decision, reduce the return agreed upon between two parties to an oil sales transaction or to his purchase of some commodity from a country whose currency he holds.

The Kuwaiti economic advisors are, on the whole, suggesting a cautious attitude to increased oil production. They prefer to wait until such time as a clear cut relationship between the baskets of currency and some IMF numeraire, such as the SDR, has been more clearly defined. Their concern is that in the basket of currencies the float more often than not adversely affects the values of the very currencies they have received in payment for their oil.

They would prefer at this time an IMF agreement for pegging that would limit this fluctuating effect upon the transactions in which they are involved. (It sounded to me as if they were expressing a hope for a movement to some kind of a fixed ratio such as has been practiced in the snake of the EEC.)

The second major concern the Kuwaitis entertain is evolved around the inflation they see running at 8 to 12% in the advanced countries which are importing their oil. They painfully reminded me that the increases in the price of their oil have been no greater, and in some instances, of less dimension, than the increases in Western and U.S. products, such as wheat, rice, vegetable oils, cement, steel, fibers, paper, and etc., all of which are needed as imports for the oil producing countries.

At the base of these discussions, I gleaned the suggestion that countries like the U.S., Japan and Germany should level or perhaps even decrease slightly the growth of their internal standards of living for at least a

modest period in the near future as a requirement for achieving the goal of stabilizing currencies and deterring inflation.

The third concern relative to changing oil into currency assets was the problem of protection for long-term and safe investments which would provide some reasonable parallel future insurance for coming generations of Arabs who could not participate in the benefits of present extraction of the oil reserves.

It was obvious that they felt some deficiency in sophistication in money management and investment expertise which would assure that the majority of their investments would be sound and would provide a predictable downstream return that would justify their decision to make the change of asset which we have originally discussed.

On the whole, we felt their concerns in this total area were reasonable and by-and-large we were surprised and somewhat disappointed to learn that very few overtures for discussion in this realm had been made by any responsible parties in the monetary and banking community of the Western nations.

It would be our recommendation that such discussions be planned and implemented as soon as possible.

B. Arab pricing of oil

The second major area of our discussions revolved around the dynamic changes which have been occurring in the posted prices of oil. In the beginning I pointed out that, in the quest for stability of currencies and a dampening of inflation, the Arabs must accept and appreciate that the pricing of oil in itself has a very dynamic and primary effect and that, without some reasonable discipline on the part of the oil producing countries, the best laid plans of the advanced countries would be difficult to make and impossible to implement. I found the Kuwaiti attitude on pricing of oil to revolve around the following economic facts:

(1) they see their pricing of their oil as a method of equalizing our increases for the commodities which they must import;

(2) they see their pricing as an operating factor in moderating the demand for oil in the advanced countries;

(3) they see the pricing of oil as reflecting reasonably the existing competition in the cost of alternative sources of energy.

I agree with them in the first two points, but, as to the third component, I suggested that they exercise a self-imposed restraint and discipline in the light of empirical evidence.

My point was that for the next five years at least, there are no viable alternatives to the dominance of oil and, therefore, any competitive comparisons relative to alternative sources was not realistic. I also emphasized that this was fairly clear to most people and that, absent their own acceptance of a demanding discipline in this period, world attitudes and world tension might very well run in parallel with the effective presence or absence of such discipline.

I recall that Director Farraj, the economic advisor to Mr. Atiqi, Minister of Finance and Oil, made the point that his country was prepared to be reasonable about the economic requirements of other nations in the world so long as that response did not create unreasonable burdens upon the present and future economy of his own country.

I gained the impression that most responsible Kuwaitis feel that the present price of oil is pushing against a ceiling of tolerance and, even though at this January period they were announcing an oil auction, they were not expecting a substantial increase over the level that was then predominating. However, I must report that, on the whole, pricing in the future will still reflect the Kuwaiti reaction to increased prices in commodities they require and that such pricing will be used as a brake for production where either the demand for extracting oil is set at too great a pace or where it places a strain upon their ability to manage the incoming funds.

Finally, they will be impressed by the presence or absence of their confidence in the currency assets transfer which will be required.

C. Kuwaiti plan for the use of new reserves

The persons with whom I spoke indicated the Kuwaitis see three principle priorities for the Arab oil producing countries:

First, the use of newly generated net funds for development in the producing Arab countries. By that they are referring to infrastructure improvements, including housing and a plan for a petrochemical industrial complex with a vertical expansion for oil related industry.

Regardless of these plans Kuwait, as is true for other oil producing countries, has a very limited ability to absorb capital at a very high rate. This is obvious when one reflects upon the size of the country and the nature of its population. The manpower forces in the Arab oil producing countries is limited in its trained capacity and, therefore, is very unlikely to match the volume of their funds. There is, of course, a limited spectrum of reasonable areas of development, so that one could question the total economic viability.

It should be noted that, particularly in Kuwait, these plans bump up against the evolving culture. First, there is a very restrictive attitude relative to qualification for Kuwaiti citizenship. Second, there is a high paying welfare program for this selective population. Third, there is no willingness on the part of the true Kuwaiti to be involved in either labor or technical manpower activities. They prefer to remain in either the very lucrative welfare posture or to move into a position of excutive for which they are singularly not qualified. I would predict some disjunction of timing between the growth of capital reserves and effective plans for in-country development.

The second priority use for capital was suggested in the application for new funds in projects for non-oil producing Arab neighbors. The Kuwaitis demonstrated an expectation that they would play a primary role in the establishment and management of a new fund institution that would direct the use of these reserves.

They expect, and I believe rightly so, that there are greater needs and more interesting opportunities in supervising and participating in developments in the non-oil producing Arab states, such as Egypt, Sudan, and Syria. Long-range profits are judged to be more predictable. However, here the problems lie in the whole spectrum of challenges for any one who becomes involved in developmental activities.

There is a range of experience and expertise which is noticeably absent in the oil producing Arab countries. It is only now, following some 20 years of experience, that the World Bank and other international banking and investment institutions are developing more effective processing for projects and controls of programs for implementation.

The third use of new money would be a separate fund established for investment and loan to underdeveloped countries, particularly in Africa, but not to exclude other underdeveloped countries who are oil users in other parts of the world.

Again, the Kuwaitis see themselves as being leaders in the establishment and control of this fund. Here, I would reemphasize the point raised as to their second primary use of capital. Even more so in underdeveloped countries is there a challenge in terms of the quality of projects, the assurance of the necessary ingredients for success, and the demand for attentiveness to the implementation of the project. There has to be an available input of technology and technicians, both of which are singularly lacking in underdeveloped countries. None of this is available in the oil producing Arab nations.

On the whole in the area of investment, particularly outside producing countries in the Middle East, the Kuwaitis see their country taking a role substantially larger than their size and their production might suggest. They make this claim on the basis of their superior sophistication and their already developing experience and expertise in finance.

My observation that David Rockefeller came into Kuwait City as I left and the acknowledgement that both the Morgan Guaranty Bank and the National City Bank were then in Kuwait involved in substantial discussions about branch banking and, finally, taking into account the fact that my own State of California's Bank of America had just entered into a joint venture in Kuwait made me believe that there was some creditability in this particular stance.

More important, any reasonable realization of the plans Kuwaitis envision can only come about with the cooperation of the advanced countries who are the largest oil users. From the American position, these countries need U.S. technology, U.S. administrative capabilities, U.S. materials, U.S. machinery and equipment.

It's obvious, of course, that these commodities can also be acquired from countries such as Japan, Germany, France, Netherlands, etc. It suggests that we need to develop an aggressive competitive attitude so that we can recycle a substantial amount of the dollars which will be involved in the purchase of oil. Whether these plans are addressed to in-country development, Arab neighbor development or underdeveloped nation development, the training aspects of technology transfer, some of the materials, and a good deal of the equipment and machinery are all involved.

It would seem that in the enthusiastic presentation of these three priorities, the Arab oil producing countries do not see the recycling of their dollars in the purchase of U.S. or other western stocks or investments in industrial activity as such.

Although some of these would probably occur, it is my firm conclusion that, because of the time lag that is absolutely forced upon these plans because of the lack of preparation and planning and the potential for performance, a considerable amount of the reserves created in this and in the next two years will have to be recycled in some kind of short-term investments in banks and papers such as federal bills.

These are going to be the periods of greatest threat and will require the most care. I am willing to predict that there will be some very unfortunate and in some instances very rewarding uses to which some of this money will be put. To avoid unfortunate uses, I again reiterate my urgings that responsible persons in monetary and fiscal affairs in the Western world initiate discussions and conferences relative to the basic problems involved to help understand and appreciate Arab attitudes and Arab points of reference and to get them to understand and appreciate the perimeters and limitations of the monetary and economic systems that we have evolved.

ACTIVIST GROUPS AND THE FEDERAL JUDICIAL SYSTEM

HON. WILLIAM H. HUDNUT III

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1974

Mr. HUDNUT. Mr. Speaker, I am not the first to raise my voice to suggest that

the Judiciary Committee should take under consideration the proposal to establish a permanent federally subsidized Legal Services Corporation. Traditionally, that is to say, for the past couple years, which is as long as we have had to worry about such Federal legislation, the antipoverty subcommittees have handled this. The rationale for that is twofold: first, the legal services program is an offshoot of the Office of Economic Opportunity, the professional antipoverty agency; and second, the program is supposed to be geared toward the everyday, bread and butter needs of poor folks.

I submit, Mr. Speaker, that, regardless of the origin of this program, the last couple years have demonstrated that the interest taken by legal services attorneys, and legal services activists, focuses on the judicial process and the governmental process, and the reform of society, far more than it focuses on what Indiana's distinguished Attorney General Sendak calls the "bread and butter matters" of the poor. And because of this shift in attention, and interest, the legal profession should take an interest in what the legal services faction of it is bringing to pass upon the whole body of the profession.

In a recent broadcast of the Manion Forum, the radio interview program of Dean Clarence Manion of Notre Dame Law School, with Attorney General Sendak, the implication of legal services-type activities for the legal profession is discussed in some detail. The subtitle given this broadcast is "Activist Groups Goad Federal Judges Into Legislative and Administrative Areas." That title is highly appropriate, because that is exactly what is happening.

By way of evidence, I refer you to the northern district of Alabama, where a Federal judge has himself taken jurisdiction over all the mental institutions in the whole State. He meets daily with the hospital workers, such is the extent of his jurisdiction. A year or so ago, he issued a court order—mind you, a court order with the authority of the Federal Government behind him—ordering the State of Alabama to hire 300 psychiatrists. This is similar to an order commanding the Sun to shine. There are not 300 psychiatrists in the whole State of Alabama—a fact he should have known before trying to litigate the impossible. I add that the suit that prompted all this was brought first by legal services attorneys.

Mr. Speaker, I would like to submit for the RECORD a copy of Manion Forum broadcast No. 1011. It is simultaneously a perceptive examination of the impact of free legal services projects on the legal profession and a tribute to the attorney general of the fine State of Indiana. Once again, I urge that the Judiciary Committee members take an interest in this piece of legislation, if only to examine it with a mind to gaging its future impact on the judicial system of our Nation.

The Manion Forum broadcast No. 1011 *follows:*

OUT OF BALANCE: ACTIVIST GROUPS GOAD FEDERAL JUDGES INTO LEGISLATIVE AND ADMINISTRATIVE AREAS

(By Theodore L. Sendak)

Dean MANION. At his inauguration as Attorney General of Indiana for his first term in January 1969, Theodore Sendak said this: "If this country is to regain and maintain faith and confidence in its form of government and in its leaders, the first thing we must do is to restore the word 'responsibility' to the working vocabulary of every man and woman and every teen-ager who seeks the rights of manhood and womanhood. This requires holding every individual responsible for his own acts. And if we don't care who gets the credit, we can get that job done."

Now well into his second year of his second term of office, General Sendak is still holding consistently to that vital line of his personal and official duty. He is back here at the Manion Forum now to give us another account of his important stewardship as the top lawyer in the State of Indiana. General Sendak, welcome back to the Manion Forum.

General SENDAK. Thank you very much, Dean Manion, it's a real honor to be here. You've set a pase throughout this country in the field of broadcast journalism which I think is setting a goal for all other radio networks to follow and all the branches of the communications media. I'm delighted to be here.

Dean MANION. General, from the letters I get from all parts of the country, I find that people are more and more troubled and confused about their legal responsibilities. The law seems to have slipped out of the control of the legislature and gone directly into the hands of the judges. Here in Indiana we find judges going into our state prisons and redirecting the control of prisoners, while other judges are telling local school boards where and how to assign and transport the children to various far away schools. Are the judges now "creating" as well as "enforcing" our legal obligations?

General SENDAK. Our system has gotten a little out of balance in that we have a three part system—the legislative, the executive and judiciary—and, I think, in the last few years that the judiciary has become the top branch of the government in terms of power and authority, which it has frankly arrogated unto itself.

Dean MANION. Apparently the courts have jumped over the line that separates them from the legislature. How about that?

General SENDAK. Basically, if you go back to our form of government which sets up three branches of government, the legislative branch is to create the laws, the executive branch is to administer the laws, and the courts—the judicial branch—is to try cases that arise under those laws. In the last few years the Federal courts in particular, and followed by some state courts in their train, have decided that they are to legislate. Instead of just deciding cases—controversies under the law—they have stepped in and are invalidating laws.

By the use of so-called equity powers, the Federal courts are carrying jurisdiction to the point where the Federal courts are all three branches of the government in one. Since they are appointed apparently for life, they have no responsiveness to the people. The executive branch and the legislative branch periodically come up before the people for a vote of confidence, in a sense. They are either voted in or out. Not so with the courts.

The Constitution of the United States does not say that a Federal judge shall serve for life. It says they shall be appointed to serve during good behavior. Congress has never defined good behavior. It seems to me that the problem could be brought back into focus if the Congress would do its job of defining the jurisdiction of the Federal courts. Another angle of approach would also possibly be by constitutional amendment to provide for the reconfirmation of Federal judges every eight or twelve years, say, by the same committees of the Senate that confirms them in the first place.

Dean MANION. Here in Indiana, under our State Constitution, we have a full complement of state judges for all courts—local, appellate and Supreme. These state courts would seem to be the proper tribunals, at least for the original adjudication of state laws. Now, however, these state courts are being ignored and all really important cases are brought directly in the Federal courts. Who or what is responsible for this sudden switch?

General SENDAK. That element of the legal profession supported in part by foundations, and part by Federal funds, and in part by people who perhaps have good intentions but who are impatient, people who cannot succeed in convincing legislatures and the Congress to pass laws. Supported by that element, these people then take their cases into the Federal court. Such outfits as the Civil Liberties Union, the LSO—Legal Services Organizations—are set up under the law to give legal aid to the poor. The Legal Services Organization are supposed to help the poor with their bread and butter matters, like helping them with their contracts and their leases and with their divorce and family problems. But instead of that, they are spending most of their time going into the courts, state and Federal, primarily Federal, because they get a better reception there apparently, and attacking the institutions of government.

They have brought cases against the correctional institutions, against the mental institutions, against the welfare department, against the state police—you name them, and in every State of the Union. It is a nationwide conspiracy, in effect. They try to paralyze the government, knowing that they cannot succeed in getting a majority of the people of the United States to support them by popular vote; knowing they cannot succeed in getting any state legislature or the Congress to support them by legislation under our form of government. They don't believe in the representative form of government, obviously, so they are trying to get legislation enacted through the courts in the manner I have described.

Dean MANION. General, I know that you are involved in some litigation as a result of these suits by these legal activists and that you can't speak specifically on the status of them. But could you just touch on some of the specific issues that are now being tested? Issues that you feel run contrary to the majority opinion of most people in this state. Such things perhaps as abortion or capital punishment or regulation of the prisons or the infamous Communist case?

ACLU SPENDS MILLION

General SENDAK. The American Civil Liberties Union takes credit in its official reports every year—I've just read their last year's report—for funding and fighting for many such causes as Communism and abortion. They take credit for having provided legal counsel and expenses for fighting the Furman case, which decided against capital punishment in the Supreme Court of the United States, for carrying on abortion cases, and a whole train of those. In fact, Ramsey Clark, as you may know, is the National Chairman, and has been for several years, of the American Civil Liberties Union, and it claims such other stellar lights among its board of trustees as William Kuntsler and other activists who are dedicated to fighting

the operations of a freely representative government.

They spent, they say, 5½ million dollars in 1972–73 in this litigation. They employ 260 people full-time, many of them lawyers, and they have been litigating something like 4,700 cases each year in the last couple of years. As I mentioned, they sue these institutions. They try to get—and succeed in getting—Federal judges to move into the area of administration and into the area of legislation.

For example, one Federal judge in the northern district of Alabama has taken complete jurisdiction over all the mental institutions in the State of Alabama. He is doing so much in this that he doesn't have time to try his other cases. The cry is out for more judges. He even sits down every day and decides the working conditions of the doctors and the nurses and decides who will handle so many bed pans a day and all that sort of thing. He sets their wage rates, and he even issued an order a year or two ago, under the continuing jurisdiction which he accepted in the case, to the State of Alabama to hire 300 psychiatrists for the mental institutions. But it so happens that there are not 300 psychiatrists in the entire State of Alabama.

This is how unrealistic some of these people are. But what a burden it places on the American people who are paying for both sides of it. They are paying through the Federally funded programs to fight the government, and then they are paying our salaries and the salaries of all other government lawyers to defend the government, and then they are losing many of these cases to boot.

Dean MANION. And may I add General, that the Civil Liberties Union pays its litigation expenses for these destructive lawsuits with tax-exempt donations, if you please. But they piously maintain that they are representing the poor and the oppressed. How true is that?

General SENDAK. Well, this is what they say. Every one of these federally funded programs in that area, or these foundation funded programs, starts out with high ideals and it's always in the name of poverty. I'm reminded of that saying of several hundred years ago at the time of the French Revolution, "What crimes are committed in the name of liberty." I'm paraphrasing a little, and now, "What crimes are committed in the name of poverty and aid to poverty."

One of the areas in which they have entered is the area of busing to enforce racial quotas in the schools. They obviously give no real consideration, although they appear to think they do, to the quality of the schools, the quality of the education, to the convenience of the students, to the convenience of their families, to such things as daylight hours and darkness hours and convenience for other activities or for illness of the pupil.

They have gone so far off the beam that they are really in an act of reaction or retrogression. They have gone back to the theories of medieval days, the Middle Ages when the quota system was imposed through the guilds and other agencies to restrict the employment and the rights and freedoms of many of minority groups. Generations since that time have striven to do away with that sort of prejudice and intolerance which was exemplified by the use of racial and religious quotas even down to forty years ago in American colleges, when only such and such a percentage of Catholics, Jews, Negroes, Mexicans—you name it, Orientals, etc., could even get into Harvard, Yale or Princeton. This has largely been overcome by men and women of good will, and I think the working majority of the people in the United States feel only good will in their hearts toward all these areas.

Now these activists, a small group of activists but very articulate, have set up a quota system again. They have gone back to what broke out again under Hitler. I regard forced busing for racial quota purposes as being a form of Hitlerism on wheels.

Dean MANION. General, the truth that you have just expressed is being heard now on the air for the first time by thousands of people who are listening to you. The activists, the proponents of abortion, the opponents of capital punishment, the soft-on-criminals people, seem to get all the publicity. How can your side of this critical issue be kept before the great majority of our people who know in their hearts that you are right?

CONTROLLED NEWS

General SENDAK. It's very difficult, Dean Manion, but I feel that we have a form of censorship in this country, a worse form of censorship than any government could ever impose. It's a censorship by a very small group of people in control of the late night shows, the talk shows on TV, and certain critical avenues of communication in this country—Network TV, which most people watch, although they don't necessarily agree with what they see all of the time.

The New York Times has a computer bank which supplies hundreds and hundreds of newspapers throughout the United States very economically with all the news that fits what the New York Times wants them to have. So one or two editors working for the New York Times control the thinking, or at least the reading material, that goes out to hundreds and hundreds of daily newspapers throughout the United States.

Even such a conservative paper as the Chicago Tribune has the New York Times Book Supplement. When I asked one of the editors of the Chicago Tribune, a friend of mine, right after they adopted that book section, why they did that, he said it was a matter of economics. You see how these things are controlled through the Book of the Month Club. Check these different book stand lists and see how often you find a book which is even selling well, like Allen Drury's books, even listed on those lists. But you will find a half-dozen books praising Mao Tse-tung and others. America's enemies always get front page. This is amazing.

So you ask what the American people can do. I think the American people have to become individual propaganda analysts, and we just have to start boycotting. If we don't like some scurvy person on a late night talk show, who seems to have the run of the show, we can always boycott him and his product. I think we need to start fighting fire with fire, all within the law. I don't think we are required to go to a movie featuring Jane Fonda when she is working to undermine this country. I don't want to support people like that. Why do we have to do so if we really believe that these people are enemies of this country? Why support them economically? By the same token, why should we give wheat to Russia or rearm Russia or give them IBM machines so their computers can operate the SAM missiles and shoot our people down? I believe in that emphatically.

Dean MANION. When the British General Cornwallis surrendered his sword at Yorktown to end the Revolutionary War, his British army band played a tune called "The World Turns Upside Down." We know now that the world did really turn then to a new birth of freedom and representative constitutional government. Could it be now that our world is turning back toward a new form of tyranny?

General SENDAK. We've come into an era, Dean, of topsy-turvy thinking, where people in our generation seem to think we're so much better than all the generations that have gone before. We toss aside the lessons of history, the lessons of Biblical history as well as secular history. We forget that Isaiah said when he spoke along these lines, Isaiah 5:20–24, when he said:

"Woe unto them that call evil good, and good evil; that put darkness for light, and light for darkness; that put bitter for sweet, and sweet for bitter! ... Which justify the wicked for reward, and take away the righteousness of the righteous from him! Therefore as the fire devoureth the stubble, and the flame consumeth the chaff, so their root shall be as rottenness, and their blossom shall go up as dust."

That puts it so much better than I could put it. The topsy-turvy thinking, the lack of realism, the straying from the fundamental differences between right and wrong in every area of life—that puts it very nicely.

Dean MANION. Some of this topsy-turvy thinking that you mention, General, has been taking place on the Supreme Court of the United States. During the last 15 years, in my many important instances, a majority of our Supreme Court Justices have deliberately repudiated the sustained constitutional constructions of their predecessors, going all the way back to Chief Justice Marshall. Judges and many other public officials appear to be contemptuous of history. Nothing turns them on "but the here and now."

General SENDAK. That's right, Dean. Just because I am Attorney General of Indiana in 1974, I don't think I am any smarter than any of my predecessors back to the beginning of the state. I think that any realistic, conscientious judge would have to say that he is no smarter than Chief Justice Marshall or any other predecessors on the United States Supreme Court, and that would go for any other governmental official.

I think American idealism is being put to the test. Maybe America will be stronger after all this age of confusion and attacks on our fundamental institutions. I think we have to take counsel of our strength and our ideals and our accomplishments. America is still the goal of people all over the world. People want to come here. They don't want to leave here. We have got to lift up our hearts and our minds accordingly.

I think that free and responsible citizens today in this country and in this state have the greatest opportunity and the greatest challenge in our history. We must not miss that opportunity or even think of letting that challenge go by default. Certainly we don't want it to go by default to those who are not free and not responsible citizens. We've just got to restore majority rule in this country and restore our representative free democracy in place of a propaganda control.

Dean MANION. Thank you, Theodore Sendak, Attorney General for the State of Indiana.

I told you at the outset, my friends, that when he first took office five years ago this extraordinary public servant promised to make "personal responsibility" the hallmark of his administration of Indiana's top law office. His responses today show that he has hewed to that line with complete candor and exemplary courage. In the great field of American law, he is determined not to let freedom and its always attached personal responsibility go by default. Let's all help him win this case. Send the script of this interview to your own Attorney General and ask for his help on this big lawsuit.

WHERE THERE IS NO VISION

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1974

Mr. CONTE. Mr. Speaker, as an avid amateur photographer, I was tremendously impressed by a presentation of

some of the most beautiful and spectacular pictures taken in the U.S. space program, starting with Gemini in May of 1961 to Apollo 17 in December 1972, at a dinner I attended in Washington, D.C. at which the Eastman Kodak Co. honored the National Aeronautics and Space Administration for notable achievements in exploring outer space.

I would like to share with my colleagues the statement of the Kodak Co.'s president, Mr. Walter Fallon, commending that Agency for their achievements in enlarging man's understanding of himself and his world through exploration and photography from outer space. The text of Mr. Fallon's statement, "Where There Is No Vision," honoring NASA follows:

WHERE THERE IS NO VISION

(By Walter A. Fallon)

In the Book of Proverbs, Chapter 29, Verse 18, we are told: "Where there is no *vision*, the people perish."

The sense of "perish" here can be either figurative or literal, I suppose. The spirit of a people, their morale, deteriorates where there is no vision calling forth the best that is within their capabilities at any given time. Or the perishing could be real and earnest for people who don't know where they are going in a world operating on physical laws that don't amend very easily.

Different times, of course, require different visions. Probably the dominant vision of our times—the one most reproduced anyway—is the image of planet Earth as a fragile ball floating against a black sky. And for that image we have to thank the people of NASA, and the other cooperating agencies represented here this evening.

It's a further commentary on our times that we almost take it for granted that Rusty Schweickart could repeat his experience for us at any time.

Yet man has had the capability to record and display images like this only slightly longer than he has had the capability of powered flight. That is, powered flight with a reasonable expectancy of coming back to the ground safely.

For most of recorded history, the human race has had to depend on the eye-witness word-pictures of the men who had been there. While the word-pictures went on at greater length, many of them did not add up to much more than the single "Wow!" of the astronauts.

The understanding of all men leaps forward when the experience of any one man can be repeated and amplified by means of recorded images. And here I'm referring to images broadly—the visible and invisible spectrum; in electronics as well as photography.

We who make a career working around images of one sort or another like to feel that our own vision is pretty perceptive—particularly in hindsight.

Over the evolution of the recorded image, there are key contributions we would have wanted to call out of the routine events of the day. If we'd been there. If somebody had told us about them. If we had just been smart enough at the time to see them for what they were.

In retrospect, it's amazing how often the real significance of these contributions went unmarked by the general public, by people who should have known better, and sometimes even by the major contributors themselves.

For instance, you know it was Thomas Edison's Kinetoscope that opened the way to the movies, the first genuine mass medium. But, as for Edison, he was convinced that he had come up with a device strictly for viewing by the individual—like the stereopticon. He didn't feel it was even worth spending $150 to get European patent rights.

At the other end of the spectrum, we ought to give a tip of the hat after the fact to the CBS television engineer who tried out instant replay at an Army-Navy game in the early 60's. Out of his experimenting has come mankind's much wider understanding of the critical difference between the slant-in and the zig-out.

And we dare not fail to salute in our survey the first aerial photograph ever taken in this country, back in 1860, elegantly captioned "Boston as the Eagle and the Wild Goose See It." It might be noted that this was the only one of eight exposures taken that came out. So you see how much progress has been made in the technology of the recorded image.

A good share of it was due to the efforts of one man, George Eastman. He has been variously acclaimed for his accomplishments as inventor, business manager, philanthropist, and even marketing innovator.

But there are now those who hold that his greatest single contribution did not lie in any of these. It came in the form of the basic insight that unless picture-taking was separated from the making and processing of the sensitized materials, photography would be strictly for chemists.

And if that were the case, there'd be no reason for our get-together tonight. Of all the excellent chemists that I know, not many would make good astronauts.

It's interesting to note that yesterday was the anniversary of another milestone in the history of the recorded image. Ninety-four years ago, the first reproduction of a newspaper photograph was made, demonstrating a new process called the "halftone." The inventor took it to the leading pubisher of the day, a man famous for his innovations in journalism. But this publisher couldn't see any future in the halftone. So, 17 years went by before halftones were ever run on a power press.

One final example serves to nail down the point that the real meaning of many great achievements often goes unremarked at the time.

Wilhelm Roentgen put an opaque black box around a vacuum tube he was studying. He happened to notice that a fluorscent screen *outside* the box was emitting light also, and he reasoned that the screen was being struck by invisible radiation through the box. He called it the "X"—for the unknown—ray.

The phenomenon was put to work immediately, notably in medical dignosis. And, of course, it has been justly celebrated for that purpose.

Only in retrospect did scientific opinion appreciate that Roentgen's discovery was nothing less than the opening of the era of modern physics. Sir Arthur Eddington summed up this significance with the observation that, before X-ray diffraction, a man could know more about a star than about the table at which he worked.

At Kodak, we happen to think that history will rank the work of the United States space program right up there with the most notable advances in human understanding through the recorded image.

Only we happen to be on the scene of this one.

Furthermore, we think we have some idea of what it can mean in terms of clarifying the vision of the people in this country and the rest of the world in the years ahead.

Van Phillips has already touched on the output of Skylab 3 and its two predecessors.

And with the launching of the *Space Shuttle*—an event that Senator Moss has aptly characterized as "the next logical step in the space age"—man will have a permanent laboratory from which to enlarge on these findings.

From the *Apollo missions* the most dramatic payoff, of course, was the actual samples of the moon's composition, necessarily limited. Of almost equal importance were the electronic and photographic records made there.

The *meteorological satellites* have already recorded and sent back to earth more information about our atmosphere and the complex workings of weather-making systems than all the talk and study since the discovery that the world is round.

The *communication satellites* get publicity mostly during Olympic Games or Royal Weddings. Of much farther-reaching significance is their use for education in the developing countries of Asia, Africa, and Latin America.

But if there had to be one single citation to NASA and its associates for enlarging man's understanding of himself and his world it would certainly have to go to ERTS—the Earth Resources Technology Satellite.

Incidentally, I understand that the Department of Interior employees at the EROS Data Center in Sioux Falls have something they'd like to give a certain Kodak copywriter. An advertisement he put out called the public's attention to the availability of "modestly priced" photographs from ERTS. Overnight, demand for the prints increased in the order of 500 percent.

Our man has asked me to pass the word that he'd just as soon skip what the folks at the Data Center have in mind for him.

The public interest in the ERTS imagery, a particularly promising blending of electronics and photography, reflects the high stakes people everywhere have in this program.

To start with the most obvious example, with the current energy shortage, the ability of ERTS to indicate *petroleum deposits* becomes almost a national resource in itself.

The comprehensive and continuous picture that ERTS gives us of what is happening to our *environment* will improve the basis for decision-making in this area. Probably the most important thing about this information is that it is virtually real-time, making possible action before the damage is irreversibly done.

We can do little about the much-needed planning of *land use* in this country without meaningful data about what the patterns of usage actually are. For the first time we're getting it—in a form that helps make mapping accurate, fast, and economically feasible.

The repetitive nature of the ERTS imagery is indispensable to the effective management of our *life resources:* water, agriculture, forestry, and range.

All in all, it can be said that ERTS is doing more than any other instrument man has ever devised to replace hunch, guesswork, and folklore about the world we live in with the hard facts needed for survival. Just last week it was reported that one of the causes of famine in the Southern Sahara was the underestimating of the population that had to be fed by more than 50 percent.

Here was a case in which the people literally did perish for want of an adequate vision.

Through ERTS and the other related programs administered by NASA, mankind is getting a place to stand for acquiring such a vision.

So, Dr. Low, if you will just come up and stand over here we would like to present you with a small expression of our awareness. When history looks back, we'd like to have it to say: "For once, somebody who should have known better actually did."

FREEDOM OF SPEECH TAKES PRECEDENT OVER HIGHWAY BEAUTIFICATION

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1974

Mr. RARICK. Mr. Speaker, a Virginia circuit court judge ruled last week that freedom of speech takes priority over Federal antibillboard legislation. The ruling came in a case in which State highway authorities removed a sign which had been erected on private property, claiming that it violated an antibillboard law and had evoked some complaints.

The 25-square-foot sign was clearly an expression of personal opinion. The message contained on the roadsign was: "Get US Out! of the United Nations." It is an opinion, I might add, that is held by an increasing number of Americans today. My bill H.R. 1414 would do exactly what the sign suggests.

The judge in the case, Judge Percy Thornton, Jr., ruled that the message "is an expression of personal opinion and does not constitute an advertisement or sign" under State highway regulations. The State regulations, incidentally, were passed to accommodate Federal statutes which allow a State to collect an additional 10 percent in Federal highway money if it enforces the "highway beautification" law. Apparently, some State officials are willing to sacrifice the freedoms of their local citizens, that is, freedom of speech and the rights of private property, for a Federal handout.

It is most appropriate that this case was decided in Virginia, the birthplace of George Washington, Patrick Henry, Thomas Jefferson and so many other great Americans who fought to establish the Bill of Rights.

It is to Judge Thornton's credit that he places constitutionally-secured rights above congressionally passed Federal statutes. Unfortunately, in this age of increasing Federal usurpation of individual rights, many Americans are beginning to believe that acts of Congress can supersede basic rights.

I ask that the related newsclipping follow:

[From the Washington Post, Apr. 5, 1974]

ANTI-U.N. SENTIMENT: REMOVAL OF BILLBOARD ILLEGAL, COURT RULES

(By Ronald Taylor)

A Fairfax County Circuit Court judge has ruled that the Virginia Highway Department may not legally remove a roadside sign saying "Get US Out! of the United Nations" from the property of a Fairfax man and his sister.

The ruling, issued Wednesday by Judge Percy Thornton Jr., established that the 25-square-foot sign facing east-bound traffic on Route 29-211 between Fairlee and Nutley Streets is not an advertisement as defined in State Highway Department regulations.

The ruling was on a suit filed by Mary Lou Curtis and her brother Walton C. Thompson who lives on the 58-acre family property. They contended that the removal of the sign by state highway authorities violated their constitutional right of free speech.

During a court hearing on the matter, highway officials argued that the sign's presence could threaten their funding through a federal antibillboard project.

Thornton ruled, however, that the message "is an expression of personal opinion and does not constitute an advertisement or sign" under state highway regulations.

Mrs. Curtis said she erected the sign last year and that the message represents a long-held position to her. "There was no special event that made me do it," she said, "The sign became available and I finally got around to putting it up."

Following citizens' complaints and citing an antibillboard law, state highway authorities removed the sign last July.

The state receives an additional 10 per cent in highway funds if it enforces a federal antibillboard law.

Assistant Attorney General David T. Walker, who represented the state in the case, said that a decision has not yet been made on whether to appeal the ruling.

LITTON IN TROUBLE

HON. LES ASPIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1974

Mr. ASPIN. Mr. Speaker, the cost of the Navy's 30 ship DD–963 destroyer could rise as much as $500 million, if all the electronic and special weapons originally planned by the Navy are installed, according to unclassified portions of a GAO report which I am publicly releasing today.

GAO reports in its annual staff study that "we believe that the cost of these subsystems are essentially acquisition costs and, as such, should be reported on the Selected Acquisition Report"—the Pentagon's quarterly report to Congress on major weapons systems.

Mr. Speaker, the GAO report also contains the most detailed analysis available to date on technical and labor problems affecting the Litton Industries new shipyard in Pascagoula, Miss. The GAO outlines various indicators of success of its shipyard construction schedule and concludes "all of these indicators show delinquencies in the actual work performed in relation to current plans."

Mr. Speaker, I believe that this report is new and damaging evidence that serious problems continue to plague the shipyard. We are heading down the same dangerous road of huge cost increases and lengthy delays that have characterized Litton's earlier efforts at shipbuilding in Pascagoula. As many of my colleagues may know the five ship LHA program is now behind schedule by several years and the cost per ship has risen from $153.4 million per ship to $228.2 million per ship.

Mr. Speaker, I am calling upon the Navy today to cancel a sizable number of the 30 DD–963 destroyers.

Careful reading of the GAO's analysis discloses that Litton is trying to build too many ships at one time. The shipyard is crowded, undermanned, and completely fouled up—the shipyard workload must be reduced. The only way to do that is to reduce the number of destroyers to be built. Otherwise, the costs of each ship will skyrocket upward as delays mount.

The GAO reported that if foulups inside the shipyard are not resolved it will cause eventual slippage in delivery schedule and increases in contract costs.

In fact, Mr. Speaker, the Navy concedes in its latest report to Congress that some of the destroyers may be up to 5 months late.

Congress has already approved funds for the ships and the Navy is seeking an additional $463.5 million for the final seven ships in this year's Defense Department's budget. I believe, Mr. Speaker, that at least the last seven ships should be canceled and possibly more. It is interesting to note that the cancellation of the last seven ships would only involve a fee of $152,000 which is much less than the probable cost overruns.

The potential $500 million overrun is based upon estimates of the cost of so-called electronic warfare equipment, a decoy system, special sonar, new helicopters, missile and guns which are not included in the current Navy estimate. These various weapons are listed as "space and weight"—systems that were originally planned for inclusion on the ship but are not in the Navy's budget.

Mr. Speaker, I also believe that the Navy is hoping to cover up these cost overruns by paying for the increased costs from outside regular shipbuilding funds. Eleven months after a ship is delivered to the Navy any additional costs including the installation of new weapons are paid from appropriations other than shipbuilding. After these ships are delivered the needed weapons will be added but not counted as part of the cost of the ships. Frankly, Mr. Speaker, the Navy's action is a cheap trick designed to deceive Congress.

At another point in the report the GAO said that certain parts of the ships, which are theoretically built in large modules, are being completed out of sequence which makes the orderly construction of the ships impossible in Litton's so-called mass production shipyard. In fact, in the case of assembly work the situation has become worse in the past year.

Mr. Speaker, there is now no question that unless we cut the number of DD–963's we are headed for full-scale disaster on this program.

NO AMNESTY WITHOUT EQUITY

HON. LAWRENCE J. HOGAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1974

Mr. HOGAN. Mr. Speaker, on March 10, the House Judiciary's Subcommittee on Courts, Civil Liberties, and the Administration of Justice held hearings on the question of granting amnesty to those who evaded the draft during the Vietnam war.

This question has aroused a great deal of controversy and I would like to insert in the RECORD at this point an editorial by

Mr. Smith Hempstone which expresses the views of the majority of the American people:

[From the Washington Star-News, Mar. 20, 1974]

NO AMNESTY WITHOUT EQUITY

(By Smith Hempstone)

In North Vietnam last week, the United States was dickering for the return of the mortal remains of the last 11 American prisoners of war known to have died under the rigors of Communist captivity. At the same time, half a world away, in obscene juxtaposition, a House subcommittee chaired by Rep. Robert W. Kastenmeier, D-Wis., was holding hearings on amnesty for those who refused to serve in that war.

The arguments of the pro-amnesty lobby remain basically what they have always been: The Vietnam War was an unjust war, hence those who deserted or dodged the draft were justified in so doing; the artful dodgers' self-exile has been punishment enough; amnesty has always been granted after a war and one is needed now to heal society's wounds. To all of which one can only reply: Horse-feathers!

The notion that the thousands who deserted or refused to serve were somehow endowed with a higher morality than the millions who disrupted their lives, obeyed their country's call and risked maiming or death is both impertinent and illogical.

All wars embody a measure of injustice. But the state has a right to insist on the obligation of its citizens to serve it, and no man has the privilege of picking his war. Clearly an individual has the right to refuse to take human life, but there are plenty of stretchers to be carried on the battlefield by those of such sensitivity.

It is even possible to admire those who on principle chose jail or alternative service to donning a uniform. But the gorge rises at the suggestion that men who spent the war comfortably living off remittances from Mom and Pop in Toronto coffee houses are the cream of their generation. It simply isn't so.

As for the argument that the gun-shy streakers have suffered enough by their separation from their native land, their exile was of their own choosing. The penalty does not begin to match that paid in blood by some of those who had to go in their stead. One can only hope, for their sake and for their adopted country, that they make better Canadians than they did Americans.

Although the revisionist historians of the left would have us believe amnesty has followed every American war, this is not the case. There has *never* been a general, unconditional amnesty—which is what the white-feather gang is demanding—after *any* American war.

After World War II, President Truman pardoned slightly less than 10 percent of 15,805 draft dodgers. After the Korean War, scarcely a popular conflict, there was amnesty for neither deserters nor draft-dodgers.

The main point is that the militant evaders are less interested in forgiveness than in vindication. They want America to accept their image of themselves and their version of history, and this no self-respecting nation can grant.

This is not to say that society should be harsh or unforgiving. The case can certainly be made that an immature and perhaps low IQ teen-aged draft-dodger from a home in which obligations to one's country were not stressed is less culpable than the middle-aged radical chic professor, chaplain or polemicist who, knowing the penalty, urged him to switch rather than fight.

So as Sen. Robert Taft Jr., R-Ohio, and former Secretary of the Army Robert F. Froehlke have suggested to the Kastenmeier subcommittee, some form of conditional amnesty, on a case-by-case basis and contingent upon alternative service, would not dishonor the dead or split the country.

Case-by-case treatment by amnesty review boards such as those set up after World War II would be a slow process. But the offense, against their country and their peers, of which the draft-dodgers and deserters stand accused, is a grave one.

They and those who urged them to turn their backs on their country have to understand that America is big enough to give its repentant sons a second chance. But not so craven or misguided as to vindicate them, to say that they were right and those other, braver sons who fought and died were wrong.

THE DEBATE OVER DIEGO GARCIA

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 8, 1974

Mr. BINGHAM. Mr. Speaker, the debate and vote last week in the House on the question of a base on Diego Garcia did not settle the question. It remains to be seen, not only what the Senate and the conference committee will do, but also what the Government of the United Kingdom will do, since no agreement for the expansion has been entered into.

Last Thursday, April 4, the Wall Street Journal carried an article by Richard J. Levine which in my view fairly summarizes the arguments for and against the Diego Garcia base. Perhaps I am prejudiced, but it seems to me that the negative arguments greatly outweigh the positive ones.

The article follows:

THE DEBATE OVER DIEGO GARCIA

(By Richard J. Levine)

WASHINGTON.—Diego Garcia is a tiny coral island in the middle of the Indian Ocean, lying a thousand miles off the southern tip of India and halfway around the world from Washington.

Isolated and uninspiring, the small hunk of British real estate would seem an unlikely candidate for attention in this crisis-oriented capital.

But a Pentagon plan to build a naval support base on Diego Garcia—unveiled in the aftermath of the Middle East war and the Arab oil embargo—has begun to generate a lively though limited foreign policy-national security debate here. Nixon administration officials see the proposed base as a logical and effective means of protecting America's interests in that part of the world, offsetting growing Soviet naval power. But some in Congress fear the base could lead to a U.S.-Soviet naval race in the Indian Ocean, an area that has been largely spared superpower rivalry, and eventually add billions of dollars to Navy shipbuilding budgets without enhancing U.S. security.

While U.S. Senators call for Washington-Moscow talks on naval limitations in the Indian Ocean, many of America's friends and foes denounce the Diego Garcia plan. In the end, the debate could provide important clues to how serious Congress is about playing a larger, more forceful role in foreign policy as America emerges from its painful decade in Vietnam.

"From our experience in Indochina, we know too well the cost of early, easy congressional and State Department acquiescence to Pentagon demands," says Sen. Claiborne Pell (D., R.I.), a leading opponent of the base plan. "We must profit from our past errors. Our handling of this authorization request for Diego Garcia offers such an opportunity."

NARROW ISSUES

Unfortunately, much of the debate thus far has focused on such relatively narrow issues as the comparative number of U.S. and Soviet "ship days" in the Indian Ocean and the length of the runway on the island. Often lost in the din of detail are the basic questions raised by the Pentagon plan—whether the U.S. should be involved in the project at all; whether, or how, U.S. interests are served by increasing the Navy's still limited presence in this far-off ocean; whether, as one former Pentagon planner put it, "we would be willing to let events take their course around the rim of the Indian Ocean."

Specifically, the Defense Department is asking Congress for $32.3 million to expand an existing communications station on Diego Garcia into a base capable of refueling and restocking U.S. warships, including aircraft carriers, operating in the Indian Ocean. The base would be manned by about 600 men and would enable the Navy to increase its Indian Ocean deployments—either routinely or in a crisis—without weakening its forces in the Western Pacific.

Yesterday the Senate Armed Services Committee postponed "without prejudice" a request for $29 million for Diego Garcia construction contained in a supplemental budget bill for the Pentagon—a setback that is likely to be challenged by administration supporters in the full Senate. And today the House is scheduled to vote on a proposal to delete the same $29 million from a companion measure.

To justify the U.S. buildup, the Nixon administration has stressed the expanding operations of the Soviet Navy in the Indian Ocean (which Navy men expect to accelerate with the reopening of the Suez Canal) and the increasing reliance of the U.S. on Persian Gulf oil that must be transported across the Indian Ocean. "Our military presence in the Indian Ocean provides tangible evidence of our concern for security and stability in a region where significant U.S. interests are located," declares James Noyes, Deputy Defense Secretary for Near Eastern, African and South Asian Affairs.

By Pentagon standards, the Diego Garcia request is a mere pittance, less than one-third the price of a modern destroyer. Moreover, Defense Department and State Department officials have sought to downplay the potential long-range significance of the naval base by referring repeatedly to their plans for a "*modest* support facility."

Still, a number of lawmakers and outside experts remain uneasy, fearful that congressional approval of the construction money could prove a fateful step down an unmarked road toward yet another expensive and, conceivably, dangerous security commitment. Adding to their concern is the small-step-by-small-step pattern of U.S. involvement in the Indian Ocean: first a few warships; next a communications station; then a support base. Where, they worry, is it leading?

Despite administration assertions to the contrary, U.S. interest in the Indian Ocean has been rather limited until recently. Only three years ago, Ronald Spiers, then director of the State Department's Bureau of Politico-Military Affairs, could tell Congress: "The Indian Ocean area, unlike Europe and Asia, is one which has been only on the margins of U.S. attention. Never considered of great importance to the central balance of power, it has been on the edges of great-power rivalry."

Since 1948, the U.S. presence in this part of the world has consisted mainly of the Middle East force—a flagship based in the Sheikdom of Bahrain and two destroyers that make periodic port calls. That such a modest force was considered adequate testifies to the low strategic importance Washington attached to the world's third largest ocean.

U.S. interest began building in the early 1960s. One result was the British Indian Ocean territory agreement between the United Kingdom and the U.S. in 1966, under which Washington acquired the basic right to build military facilities on Diego Garcia. Washington's interest quickened in 1968, with the British announcement of plans to withdraw military forces east of Suez and the appearance of the first Soviet warships. Since then, the Soviets have steadily increased their naval forces, and current navy estimates give them a four-to-one advantage over the U.S. in the Indian Ocean.

Soviet ships have also gained increasing access to port facilities. For example, Russian vessels currently use the expanded Iraqi port of Umm Qasr and the former British base at Aden; meanwhile, the Soviets are expanding their naval facilities at the Somali port of Berbera. "The Soviets possess a support system in the (Indian Ocean) area that is substantially more extensive than that of the U.S.," asserts Adm. Elmo Zumwalt, Chief of Naval Operations.

As the Soviet presence increased, the U.S. responded by sending carrier task forces into the Indian Ocean twice in 1971, in April and again in December, during the Indo-Pakistan war. Last October, a few months after the Diego Garcia communications station opened and as the Mideast ceasefire was taking effect, the Defense Department unexpectedly moved a task force headed by the carrier Hancock into the Indian Ocean.

On Nov. 30, Defense Secretary James Schlesinger, disclosing that the Hancock would be replaced by the Oriskany, announced that in the future the Navy would establish a "pattern of regular visits into the Indian Ocean and we expect that our presence there will be more frequent and more regular than in the past." Since then, major U.S. vessels have been in the ocean without letup.

Why? Administration officials offer a variety of explanations—to counterbalance Soviet "influence" on states around the Indian Ocean; to maintain "continued access" to vital Mideast oil supplies; to insure freedom of the seas; simply to demonstrate our "interest" in that area of the world.

The State Department emphasizes the diplomatic value of the Navy. "A military presence can support effective diplomacy without its ever having to be used," says Seymour Weiss, director of State's politico-military affairs bureau. Privately Pentagon officials, not surprisingly, place greater weight on the military value of warships in the Indian Ocean. The increasing U.S. Navy operations, a Navy man says, are needed "to show we are a credible military power in that part of the world."

But critics of the Diego Garcia proposal are troubled by these explanations, which, they believe, raise more questions than they answer.

GUNBOAT DIPLOMACY

Some critics wonder whether the presence of larger numbers of U.S. warships in the Indian Ocean will, as Naval Chief Zumwalt claims, help preserve "regimes that are friendly to the U.S." in the area. "Gunboat diplomacy doesn't really seem to work" in this age, argues a government analyst. Internal problems and economic assistance, he believes, have a much greater bearing on the political course followed by foreign governments. What is clear is that several states in the area—including Australia, New Zealand, India, Madagascar and Sri Lanka (Ceylon)—have publicly opposed the Diego Garcia support base, arguing that the Indian Ocean should be a "zone of peace."

Furthermore, there are some military experts who doubt that Soviet ships in the Indian Ocean pose a serious threat to Western tankers carrying precious Arab oil. In the opinion of Gene La Rocque, a retired rear admiral who often criticizes Pentagon policies, an attack on, or interference with, such shipping "doesn't appear to be a plausible action on the part of the Soviet Union when one takes into account such important factors as relative military power, time and distance and the alternative means of exerting influence and power at the disposal of the Soviet Union."

Other military analysts have argued that it is highly improbable the Soviets would attack Western ships since such a hostile act would likely trigger the outbreak of a major war between the superpowers. Geoffrey Jukes, an Australian analyst has written: "It is difficult to envisage a situation, short of world nuclear war, in which the Soviet government would be prepared to place the bulk of its merchant fleet at risk by engaging to 'interfere' with Western shipping in the Indian or any other ocean."

Much more likely, critics of the Diego Garcia plan stress, is a repetition of the recent Arab oil embargo, a political act designed to achieve political aims. It is argued that the presence of sizable naval forces can, at best, have only a minimal impact in such a situation.

Finally, there is the unsettling prospect that a base at Diego Garcia, coupled with increased naval deployments in the Indian Ocean, will provide the Navy in years to come with new rationales for an "Indian Ocean fleet" and ever-bigger shipbuilding budgets, especially for carriers and escorts. The Navy, a Pentagon insider notes, "has been panting on the edges of the opportunity" represented by enlarged Indian Ocean commitments.

A CALL FOR NEGOTIATIONS

To prevent a costly U.S.-Soviet naval race, which might not enhance either nation's security, Sen. Pell and Sen. Edward Kennedy (D., Mass.) have jointly introduced a resolution calling for negotiations between the superpowers on limiting naval facilities and warships in the Indian Ocean.

As in the past, the U.S. remains reluctant to agree in writing to any restrictions on its use of the high seas. Moreover, U.S. officials say efforts to follow up a Soviet hint in 1971 of interest in naval limitation talks failed to produce a response from the Kremlin.

Still, in view of the potential long-range costs and dangers involved in an expanded naval presence in the Indian Ocean, it would seem worthwhile to pursue the matter further. For, as Sen. Kennedy has said, "It may in time prove necessary and desirable for the U.S. to compete with the Soviet Union in military and naval force in this distant part of the globe. But before that happens we owe it to ourselves, as well as to all the people of the region, to try preventing yet another arms race."

HOUSE OF REPRESENTATIVES—*Tuesday, April 9, 1974*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Obey my voice, saith the Lord, and I will be your God and you shall be my people; and walk in all the ways that I command you, that it may be well with you.—Jeremiah 7:23.

Eternal Father of our spirits, we have been elected by the people of our districts and called to lead our Nation in this House of Representatives. May we serve to the best of our abilities. Some of us are beginning to realize that we cannot be the best that we can be nor can we do the best that we can do without Thee. We pray now that Thy spirit may come to new life in us that we may learn to live and to lead our Nation in right paths and along good ways. Help us to work together for peace in our world, for justice among our people, and for good will in the hearts of all.

"We would live ever in the light,
We would work ever for the right,
We would serve Thee with all our might,
Therefore, to Thee we come."

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Without objection, the Journal stands approved.

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 6574. An act to amend title 38, United States Code, to encourage persons to join and remain in the Reserves and National Guard by providing full-time coverage under servicemen's group life insurance for such members and certain members of the Retired Reserve, and for other purposes; and

H.R. 9293. An act to amend certain laws affecting the Coast Guard.

The message also announced that the Senate had passed a concurrent resolution of the following title, in which the concurrence of the House is requested:

S. Con. Res. 72. Concurrent resolution extending an invitation to the International Olympic Committee to hold the 1980 winter Olympic games at Lake Placid, N.Y., in the United States, and pledging the cooperation and support of the Congress of the United States.

APPOINTMENT AS MEMBERS OF NATIONAL COMMISSION FOR THE REVIEW OF FEDERAL AND STATE LAWS RELATING TO WIRETAPPING AND ELECTRONIC SURVEILLANCE

The SPEAKER. Pursuant to the provisions of section 804(b), Public Law 90–351, as amended, the Chair appoints as members of the National Commission for the Review of Federal and State Laws Relating to Wiretapping and Electronic Surveillance the following Members on the part of the House: Messrs. KASTENMEIER, EDWARDS of California, RAILSBACK, and STEIGER of Arizona.