

## EXTENSIONS OF REMARKS

WILLIAM HENRY HARRIS, EDITOR,  
BUSINESSMAN, AND CIVIC LEADER

**HON. DAVID R. BOWEN**

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1975

Mr. BOWEN. Mr. Speaker, Mississippi and the Nation lost one of our great editorial voices this past week when untimely death stilled the pen of William Henry Harris, editor and publisher of the West Point Daily Times Leader and publisher of the Starkville Daily News.

Henry Harris wrote clearly and concisely, from his heart, and throughout our State his editorials and personal column were widely read and respected. Henry Harris prided himself in being an old-fashioned editor, and he was an expert in every facet of the business of publishing a daily newspaper, from the pressroom to the publisher's offices. He had an extremely keen perception of the public interest and his grassroots commentaries were straight to the point.

I know, because Henry Harris was a personal friend and supporter of mine, but he never hesitated to let me know publicly when he disagreed with a position of mine or a vote here in the Congress. But those of us in public office need great editors such as Henry Harris to keep us alert and to remind us to consider all aspects of an issue in making our decisions. The Mississippi University for Women school of journalism in 1968 named him the State's outstanding journalist.

Not only was Henry Harris a newspaperman's editor, he was also an outstanding business and civil leader. His career stands as a monument to the American free enterprise system and the opportunity for personal achievement and success. Henry Harris was a success because he worked hard and inspired those around him to work hard, also.

Henry Harris was a great leader in our State, one of those men who had the vision and foresight to work tirelessly for the progress and advancement of all Mississippians. He served as president of the Mississippi Press Association and as president of the Mississippi Economic Council, which is the State Chamber of Commerce. It was Henry Harris who conceived the "Colonel MIM" program, or the "Money in Mississippi" idea to stimulate Mississippians to invest in their own future and prosperity.

Another monument to Henry Harris' vision and foresight is the Golden Triangle Regional Airport, which provides modern aviation service to Lowndes, Clay and Oktibbeha counties and the cities of West Point, Columbus, and Starkville. Henry Harris correctly foresaw that the regional concept would be the economic salvation for many of our communities, which are struggling to provide the facilities and services necessary to survive and prosper economically in today's society.

Henry Harris loved his country and believed in its rich traditions and heritage as well as in its future. He served his country during World War II as a bomber-navigator. Henry Harris was a graduate of Mississippi State University, and as a distinguished alumnus of that great institution continued to support its programs enthusiastically.

He served in many leadership capacities in his home community of West Point and Clay County. In addition to providing the citizens a good, informative newspaper and a voice of editorial integrity, he was active in many civic and religious affairs. Henry Harris was a deacon in the First Baptist Church of West Point, where he taught adult and young men's Sunday School classes. He was a past president of the Clay County Chamber of Commerce and served on the board of trustees of Mississippi Baptist Hospital, a fine medical institution serving the entire State.

This great Christian gentleman died an untimely death, at the age of 50 while still in the prime of life. His passing is a shock and a personal loss to all of us who knew him. West Point and the Golden Triangle area will miss him. Mississippi will miss him. The Nation will miss him. In our sadness at his passing, we can only assume that God had a higher calling for Henry Harris than our need for his leadership and wisdom here on this Earth.

WATER WONDERLAND

**HON. WILLIAM D. FORD**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1975

Mr. FORD of Michigan. Mr. Speaker, one of my constituents is the coauthor, with two colleagues, of a song, entitled "Water Wonderland," which has been proposed as the official State song of Michigan.

Gerald Harris, of Westland, in my congressional district, wrote the song in 1953 in collaboration with Donald Large and Harlan Moore. It was copyrighted at that time, and again this year.

A resolution designating "Water Wonderland" as the official State song has been introduced in the Michigan Legislature, and is now under consideration.

Originally written during Michigan Week in 1953, and first played publicly on the "Make Way for Youth" radio program over station WJR, the song gives musical tribute to Michigan as a vacation paradise, offering lakes, woodlands, wildlife, historic locations, and natural beauty.

Although Michigan already has officially designated a State flower, fish, gem, stone, bird, nickname, and flag, we do not yet have a State song, and "Water Wonderland" would appear to fill this need.

In a time when inflation, unemployment, and other problems hang heavily

over all Americans, it is refreshing to ponder instead the cheerful words of a musical tribute.

Mr. Speaker, I would like to publicly commend Jerry Harris and his two colleagues for their efforts, and at this point insert "Water Wonderland" in the RECORD:

WATER WONDERLAND

When I hear the song of Hiawatha,  
Then I dream about an island grand,  
I see those woodland trails I used to wander,  
In Michigan, that Water Wonderland.

Every wave that breaks at Gitchegumi,  
Seems to say "Won't you come back again?"  
There is always something new,  
From Muskegon to the Soo,  
In Michigan, that Water Wonderland.

You can boast of sunny California,  
You can play on old Miami's sand,  
But when it comes to taking my vacation,  
It's Michigan, that Water Wonderland.

There's a Tulip Festival in Holland,  
That I wouldn't miss for all the world,  
And to ski and snowmobile, here the weather  
is ideal,  
In Michigan, that Water Wonderland.

Robins sing beneath the apple blossoms,  
Trout are leaping in a placid stream,  
Our cereals and furniture are famous,  
Our Coho and our deer a sportsman's dream.

Don't forget about the Motor City,  
The town that really put the world on  
wheels,

Two peninsulas are joined by Big Mac,  
And hand in hand together form that Water  
Wonderland.

A LITERARY LOSS

**HON. RONALD A. SARASIN**

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1975

Mr. SARASIN. Mr. Speaker, the literary world and society in general suffered a major loss this week with the death in Danbury, Conn., of noted author Rex Stout. Millions of Americans over the years have been entertained by Mr. Stout's writings, and his principal character, Nero Wolfe, has attained the stature of a kind of folk hero.

But Mr. Stout was more than simply a writer. Over the 88 years of his life he engaged in an incredible range of activities and pursuits. He was a unique individual who contributed much to society and he shall be missed. This was summed up very well by a recent editorial in the Washington Post, which I would like to enter in the RECORD for those who may have missed it.

REX STOUT

The dean of America's mystery writers, Rex Stout, died at his home in Danbury, Connecticut, the other day at the age of eighty-eight. It had been some eighty-eight years—for Mr. Stout, for the 45 million people who purchased copies of his Nero Wolfe books and for uncountable others who came across Mr. Stout in his myriad capacities over the years. We quote from a 1949 New Yorker profile to give you some idea of what

those capacities were: "... banker ... book-keeper, yeoman on the Presidential yacht Mayflower, boss of 3,000 writers of propaganda in World War II, gentleman farmer and dirt farmer, big businessman, cigar salesman, pueblo guide, hotel manager, architect, cabinet maker, pulp and slick magazine writer, propagandist for world government, crow trainer, jumping-plg trainer ... president of the Author's Guild, usher, ostler and pamphleteer." That, you understand, was simply what he had done up until a quarter of a century ago.

What most people will remember Mr. Stout for, of course, is the immensely popular series of forty-six Nero Wolfe mysteries and—specifically—the imaginative tour de force that created its hero: the sedentary, seventh-of-a-ton sophisticate of West 35th Street in New York, a cranky gourmet and grower of orchids, who used words like "Pfui!" and "Bah!", who believed that all motorized vehicles were in imminent peril of blowing up and who managed by sheer brainpower and observation to outsmart everybody else. The Wolfe books are immensely entertaining; they are funny; they engross. And Nero Wolfe has long since enjoyed a place beside Poirot and Holmes and the other great figures of detective fiction.

But lovers of Nero Wolfe mysteries would argue that there was a special dimension to these books, a quality that transcended simple detective fiction. To say as much is neither to put down the competition (which has its equally devoted following) or to freight these books with some presumed heavy message. Rather it is simply to acknowledge that Mr. Stout managed to create more than curiosity, suspense and mental challenge via his improbable hero. He also created, through Wolfe, a world of particular values that was as much of an attraction to his readers as the labyrinthine criminal schemes they were invited to figure out. Those values embodied and animated in the portly hulk of Wolfe were independence, irreverence, an unashamed commitment to the pleasures of the senses, an unsentimental ability to choose between greater and lesser virtues and a boundless (if chairbound) curiosity about the way everything works.

We gather that Mr. Stout was himself something of an embodiment of these values. We doubt he could have been otherwise as the creator of the memorable Nero Wolfe. Like many other avid fans we are trying to reconcile ourselves to the prospect of life without yet one more Nero Wolfe mystery to read.

#### TV FAMILY VIEWING CODE

### HON. HARLEY O. STAGGERS

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1975

Mr. STAGGERS. Mr. Speaker, in answer to criticisms of crime, violence, and sex on the daily fare of television viewers, especially during the hours when children constitute a large part of the audience, the National Association of Broadcasters has put into operation what is called a "Family Viewing Code." This code would eliminate the objectionable material from two of the early evening hours, one taken from what is called prime time, and the other from the hour immediately preceding prime time.

Federal Communications Commissioner Abbott Washburn characterizes the code as a "constructive self-regulatory action." He says further:

It is the first positive action to counter a serious danger which was first highlighted twenty years ago by the Kefauver crime investigations. It deserves to work.

But he also notes that critics of the code predict that if it does work, "it will turn all prime time programing into bland pabulum."

To both of these diverse views, most of the critics of television programing—and I am one—can agree. Early promises of TV possibly—maybe probably—promised more than it could deliver. As we understood those promises, they would give us the highest in entertainment, in news, and in enlightened opinion that was available in the land. We believed that television could, and would, raise standards of excellence in public doing and thinking immeasurably. Television has within itself the possibility of creating a new and nobler world. It would be the modern outlet of the fine arts, taking up where the artists and musicians and writers of the historic past left off.

However, television is a commercial enterprise. It must make money. Its main source of revenue is advertising. Advertising to be effective must find viewers—viewers who have money to spend for the goods or services advertised. We do know from experience that people in general are attracted by the sensational. Indeed, the whole art of advertising lies in providing something sensational. It has yet to be proven that the kind of television we approve would attract viewers in numbers sufficient to pay its high cost. Would we prefer to destroy television, or let it destroy our children—and all of us, for that matter?

Most of us, I am convinced, would say that we must make the code succeed. It is the beginning of something highly desirable. From the start it may be possible to go on to something better. It is my feeling that all of us should support the code. We can see that our children confine most of their viewing to the hours set aside for the code. We can express our approval of the programs produced. And especially we can patronize the advertisers who alone may be able to make the children's hours profitable.

#### CONGRESSMAN ROY A. TAYLOR IN-COME REPORT

### HON. ROY A. TAYLOR

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1975

Mr. TAYLOR of North Carolina. Mr. Speaker, for each year I have been in Congress through 1973 I have published in the CONGRESSIONAL RECORD a report on the sources and amounts of income received by Mrs. Taylor and me, in addition to my salary as a Member of Congress, and I have published a report on the amount of income tax, both Federal and North Carolina State, which we paid for calendar years 1969 through 1973. In order to bring this financial disclosure up-to-date, I hereby submit the following information applicable to calendar year 1974:

Income received in 1974:	
From a family-owned dairy farm in Leicester Township of Buncombe County, N.C.-----	\$2,398.39
From dividends from a variety of stocks and bonds (most belong to me; some are owned by my wife)-----	3,241.94
From interest on purchase money real estate notes; savings deposits; Swannanoa, N.C. Baptist Church bonds, etc.-----	572.40
From North Carolina Employees' Retirement Fund (based on service as Buncombe County Attorney before coming to Congress)-----	1,310.16
	7,522.89
Income tax paid in 1974:	
Federal-----	10,640.90
North Carolina state-----	2,357.84

#### DANGER ON THE HIGHWAYS: BRAKE STANDARD 121

### HON. BUD SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1975

Mr. SHUSTER. Mr. Speaker, despite protests over inadequate testing, the National Highway Traffic Safety Administration persisted in promulgating a new mandatory standard for big trucks known as Brake Standard 121. The following article written by Lee Hickling of the Gannett News Service aptly demonstrates how an agency charged by Congress with responsibility for highway safety can actually increase the danger on America's highways through inept regulation. I commend this article to my colleague:

TRUCKER WANTS BRAKE INVENTOR TO TAKE A RIDE

(By Lee Hickling)

WASHINGTON.—A veteran Idaho truck driver has invited the inventor of a new braking system required by the federal government to come for a ride with him during this year's first snowfall.

"After a few close ones, I would like his opinion on the safety of front wheel brakes," said Don Bennett of New Plymouth, Idaho, in a letter to Secretary of Transportation William T. Coleman Jr.

Bennett, 45, drives for the Northwest Agricultural Cooperative Association of Ontario, Ore.

He told the DOT secretary—in a letter made public by the American Trucking Associations—that in three weeks he has twice barely escaped a serious accident caused by the anti-lock system required by the powerful new brakes.

He has been invited to testify at hearings here later this month, called by the National Highway Safety Administration, which wrote and enforced the new brake standard.

Since Jan. 1 on new trailers and March 1 for tractors and trucks, the rule requires an anti-lock system to maintain stability and directional steering of big trucks under conditions that would otherwise cause a wheel lockup.

Bennett says the system has been malfunctioning on him, causing the lockups that it is supposed to prevent.

There is a computer in the system that is supposed to prevent a front wheel lockup during heavy braking. "I have had two new computers installed in the last week, approximately 3,000 miles," wrote Bennett.

"... I personally have talked to the factory representative at Seattle. They sent me to a place to replace a bad computer, and before I got to Boise, the new computer was not working properly."

Bennett's letter went on: "I have driven a truck for 20 years and not had one accident, but with new brakes I have had two close calls in three weeks' time by having to stop fast. The brakes grab and pull the truck into another lane of traffic."

"Now, the fellow that thought this idea up—I would like to have this man come and make a trip with me the first snowfall, and tie him in so he can't get out. After a few close ones, I would like his opinion on the safety of front wheel brakes."

"I know this man isn't a truck driver; if he is, he's an idiot. I don't know why someone sitting at a desk can dictate safety procedures that he knows nothing about, only from his slide rule or whatever he uses."

REPRESENTATIVE GOVERNMENT  
RESPONSIBILITY

HON. RALPH S. REGULA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1975

Mr. REGULA. Mr. Speaker, I was pleased to read a thoughtful editorial in the October 16, 1975 issue of the Akron Beacon Journal, published by Knight Newspapers in Akron, Ohio, regarding the responsibility each of us accepted when seeking election to Congress.

I believe that this editorial has captured the essence of representative democracy. I recommend this article to the attention of our colleagues.

VOTING ON CONSCIENCE

When there is a major issue before Congress, should congressmen vote according to their consciences or according to the wishes of the majority of their constituents?

This question goes to the heart of the republican system of representative government.

The decline in understanding and acceptance of representative government and the trend toward plebiscitary democracy are illustrated by the fact the question needs to be asked. The depth of the decline is illustrated by the fact that more and more candidates for public office—national, state and local—seem to believe that the only way to "represent" their constituents is to become a mirror of the lowest common denominator among those constituents.

It is physically impossible for every citizen to be fully informed on every issue—even if they wanted to be. It is impossible for every citizen to have all the evidence at hand, and to have the opportunity to assess the interest of the community as a whole rather than a small portion of that community.

Representatives, whether they are in Congress, the state legislature, city council or on a school board, are elected to do what each citizen is unable to do on his own—become fully informed on the issues, form a responsible opinion based on the evidence and vote on the basis of that evidence for the course he believes is best for the community as a whole.

In doing that, the representative becomes a kind of higher conscience for each citizen while voting his own conscience. In short, the citizen who elects a representative vests that representative with the duty and responsibility to use his best judgment in casting a vote in place of the citizen on each issue.

Not every citizen will be pleased with the vote of his representative on every issue. That gives the representative an opportunity to fulfill another duty—the duty to be a leader and opinion maker based on his exposure to the information and analysis unavailable to the average citizen.

If the representative fails as a leader, if he fails to persuade the majority of his constituents that he has taken the correct course on most issues, or on the issues of most importance, then it is the genius of the system that the representative can be replaced with one who may exercise his own conscience and judgment in a manner more convincing to the constituents.

It is a mistake, however, for any representative at any level of government to attempt to be a mirror for his constituents. That robs him of the one ingredient the constituents should be seeking above all others in a representative—the ability to make clear, conscientious choices on the evidence, unswayed by pressure or opinion.

To argue for independent judgments by elected representatives regardless of constituent opinion is not to argue for an elitist form of government. Quite the contrary. It is to argue for a responsible democracy as opposed to an irresponsible one. It is to argue for a republic in which the citizen may look with pride and respect at people who have voted their consciences and who are proud to stand on those votes.

Conscience might be faulty. Judgment might be wrong. But there is something noble about people who are able to stand and say, "This is my stand. I am doing this, casting this vote, because I know in my heart it is right."

By the same token, there is nothing noble about those who are reduced to standing and saying, "I did it because my people told me to. That's where the votes were."

Such attitudes lead only to disillusionment with the representatives and with the system.

DISAPPOINTMENT IN CONGRESS  
CONCERNING FEDERAL ELECTION  
COMMISSION VOTE

HON. LARRY PRESSLER

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1975

Mr. PRESSLER. Mr. Speaker, the vote against House Resolution 780 disapproving the Federal Elections Commission's first proposed regulations is the most disappointing single act this Congress has engaged in since I have arrived. About a year ago Congress set up the Federal Elections Commission to independently oversee campaign reporting. The campaign reform law was sold to the country on the basis that now an independent voice would bring greater integrity to campaign finance reporting.

But what happened regarding the Commission's first ruling indicates that Congress is not really interested in reform at all. The facade of reform in the creation of a commission occurred—but when that Commission attempts to put any restrictions on Congressmen's activities the Congress quickly strikes the regulations down. With this attitude it cannot be the independent commission it was designed to be, rather it will become little more than a clerk's office to carry out the wishes of the majority party in Congress.

If confidence in Government is on the decline it is because Congress refuses to reform itself.

The Federal Elections Commission is now little more than window dressing. People had hoped that the creation of this Commission would be a major governmental reform. If the public is disgusted and disappointed with Congress and with Washington, it is with good reason.

TRIBUTE TO SERGEANT O'KEEFE

HON. MARTIN A. RUSSO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1975

Mr. RUSSO. Mr. Speaker, today I would like to share with my colleagues a tribute to a gentleman in my district. I am proud to be his Representative and to have this opportunity to commend him on the occasion of his retirement from the Marines.

We are in the midst of preparing for a most special celebration in our country and it is appropriate that as we approach our Nation's 200th birthday, we take note of not only those special people in the past that contributed immeasurably to our country's greatness, but also of those people in our midst today who willingly shoulder the responsibilities of maintaining our way of life and perpetuating traditions that keep our Nation strong.

One such individual is 1st Sgt. Walter O'Keefe, recently retired from the U.S. Marines after 25 years of service, and as the Representative in Congress for this gentleman, I want to extend a heartfelt "thank you" and acknowledge the debt that we all owe this fine Marine. Throughout our country's history, there have been men like Sergeant O'Keefe who served willingly and capably. All too often they are taken for granted as we sit comfortably within our own secure lives, knowing that people "out there somewhere" are guarding our shores and fighting in distant corners of the world or serving in thankless jobs that are still a vital part of our country's defense system.

Sergeant O'Keefe began his service career in 1943, served in three wars and saw action during the Cuban Crisis as well as the Panama campaign. He retires with numerous awards and medals and I want to cite just a few of them: The presidential unit citation, six Marine good conduct medals, the medal for the American theater, Armed Forces defense ribbon, World War II victory ribbon, United Nations medal, Korean presidential unit citation, Marine expeditionary medal, Vietnam service and campaign medal as well as three combat stars for World War II and the Navy occupational award.

I commend Sergeant O'Keefe for his record, for his unflagging devotion to his country and I wish for him a retirement that is complete with the blessings of a full and happy life. He has earned the rest, as well as a special spot in the hearts of his countrymen.

**FOX BUTTERFIELD OF NEW YORK  
TIMES HAS DISTORTED SENSE OF  
VALUES ON CONGRESSIONAL  
TRIPS**

**HON. WILLIAM M. KETCHUM**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1975

Mr. KETCHUM. Mr. Speaker, I feel I must comment on a recent New York Times article by Fox Butterfield. The commentary implied that certain of my colleagues were guilty of illegal or at least improper behavior in accepting trips to Taiwan from a private Republic of China organization.

The Pacific Cultural Foundation—PCF—the organization in question, is registered as a private, nonprofit corporation of the Republic of China. However, Mr. Butterfield suggests that close examination reveals the foundation to "serve largely as a front for the nationalist government," and that it is "the latest incarnation of the China Lobby, the once powerful pro-nationalist group." As corroboration for this allegation, Mr. Butterfield indicates that three senior officers of China Airlines serve on the board of PCF, and that they are "all retired nationalist generals considered close to Chiang Ching-Kuo." He also produces a statement by a nameless China Airlines staff member, stating that while the foundation paid for Members' airfares, it was in turn reimbursed by the Taiwan Government.

Mr. Butterfield believes his evidence to be solid enough to link PCF with the government, despite reassurances by PCF Executive Secretary Huang Sheng Ti that no government moneys were involved. His line of reasoning leads him to conclude, therefore, that gifts to congressional personnel from PCF are, in fact, gifts from an agent of a foreign power.

United States Code, title 5, section 7342, specifies that gifts to employees of the Federal Government—including Congressmen—of more than minimal value are "deemed to have been accepted in behalf of the United States, and shall be deposited by the donee for use and disposal as the property of the United States."

In 1974, the Comptroller of the United States observed that "because of the impossibility of surrendering the gift of a trip once it has been accepted and taken," donees would be unable to comply with the law. Based on this, the Committee on Standards of Official Conduct issued an advisory opinion, declaring:

That acceptance of travel or living expenses, in specie, or in kind by a Member or Employee of the House of Representatives from any foreign government, official agent, or representative thereof is . . . prohibited.

Now, I am struck here by a certain incongruity in the Times' reporting. A great deal of space has been devoted to "exposing" congressional dealings with an alleged Nationalist Chinese Government "front," basing insinuations on rather tenuous shreds of evidence. Yet, the very same article treats congress-

sional trips to mainland China, which are completely and openly paid for by the Peking Government, in a very matter-of-fact manner.

Granted, in the case of the People's Republic of China, the rules have been smoothly circumnavigated. The comptroller opined, in 1975, " \* \* \* it would appear that the benefits have in reality been extended to the United States, and not to the recipients at all \* \* \*" in reference to an early congressional tour of the PRC. However, it is clear that the visit to the People's Republic of China was essentially the same as visits to any other nation. The Congressmen wanted firsthand information; the hosts wish to provide a guided tour, supplying that firsthand information, and leaving their guests with a good impression.

What, then, are Mr. Butterfield and the Times objecting to? Perhaps they feel that the spirit of the law was violated when congressional personnel accepted trips from an organization which they allege has connections with a foreign government. But, if the spirit of the law is their concern, would they not be demanding that individual members, or the United States, pick up the tab for the mainland tours? Instead, we find the author calling on the Taiwan-traveling members to explain their activities, and insinuating improper behavior on their part.

One is left with the suspicion that the Times' real objection is with congressional visits to Taiwan. If this is the case, they have approached the question by a route more devious than that they accuse the Pacific Cultural Foundation of taking.

**DO NOT TAKE THE AMERICAN  
FARMER FOR GRANTED**

**HON. KEITH G. SEBELIUS**

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1975

Mr. SEBELIUS. Mr. Speaker, a series of advertisements by Far-Mar-Co. Inc., Hutchinson, Kans. recently appeared in U.S. News & World Report magazine publicizing the farmers' situation in light of the controversial grain sales to Russia.

Mr. George Voth, executive vice president of Far-Mar-Co. Inc. is to be commended for his fine efforts to keep the public informed on matters affecting U.S. agriculture and how agriculture relates to all Americans. For the benefit of my colleagues who may have missed this series the following is the first of the series:

**THE FARMER IS PAYING THE PIPER, BUT LOOK  
WHO'S DANCING**

To put things into perspective, let's take a look at what the American farmer is paying.

He paid 81% more in 1974 for fertilizer than he did in 1973. And that's when he could get it. His building and fencing supply costs were up 23%. When he planted his crops, the farmer paid 20% more for his seed in 1974 than he did in 1973.

These are just three examples. But they show what the farmer is having to pay to

the large, powerful corporations from whom he has to buy.

It becomes even more shocking when prices are compared with 1967 levels. For the seven year period, the above percentages explode to 212%, 191%, and 263% respectively.

As the American farmer is feeling this extraordinary cost squeeze, he is also feeling the threats against his only real hope for survival.

Cooperatives are his method of dealing with the powerful buyers and sellers on a somewhat more equal basis. Yet there are some who seek to destroy this efficient marketing system.

Especially with today's strangling inflation, we can no longer take the American farmer—and his production—for granted. His valuable contribution to this nation can be continued only if we provide an atmosphere conducive to profitable farm operations.

The American farmer. Let's not take him for granted.

**ATTENTION, HENRY KISSINGER—  
HOWARD PRESTON TELLS WHAT  
HE WOULD DO "IF HE WERE IN  
CONGRESS"**

**HON. RONALD M. MOTT**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1975

Mr. MOTT. Mr. Speaker, I would like to call the attention of Secretary of State Henry Kissinger—and every Member of this House—to an article which appeared in the Cleveland Plain Dealer last October 27.

The article is a column by Howard Preston, who has the distinction of being one of Ohio's leading journalists.

Mr. Preston has a message for Dr. Kissinger and for every Member of this House with which I heartily concur.

Mr. Preston's column follows:

**IF I WERE IN CONGRESS**

(By Howard Preston)

If I were a member of Congress, I would address myself to the State Department as follows:

"Do not tell me anything you do not want me to report back to my constituents. They sent me here to assist in making laws, to oversee the country's health and welfare, to watchdog its financial and economic operations and to be a check on the other branches of government."

I would go on record with Henry A. Kissinger, the secretary of state, in this manner:

"Every American citizen is entitled to know what goes on officially in our dealings with other nations. Secret treaties, secret understandings and secret commitments down through history have sparked wars and revolts and have destroyed faith in free government. Therefore, if you want to explain some international pact already decided on, with the stipulation that I not tell my people, then count me out."

I can see that preliminary meetings and initial steps leading toward an agreement involving the United States could be private matters. There is give-and-take involved which shapes a final outcome. And until finalization, steps are tentative.

But after the chief negotiators agree, then the people have the right to hear the whole thing explained.

I hope that Americans never forget how they were misled and bamboozled by the Johnson and Nixon administrations concern-

ing America's role in the fighting in Southeast Asia. The President, cabinet members, military leaders and at least one senator were part of the deception.

There was a lesson there to be learned. It was generally agreed that never again would Congress be so lax as to let the executive branch handle things on a basis of "trust us now and we may explain later."

Then came Kissinger's Middle East peace plan which includes U.S. personnel as peacekeepers and huge wads of taxpayers' money to be paid to the squabbling nations as long as they do not go to war again.

And Kissinger, despite his promise that every item of the agreement would be displayed for Americans, then tried to play the old shell game. He vowed complete disclosure. But first he wanted to brief congressional committees in private. Then he suggested that he and Congress decide just how and in what manner the material would be divulged. In other words, the American people should be spoon-fed, as Nixon implied.

If I were a congressman, right then I would have asked Kissinger what was wrong with telling the truth, the whole truth. If he persisted in his devious way, I would have said, "You do not trust the people. I do. They are old enough to hear the facts. So do not tell me anything I cannot relate to them."

**SICK MINDS AND JOURNALISM**

**HON. HARLEY O. STAGGERS**

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1975

Mr. STAGGERS. Mr. Speaker, a few days ago television station WWSA-TV, Harrisonburg, Va., broadcast an editorial deploring the tendency of journalists to glorify "perverted psychopaths." It speaks, "loud and clear," on a matter which should reach every TV listener between the Atlantic and the Pacific. The station gives reasons why the journalists use valuable time in analyzing the vagaries of sick minds. No hearer can fail to understand the station's concern over the results of "sensational gossip."

Station WWSA-TV reaches a large part of the Second Congressional District of West Virginia, which is my home and the home of my constituents. I am happy to have a television station of such pronounced honesty and straightforwardness to speak to our people. In my opinion, telecasts such as the following represent accurately the feeling of the majority of its audience:

It has been dismaying to see and hear the journalists of this country spending their talent in the examination of perverted psychopaths. The glorification of people who threaten the life of the President of the United States has . . . as the Supreme Court used to say about pornography . . . no redeeming social value.

We all thought it was just a characteristic of the national news services. But now, we know it isn't so. We have discovered that a man charged with plotting to harm the President once—six years ago—lived in the Shenandoah Valley, and reporters are falling all over themselves to discover more details of the individuals kinky past.

Gossip sells. Sensational gossip sells sensationally. But at the risk of airing our profession's laundry, I have to say that journalism and gossiping ought to be different.

Sick minds are triggered, and sick actions produced, by forces we don't clearly under-

stand. But if we glorify suicide, more suicides will result. If we glorify drugs, more drugs will be used. And it is not necessary to approve the thing glorified . . . just talk about it all the time, marvel about the horror of it, examine it, and above all keep talking about it.

In this way the journalists of America are themselves seriously endangering the life of the President of the United States. And now I'm afraid the journalists of the valley are following suit.

I wish we could all agree to leave the sick actions of warped minds to the professional help they need and the obscurity they deserve until the tragedy or the futility of their actions is overwhelmingly apparent.

**AGENCY FOR CONSUMER PROTECTION—LOOK WHO IS FOR IT**

**HON. BENJAMIN S. ROSENTHAL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1975

Mr. ROSENTHAL. Mr. Speaker, next week, the House will have an opportunity to vote on the establishment of an Agency for Consumer Protection, H.R. 7575. This bill has been termed by the leading consumer groups as "the most important consumer bill ever considered by the Congress."

The legislation should have become law years ago. The establishment of a Consumer Agency is more important today than it was a year ago when first proposed.

I insert into the CONGRESSIONAL RECORD at this point, the very impressive list of only a number of the supporters of H.R. 7575:

**SUPPORTERS OF H.R. 7575**

This coalition, consisting of various consumer, farm, senior citizen, religious, and community groups, labor unions, and state and local officials, favor enactment of the agency for consumer advocacy legislation.

**NATIONAL GROUPS**

- Amaalgated Clothing Workers of America (AFL-CIO).
- Amaalgated Meat Cutters and Butcher Workmen (AFL-CIO).
- American Association of Retired Persons.
- American Association of University Women.
- Americans for Democratic Action.
- B'nai B'rith Women.
- Common Cause.
- Communications Workers of America (AFL-CIO).
- Consumer Action for Improved Food and Drugs.
- Consumer Federation of America.
- Consumers Union of the United States, Inc.
- Cooperative League of the United States of America.
- Friends of the Earth.
- International Association of Machinists and Aerospace Workers (AFL-CIO).
- International Union of Electrical Radio and Machine Workers (AFL-CIO).
- International Ladies Garment Workers Union (AFL-CIO).
- Movement for Economic Justice.
- National Black Media Coalition.
- National Congress of Hispanic-American Citizens.
- National Consumers Congress.
- National Consumers League (Esther Peterson, President).
- National Council of Senior Citizens.
- National Farmers Union.
- National Political Women's Caucus.

- Oil, Chemical and Atomic Workers International Union (AFL-CIO).
- Public Citizen (Congress Watch).
- Retail Clerks International Association (AFL-CIO).
- Sierra Club.
- United Auto Workers.
- United Mine Workers of America.
- United Presbyterian Church (Washington Office).
- United Steelworkers of America (AFL-CIO).
- Women's Equity Action League.
- Women's Lobby.
- Women's National Democratic Club.
- Consumer Advocates.

**LOCAL GROUPS AND INDIVIDUALS**

**Alabama**

- Alabama Labor Council (AFL-CIO).
- Julian Butler, Attorney-at-Law (Huntsville).
- Morris Dees, Civil Rights Attorney (Montgomery).
- Elmore Community Action Committee (Wetumpka).
- Dr. Higdon Roberts, Jr., Director, Center for Labor Education and Research, University of Alabama (Birmingham).
- Ronald Menton, Director, Alabama Credit Union League.
- William Baxley, Attorney General.

**Arizona**

- Paul Castro, Governor.
- Arizona Consumer Council.
- Arizona Committee for Social Utility.
- Tucson Public Power.

**Arkansas**

- David Pryor, Governor.
- Earl Anthes, Community Development Consultant (West Memphis).
- Arkansas Community Organization for Reform Now (Little Rock).
- Arkansas Consumer Research (Little Rock).
- Jim Guy Tucker, Attorney General.

**California**

- Alameda County Consumer Action, Inc.
- California Citizen Action Group.
- California Public Interest Research Group.
- CalPIRG Advocates.
- Coalition for Santa Clara Valley.
- Consumers Cooperative (Don Rothenberg, Richmond).
- Consumers Coop of Palo Alto.
- Consumers United of Palo Alto.
- Fight Inflation Together (Los Angeles).
- Friends Committee on Legislation of Southern California.
- Gil Graham, Esq., Lawyers Committee for Urban Affairs (San Francisco).
- Bob Fellmeth, Deputy District Attorney (San Diego).
- People's Lobby (Los Angeles).
- San Francisco Consumer Action.
- San Francisco Consumer Advocates.

**Colorado**

- Colorado League for Consumer Protection.
- Colorado Public Interest Research Group.

**Connecticut**

- Connecticut Citizen Action Group.
- Connecticut Consumer Association, Inc.
- Connecticut Public Interest Research Group.

**Delaware**

- Mrs. Frances West (Director, Consumer Affairs Division).

**District of Columbia**

- District of Columbia Public Interest Research Group.

**Florida**

- Reuban Askew, Governor.
- American Consumer Association, Inc.
- Concerned Consumers of Dade County.
- Congress of Senior Citizens.
- Consumer Information Center of Central Florida, Inc.

*Georgia*  
Citizens Consumer Council of Georgia.

*Guam*  
Ricardo Bordallo, Governor.

*Idaho*  
Cecil D. Andrus, Governor.

*Illinois*  
Dan Walker, Governor.  
Illinois Public Interest Research Group.

*Indiana*  
Indiana Public Interest Research Group.

*Iowa*  
Iowa Consumers' League.  
Iowa Public Interest Research Group.

*Kansas*  
Consumer Relation Board, Kansas State University.  
Consumer United Program.  
William Griffin, Assistant Attorney General & Chief, Consumer Protection Division.  
Kansas City Consumers Association.  
Richard L. D. Morse, Professor, Family Economics, Kansas State University.  
Earl Sayre, Legislative Chairman, Kansas Council on Aging.  
Curt Schneider, Attorney General.

*Kentucky*  
Consumers Association of Kentucky, Inc.  
Kentucky Public Interest Research Group.

*Louisiana*  
Acadiana League.  
Consumer Protection Center.  
William Guste, Attorney General.  
Louisiana Consumers' League.  
Mayor's Office of Consumer Affairs (New Orleans).  
Charles W. Tapp, Director, Louisiana Governor's Office of Consumer Protection.

*Maine*  
Combat, Inc. (Portland).  
Maine Public Interest Research Group.

*Maryland*  
Marvin Mandel, Governor.  
Alliance for Democratic Reform (Montgomery County).  
Maryland Citizens Consumer Council.  
Maryland Public Interest Research Group.  
Montgomery County Office of Consumer Affairs.

*Massachusetts*  
Father McEwen, President, Association of Massachusetts Consumers (Boston).  
Massachusetts Public Interest Research Group.

*Michigan*  
William G. Milliken, Governor.  
Consumer Alliance of Michigan.  
Michigan Citizen's Lobby.  
Michigan Consumer's Council.  
Michigan Public Interest Research Group.  
Esther K. Shapiro, Director, Consumer Affairs Department, City of Detroit.  
Robert Leonard, District Attorney (Flint).

*Minnesota*  
Wendell R. Anderson, Governor.  
Sherry Chenoweth, Director, Minnesota Office of Consumer Services.

*Missouri*  
Housewives Elect Lower Prices.  
Mid-American Coalition for Energy Alternatives (Clinton).  
Missouri Public Interest Research Group.  
St. Louis Consumer Federation.

*Montana*  
Thomas L. Judge, Governor.  
Consumer Affairs Council, Inc., of Montana.

*Nebraska*  
J. James Exon, Governor.  
Consumer Alliance of Nebraska.

*Nevada*  
Consumer League of Nevada.

Rex Lundberg, Commissioner of Consumer Affairs.  
Robert List, Attorney General.  
Elliott Sattler, Deputy Attorney General.

*New Jersey*  
Brendan Byrne, Governor.  
Center for Consumer Education Services (Edison).  
New Jersey Public Interest Research Group.

*New Mexico*  
Toney Anaya, Attorney General.  
Emily Belasquez, Director, Consumer Education Program, All Indian Pueblo Council.  
Delacroix Davis, Jr., Chairman, FEB Consumer Issues Committee (Albuquerque-Santa Fe).  
Herman Grace, Director, Division of Human Resources, Office of the Governor.  
Mrs. Viola Pena, Director, Consumer Protection Division (Albuquerque).  
New Mexico Public Interest Research Group.  
Jerry Apodaca, Governor.

*New York*  
Adolfo Alayon, Consumer Action (Bedford Stuyvesant).  
Center for Community Issues Research (Rochester).  
Consumer Action Now (CAN).  
Consumers Association of New York (Rochester).  
Consumer Protection Board (Huntington).  
Metro-Act of Rochester.  
New York Consumers Assembly.  
New York Public Interest Research Group.  
James Picken, Commissioner of Consumer Affairs (Nassau County).

*North Carolina*  
North Carolina Consumer Council.  
Consumer Center of North Carolina.  
Conservation Council of North Carolina.  
North Carolina Public Interest Research Group.

*North Dakota*  
Arthur A. Link, Governor.  
Community Action Line (Grand Forks).

*Ohio*  
Consumer Action of North Dayton.  
Consumer Conference of Greater Cincinnati.  
Consumer Protection Association of Cleveland.  
Consumers League of Ohio.  
Ohio Consumers Association.

*Oregon*  
Community Care Association, Inc. (Portland).  
Oregon Consumers' League.

*Pennsylvania*  
Milton Shapp, Governor.  
Alliance for Consumer Protection.  
Bucks County Consumer Organization.  
Pennsylvania League for Consumer Protection.  
Philadelphia Area Consumers' Council.  
Ruth Rodman, Director, Consumer Affairs Education Division, Philadelphia School District.

*Rhode Island*  
Philip W. Noel, Governor.

*South Dakota*  
Richard F. Kneip, Governor.

*Tennessee*  
Tennessee Consumer Alliance.

*Texas*  
John Hill, Attorney General.  
Texas Consumer Association.  
Texas Public Interest Research Group.

*Vermont*  
Thomas P. Salmon, Governor.  
Vermont Public Interest Research Group.

*Virginia*  
Virginia Consumers Citizens Council.

*Washington*  
Daniel J. Evans, Governor.  
Washington Committee on Consumer Interests.

*West Virginia*  
West Va. Citizen Action Group.

*Wisconsin*  
Patrick J. Lucey, Governor.

*Wyoming*  
Wyoming Public Interest Research Group.

## COMMISSION ON OLYMPIC SPORTS

## HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1975

Mr. MICHEL. Mr. Speaker, the President formed his Commission on Olympic Sports on June 19. Since that time the Commission has conducted one hearing and will conduct its second hearing in New York on November 10 and 11. As a member of the Commission I have participated in the Commission's work and have noted its progress. To that end the Commission's executive director, Michel T. Harrigan, made an important address before the General Assembly of International Sports Federations in Montreal on October 7. I feel that his remarks were particularly significant and portray accurately the point of decision that the United States faces in its role in international amateur sports competition.

To show what I mean, the recent U.S. performance in the Pan American Games in Mexico City was outstanding. However, it should be noted that the Cubans won 50 gold medals while they won only eight 4 years ago in Cali, Colombia. The Cubans did so well, not so much because they are a regimented society, but because they are organized and structured along the lines of competence. This is what the United States has to do and it is through the study being conducted by the President's Commission on Olympic Sports that we as a country can reach this goal. I ask that Mr. Harrigan's speech be reprinted at this point in the RECORD:

## PRESIDENT FORD'S COMMISSION ON OLYMPIC SPORTS

I want first to thank Mr. Thomas Keller and the other officers and council of GAIF for providing me the opportunity to address the 1975 GAIF meeting here in Montreal on behalf of President Ford's newly created Commission on Olympic Sports. I have had the great pleasure of meeting many of you and before our work as a commission is completed, I hope that I and other members of the commission will have had the opportunity to meet with you all.

The late Chief Justice of our Government's Supreme Court, Earl Warren, used to say: "I always turn to the sports pages of a newspaper first to read about man's accomplishments before I turn to page one to read about man's failures." While that thought may have been accurate some years ago, I question whether it is true today in the United States.

For many years now, the United States position in international amateur competitive sport has deteriorated. In my view, there are several principal reasons for this.

1. The other countries of the world have improved their level, quality and participa-

tion in international competitive amateur sport at a rate far in excess of the improvements made by the United States.

2. The increasing preoccupation in the United States with professional sport has relegated amateur sport to an ever declining degree of emphasis.

3. Enormous conflicts among the organizations which govern amateur sports in America have hindered American sports development at the grass-roots level, have limited effective solicitation of financial support and have created a pattern of facility use based upon jurisdictional rather than cooperative lines.

I welcome the fact that so many more countries are today presenting outstanding athletes for world amateur competition. But I do want to discuss with you the other two reasons for America's deterioration in world amateur competition because it is here that you distinguished ladies and gentlemen can help and should help as presidents and secretaries general of your respective federations.

Professional sport has become the dominant form of American sport. We have professional teams and leagues in American football, basketball, baseball, athletics, ice hockey, soccer football, boxing, tennis, lacrosse, golf, bowling and perhaps another one or two I have forgotten. I do not quarrel with the existence of these leagues and teams. What I quarrel with are the results of this situation. There seems now to be a growing appetite—an apparently insatiable one—for money in American sports, with a total emphasis on "how much" instead of "how good", a preoccupation with money instead of quality sport competition.

Our newspapers and television sports broadcasts assist in the development of this condition by focusing much of their effort on discussions of professional sports players strikes, salary disputes, transfer of players from one league to another to earn more money and professional sports organization owners moving their teams from city to city unless demands are met or profits are healthy. In addition, professional sports do little to help amateur sports. This is self-defeating since it is from the ranks of amateur sports that our professional sportsmen come.

This is not to say that our media totally ignores all aspects of international amateur sport. The Olympics receive enormous attention every four years. There is also much discussion in America that amateurism is violated throughout the world, that the rules are not abided by in most countries and that Americans are at a disadvantage in international competition because our professional athletes cannot compete under the so-called amateur rules. Some Americans even suggest we should not compete at all. I, for one, do not agree for although I am aware of violations of amateurism in the world, I believe that the advantage of competition and contact through sport among peoples of different nations serves the world community of nations very well.

While I do not believe America has lost the competitive urge, the enormous preoccupation with professional sports in America and its attendant emphasis on money causes these results:

1. Americans are becoming ever increasingly a nation of spectators rather than participants. Huge stadiums are constructed to view these teams and individuals but little or no money is available to finance amateur sports and its required facilities.

2. Very young Americans adopt professional sportsmen as their idols rather than some of the great American amateur sportsmen, as in the past. Therefore, these young Americans are not as motivated to compete as in the past.

3. Young Americans never hear of many of our amateur sportsmen because the media is too busy telling the public of a salary

dispute or a player strike. Very few Americans could even tell you what team handball or luge is.

As an example and as you know, world championships were recently held in rowing, weightlifting and wrestling. Accounts of these sporting events were barely reported in the American media.

An American athlete who participates in these and other international sports is therefore hardly appreciated because most Americans do not even know if he or she exists.

As international sports federations you can help to rectify this situation. By constantly promoting and scheduling international competitions in your sport around the world, perhaps a change in direction can be made. But success is not possible unless the third reason for U.S. deterioration, the present organization for amateur sports in the United States, is improved. It is here that you can also help.

Let me explain what I mean. Suppose the United States wishes to send an athletics team to Moscow to compete against the Soviet Union. As you know, such a competition would have to be approved by the I.A.A.F. although the details of the competition are worked out between the American and Soviet affiliates of I.A.A.F. The U.S. affiliate then sets about determining with its Soviet counterpart the date of the meeting and determines who the coaches and officials will be to accompany the team. Then it chooses the athletes based upon recent performances or from the placings of athletes in a particular competition. Now here is where the trouble begins. The governing body asks other jurisdictions governing our schools, colleges and others to provide the athletes they are training and for whom they are responsible. The organizations which are asked to provide the athletes too frequently decline to provide the athletes because they believe that they should have more of a voice in the governing body for the sport. The governing body refuses to give up much control and the result is that the athlete from the schools and colleges is denied the right to represent his country against the Soviets. If he goes ahead and competes anyway he may be denied further eligibility as an athlete at his school and his school may also be punished.

We can conclude from this not-so-hypothetical example that:

1. Athletes are used as pawns in the struggle among our amateur sport organizations for power.

2. The American goal of building international understanding among peoples is damaged when less than our best athletes represent America in competition.

3. By inference, the participation base is eroded because these organizations are so preoccupied with combatting one another rather than developing sport.

It is because these conditions exist in athletics as well as other sports in America and have lasted for too long that President Ford formed the Commission on Olympic Sports. The commission's role is one of inquiry-of-study-into the problems confronting American participation in international competition in the olympic sports. Our goal is to develop an organizational plan which sets forth the best overall organization for amateur sports in America as well as the organization for each sport. We will also be examining the requirements for money, facilities, better coaching and other matters.

American international amateur sports is at an important juncture in its history. A decision must be made regarding whether the United States wants to put its best forward in amateur sports or retreat to being a nation of professional sportsmen and spectators. America has done relatively well in amateur sports in recent years only due to the great personal and financial sacrifice on

the part of its athletes, their parents, and the selfless dedication of many of our coaches and officials. The United States is the only country in the world which does not receive money directly from its government for sports. It is all done through private and corporate contributions.

President Ford's Commission on Olympic Sports needs your assistance, guidance and knowledge in order to succeed. The commission may have to recommend that certain governing bodies are not the most representative of a particular sport in America and that others may need to be reorganized. If so, we want to design our recommendations so that they are fully consistent with your rules and the rules of the I.O.C. For these and other reasons we must meet with each of the Olympic Federations during the course of our study to gain the benefit of your views and we must have a copy of your statutes and regulations so that we may study them thoroughly. We have already had very good meetings with some of you. We will be in contact with the remainder of you soon to arrange meetings. I do hope you will honor our request. In the meantime, please send to us a copy of your statutes and regulations if you have not already. We have notified each of your national affiliates in the United States that we are meeting with you and they welcome our initiative. They are all also in favor of this commission and have stated so.

TRIBUTE TO RAYMOND J. LANE,  
RECIPIENT OF RED CROSS  
CERTIFICATE OF MERIT

HON. FERNAND J. ST GERMAIN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1975

Mr. ST GERMAIN. Mr. Speaker, on February 27, 1975, my constituent, Mr. Raymond J. Lane of Cumberland, R.I., was working in the rear of the supermarket he manages when a call for a doctor was heard over the store's public address system. Mr. Lane rushed to the scene, found that a woman in an automobile parked outside the store had apparently suffered a cardiac arrest, and, utilizing skills he had learned in a volunteer Red Cross first aid training program, immediately began mouth-to-mouth resuscitation. By acting swiftly and decisively, Mr. Lane had restored the victim's breathing by the time a local rescue unit took her to the hospital, and there is no doubt that he saved her life.

This praiseworthy action qualified Raymond Lane for the Red Cross Certificate of Merit, which is the highest award given by the American Red Cross to a person who saves or sustains a life using knowledge acquired through special Red Cross safety training programs. Raymond Lane's compassion for another human being, and his quick reaction in a crisis—so crucial to the life of the heart attack victim—qualifies him also for the gratitude and esteem of all citizens.

Understandably, in Rhode Island we are proud of this gentleman and, although a date for the award presentation by the Greater Woonsocket Chapter of the American National Red Cross, Woonsocket, R.I., has yet to be announced, it is a very great pleasure to ask that Raymond Lane's story now be inscribed in

the CONGRESSIONAL RECORD so that his good deed may be called to national attention.

**NEW YORK PAPERS RESPOND TO  
PRESIDENT'S "DROP DEAD" MES-  
SAGE TO NEW YORK CITY**

**HON. ELIZABETH HOLTZMAN**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1975

Ms. HOLTZMAN. Mr. Speaker, the New York Times, the New York Daily News, and the New York Post rarely agree editorially, but yesterday each reacted similarly to President Ford's callous, irresponsible, and dishonest attack on our city. I would like to call my colleagues' attention to these editorials, because they cogently point out the misstatements and distortions in the President's speech. I would also like to bring to the attention of my colleagues the Daily News headline of yesterday, which sums up President Ford's speech in the following words:

[From the Daily News, Oct. 30, 1975]

**FORD TO CITY: DROP DEAD  
FORD'S STAB IN THE BACK**

President Gerald Ford made it abundantly clear yesterday that the White House wants no part of any constructive effort to help New York City avoid default.

Indeed, the President seems to feel that we ought to welcome insolvency as a healthy, purifying atonement for all our past fiscal sins of omission and commission.

With that in mind, Mr. Ford proposes to "aid" the city by having Congress adopt a municipal bankruptcy law. He argues that it would afford New York breathing room for refunding its debts while maintaining essential services.

This totally negative approach was accompanied by a great deal of solemn sermonizing on the city's abysmal record for waste, extravagance and financial flinching, the lushness of its welfare-state programs, the exorbitant salaries and pensions it has granted civil servants.

This recital of wrongdoing was nothing less than a stab in the back of a great city—an act of cheap politics that plays recklessly on anti-New York sentiment across the nation.

To further fan such feelings, Mr. Ford resorted to—gross distortions—in describing the proposals for federal assistance that have been offered. According to the chief executive, we are seeking a straight handout from the government so that New York can continue on its merry, spendthrift way with the rest of the country picking up the tab.

No responsible person who has recommended loan guarantees or other forms of federal help has ever suggested that the city be given a free ride. On the contrary, the pleas have been coupled with demands that the city be required to make stringent economies, and to repay within a reasonable time any money Washington had to pay out.

Mr. Ford also chose to ignore, in a statement given in a national forum, the—real and earnest efforts—that the city and state have made to cope with our fiscal crisis.

Not a word did he mention about the Municipal Assistance Corp., the Emergency Financial Control Board, accounting reforms, pay freezes, program cutbacks and the dismissal of thousands of police, firemen and other public employees.

Surely, in fairness to New York, Mr. Ford ought to have informed the millions of

Americans unfamiliar with day-by-day developments here about those painful measures that have been adopted.

But it appears that Mr. Ford has not the slightest interest in being fair or helpful to New York.

Instead, he has offered a "solution" which would be ruinous to New York, and which many hard-headed financial experts—including some within the President's close circle of advisers—believe would send damaging shock waves through the entire national economy.

[From the New York Times]

**PRESIDENTIAL DEFAULT . . .**

Like a bemused stranger from another place and time, President Ford yesterday addressed the contemporary crisis in urban America's largest city in terms of the political and economic dogmas of an 18th-century rural confederacy.

Mr. Ford's "fair and sensible" plan for purging New York of its fiscal sins and restoring the city to solvency is neither sensible nor fair. It does not begin to offer solutions to the city's complex problems, let alone to the deeper national urban crisis of which New York's acute budgetary disorder is merely a symptom.

The President's pietistic lecture on the city's ills and his prescription for dealing with them are based on a number of fundamental fallacies which his Administration has been promoting for weeks:

New York's situation is unique and the city's collapse would have no serious repercussions on other cities which "simply have been better managed." As we have often noted, New York's elected officials certainly have helped precipitate the city's present predicament through political chicanery and fiscal mismanagement. But to reiterate that truism is no service now. Congress, and presumably the White House, have heard the testimony of Mayors from across the country indicating that they too are struggling with many of the problems that have pushed New York to the brink. But, as New York is the largest city, the magnitude of its crisis is obviously larger and less tractable than any other city's—and the effects on the nation correspondingly more profound and far-reaching.

New York's default would have no lasting effects on financial institutions or the national economy. There is an accumulating weight of expert testimony to the contrary—enough, in our view, to convince any prudent person that the President is taking unacceptable risks with the fate of the nation in dismissing this indeterminate question so cavalierly. The fragile interdependence of a modern industrial society cannot be brushed aside with slogans from an agrarian past.

Default could still be averted through local efforts by city and state officials who have "abandoned" New York on Washington's doorstep. That is an ignorant insult to New Yorkers, of both parties and from many walks of life, who have performed superhuman feats of rescue and reform, to keep the city afloat through the agonizing months of recurring crises.

The Federal Government has no business intervening on behalf of a troubled city, a concept of federalism that has no constitutional validity and which has been repeatedly belied by Federal interventions on behalf of distressed communities, corporations, interest groups and even foreign countries.

The President's plan for a court-managed default could sustain the essential life of this city with only "temporary inconvenience" to its citizens and at no cost to the Federal Government. If it would work at all, which is doubtful, Mr. Ford's vaguely defined scheme would in fact result in a far higher cost to the Federal taxpayer and a much deeper and more enduring Federal involvement in the affairs of the city than

any of the so-called "bailout" plans that are gestating in Congress. Contrary to the President's assertion, all of those plans involve tough restrictions that would compel New York or any other endangered city to put its fiscal house in order as a condition for aid.

The difference between the Ford plan and those being advanced by concerned members of Congress is that Congress is seeking a way to help the city help itself back to fiscal health. The President indulges in moralistic posturing from his shaky pulpit, as he recklessly waits for the city to founder, dragging state and nation in its train.

. . . PRESIDENTIAL PIETY

Although it was not clear that President Ford had a firm grip on just how his plan to sweep up after a default would actually work, he displayed a firm grasp of his own particular vision of sin and sinners. The President's rigid and punitive moralism pierced several secondary targets—cities generally, profligate urban officials, doomsayers and welfare cheats among them—before hitting the principal source of his dismay, which is adequate funding for public programs designed to improve American society by meeting urgent human needs.

Beyond announcing that New York has to swallow bitter medicine because it has been bad, the President was in effect making a ringing and heartfelt reaffirmation of the fact that he has declared war on the country's most generous public impulses. The speech was of a piece with his vetoes of health, education and child nutrition measures and his continuing war against the food stamp program. In his peroration, Mr. Ford warned that providing more benefits and services than the nation can afford would bring on a day of reckoning in Washington and asked, "When that day of reckoning comes, who will bail out the United States of America?"

What the President is really doing is waging an intense and dishonest battle on the issue of national priorities. While his Defense Secretary bemoans "savage" cuts which would pare his budget down to a mere \$90.2 billion for the next year, the President is busy warning that spending money on social needs is the quickest way to perdition and setting New York up as the horrible proof of his assertions. In a society strained by economic inequality and not yet recovered from a major recession which has left millions still jobless, the President's comments ring with a quaint McKinleyesque authenticity. For once, he read a speech as though he really believed it.

A rational debate on how to allocate the limited resources available for urgent national needs is both fair and necessary. Mr. Ford, however, is employing emotionalism and thinly disguised antiurban bigotry to help him withdraw funds directed at those places where the nation's social fabric is stretched thinnest and where acute suffering could well grow to cause severe social disintegration.

There is no question that funds available to meet those problems are not unlimited. But it is also beyond question that failure to face up to those problems will not only continue to devalue the quality of life for everyone in this society, but could also bring on a different kind of day of reckoning that Mr. Ford now has in mind. If that day should ever come, it is doubtful that the President would find his simple pieties very helpful.

[From the New York Post]

**FORD VS. NEW YORK . . .**

What President Ford seemed to be saying yesterday is that it is a waste of time to throw a drowning man a life preserver; rescuers should instead practice artificial respiration. Put another way, he is telling us it is costly and unwise to prevent a building collapse; the prudent policy is to come for-

ward after the dust settles with a home improvement loan.

That was essentially the policy self-righteously outlined by Ford before the National Press Club in Washington during a hastily scheduled speech dealing with the New York City fiscal crisis. It was perhaps the least responsible, most politically contrived and operationally barren program he has offered since entering the White House.

Nowhere, in an address devoted exclusively to New York's situation and lasting more than 25 minutes, did the President make a single reference to the extraordinary emergency plan of fiscal reform and rehabilitation that city, state and financial community leaders have developed and imposed here in recent months.

Instead he derisively depicted them as unrepentant, incorrigible spendthrifts demanding a "federal blank check" to finance "patently bad policies."

He maintained that New York's confrontation with default is virtually unique, arising solely from the mismanagement of its government leaders, blandly ignoring the fact that this city's pleas to Washington have been echoed repeatedly by governors and mayors the country over.

He projected only "temporary difficulty" or "temporary fluctuations" in the securities markets should default occur, despite massive and mounting evidence that financial disaster would engulf other cities and states. He derided the fiscal excesses forced by "pressure groups" in New York, less than 24 hours after he had met with police and fire union leaders from this city who were rewarded with his public pledge that "essential services" would be maintained by Washington if the worst occurs.

But none of the President's alternately contemptuous and complacent observations was equalled by his own reform program: amendment of the federal bankruptcy law to permit "orderly" financial reorganization here after default. It would, he explained coolly, require that the city make good on its debts and develop a long-term program for lasting reform to recover from the consequences of its leaders' "past folly."

Yet it is precisely these objectives that the city and state reforms—the thousands of job layoffs, the hundreds of millions in economies, the Municipal Assistance Corporation borrowing program, the supervision of the Emergency Financial Control Board—were designed to reach. They were not conceived in Washington this week; they have been in place for months. There is real hope, given relatively short-term federal support, that they could forestall default and chaos to follow.

Yet the President has not only failed to acknowledge this conscientious effort. He has blandly claimed vital elements of the same program as his own—with one incredible exception. He will not apply it for the purpose intended: preventing default. He would allow default to occur first, thus making far more difficult the subsequent quest for enduring stability.

That time schedule is as inexplicable as the President's assertion that the city and state can still escape default by increasing taxes or reducing spending when they have pressed both measures to the maximum. His own plans for financing "essential services" were left wholly vague. Asked for details after his address, he fumbled uncertainly and then declined to furnish any specifics. Who is kidding whom?

The realities are plain. The Ford Administration is not proposing to relieve New York's ordeal but to exploit it.

The President's vision grows steadily narrower. His astonishing announcement that the rest of the nation's cities are largely "healthy," that New York is the only one suffering from fiscal malaise, was almost in-

stantly challenged by the U.S. Conference of Mayors, which took special note of "the national economic condition which has brought cities to current crisis."

Ford has resisted the most earnest, reasoned appeals for a minimal federal commitment to preventive measures.

His exercise in self-fulfilling prophecy was a tragic abdication of his pledge to serve "all the people."

#### ... THE CHALLENGE TO CONGRESS

Lacking any coherent or constructive guidance from the White House, members of both the House and Senate return today to the task of forming a federal aid program to rescue New York City—and to protect countless others. But the very absence of White House direction may provide new incentives for creative response.

Judging from some of the early Congressional reaction, the President's plan to allow default has sharpened the sense of concern and even outrage. There is an infinitely more acute perception of a New York City default's potential fallout.

The formulas vary, even when such a mechanism as loan guarantees are involved. Before the President spoke, the Senate Banking Committee's "compromise" plan appeared punitive. It now appears even more questionable. There is, for instance, a provision that a three-member board of Administration officials supervise city fiscal affairs: what sense does that make when the Administration has so little appreciation of the situation now that it regards default as a tolerable event?

In fact, the most plausible, practical plans for New York's fiscal salvation have been drafted here by an alliance of public and private representatives. Will Congress offer a serious challenge to the bankruptcy of the White House?

#### BICENTENNIAL PROJECTS

### HON. LINDY BOGGS

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1975

Mrs. BOGGS. Mr. Speaker, I would like to take this opportunity to call to the attention of interested Members a new source of information for Bicentennial projects.

The Anti-Defamation League of B'nai B'rith has just published a brochure listing their publications and audiovisual materials which describe the struggles and the contributions of ethnic minorities in America. The material includes the histories of blacks, Jews, Italians, the Spanish speaking, Indians, and countless others within the American experience. One of the titles available is "West To Freedom," a color sound filmstrip produced under a grant from the American Revolutionary Bicentennial Association, which recounts the untold story of minority groups who were in the country during the Revolutionary period and of their participation in the struggle for independence. Other selections of interest are "A Brief History of Mexican Americans," "Black History: Lost, Stolen or Strayed," "The Indian Heritage of Women."

In recognition of the pluralism that gives our Nation its great diversity, the B'nai B'rith is making available movies, filmstrips, video tapes, and books which

may be of special interest to schools or community groups planning Bicentennial activities. I would like to commend the B'nai B'rith for its fine work on this outstanding project.

#### SCHLESINGER ATTACKS DEFENSE BUDGET CUTS

### HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1975

Mr. HARRINGTON. Mr. Speaker, in view of the current White House emphasis on budgeting control, recently dramatized by the President's announcement that he would veto any legislation designed to help New York City avoid default, I wish to draw my colleagues' attention to an article published in the Wall Street Journal, October 28, 1975.

The article, written by Richard J. Levine, exposes an underlying contradiction in the administration's stringent position on budgetary excesses.

In the article Secretary of Defense, James Schlesinger, attacks the House approved \$7.6 billion defense cut for the fiscal year which started July 1, 1975.

There is a certain irony in Mr. Schlesinger's attack of the defense cut. Although the administration has repeatedly stressed the need for absolute fiscal austerity, we are asked to accept the proposition put forth by Secretary Schlesinger that the ceiling which we have established for defense spending is inadequately low.

Mr. Schlesinger warns that such a reduction in defense appropriations will cause us to fall substantially behind the Soviet Union militarily. It is, frankly, difficult to accept such forewarning from the same administration which characterizes the grave consequences, predicated on a probable New York City default, as scare talk.

The President and Cabinet members accuse the Congress of failure to act on issues compatible with national policy and goals. So, as we have acted in peacetime to appropriately reduce the defense allocations, the Defense Department, whose major programs were not affected by the cut, has attacked the budget decrease. This seems to indicate that the present administration is irreparably divided in its interests.

The text of the article follows:

SCHLESINGER ATTACKS DEFENSE BUDGET CUTS BY HOUSE UNIT, SEEKS SENATE RESTORATION

(By Richard J. Levine)

WASHINGTON.—Defense Secretary James Schlesinger has begun a broad counter-attack designed to keep Congress's new budget-review process from making sizable cuts in Pentagon spending.

The Schlesinger offensive has included an unusually harsh attack on the House Appropriations Committee—a traditional bastion of Pentagon support—and a steady stream of ammunition for use by the Senate Appropriations Committee. Mr. Schlesinger wants the Senate panel, led by Arkansas Democrat John McClellan, to restore almost \$2.6 billion of the \$7.6 billion cut by the

House from the defense appropriations bill for the fiscal year that started July 1.

In a five-page letter to Sen. McClellan, Mr. Schlesinger warned that if the House cuts, which reduced the budget to \$90.2 billion, are sustained, "I can not assure that we will be able to maintain an appropriate and stable (military) balance in the future" with the Soviet Union. "Soviet military expenditures might be as much as 50% greater than our own" when pay for retired servicemen is excluded from comparisons, Mr. Schlesinger added.

#### FEAR OF NEW BUDGET PROCESS

Such warnings are standard fare at defense appropriations time. But the Defense Secretary's blast at the House in a press conference last week for "deep, savage and arbitrary cuts" isn't the Pentagon's normal way of doing business. What prompted this unusual step, insiders say, is Mr. Schlesinger's growing fear that the new budget process poses long-run dangers to the Pentagon. "Schlesinger believes the whole defense position is under real threat and that the dynamics (in Congress) are different this year" because of the new budget procedures, a top Pentagon official says. "Once the momentum gets started, you wonder where it will stop. So we're on the offensive. This isn't a game."

The Defense Secretary believes the Pentagon lulled itself into a false sense of security about its budget prospects earlier this year, when Vietnam was collapsing and unemployment was a major congressional concern. In the spring, it was assumed that lawmakers would be reluctant to make deep reductions in the Pentagon's budget for fear of sending out isolationist signals and driving up the jobless rate.

Congress did follow this script in the early stages of considering the defense budget, making only modest reductions in the weapons-procurement authorization bill. But now that it is time to appropriate the money, the protective effects of Vietnam and unemployment seem to have worn off, and legislators working under the new budget process have been cutting deeper.

#### CONGRESSIONAL SPENDING LIMIT

Basically, the new budget procedures involve the establishment of a congressional ceiling on federal spending and appropriations and the establishment of separate targets for major categories of government activity, such as national defense. The process is intended to strengthen Congress' hand in controlling the federal budget, helping it set national priorities. It seems to be working—to the satisfaction of legislators and the unhappiness of the Pentagon—though with some start-up difficulties.

Most apparent is the confusion over whether the House-passed reductions would leave defense appropriations and expenditures above, at or below the congressionally established target for the national defense. This year, the lawmakers didn't establish individual targets for various appropriations bills that make up the national defense function. As a result, a group of liberal Senators has said the House-passed appropriations bill exceeds congressional guidelines by \$932 million, while Rep. Les Aspin (D., Wis.) figures the House bill is \$661 million below the guidelines.

And Sen. Edmund Muskie (D., Maine), chairman of the Senate Budget Committee, has told Sen. McClellan, who wants to add \$1 billion to the House bill, that it appears the guidelines are being exceeded. But Sen. Muskie seemed to leave open the possibility of compromise.

While the total House cut was sizeable, it is equally true the Pentagon didn't lose any major programs in the paring process. There

were, however, big reductions in money for operations and maintenance and some slowdowns were directed in research-and-development and procurement programs.

#### COMPARISON TO SOVIETS

Mr. Schlesinger contends that if this pattern of cutting continues year after year, the combat readiness of U.S. forces will suffer and the military balance of power will swing in favor of the Soviets. To dramatize his case, the Defense Secretary chose this year to focus on the differences in military spending levels in the U.S. and the Soviet Union.

But the value of spending comparisons is coming into question. Over the weekend, Sen. William Proxmire (D., Wis.) released testimony on military spending given last summer by William Colby, director of the Central Intelligence Agency. A spending comparison, Mr. Colby said, "reflects the general magnitude of the programs but it isn't by itself a measure of military capability. Equal levels of spending don't necessarily result in equal military effectiveness."

Some congressional experts believe Sen. McClellan's committee will restore some of the money eliminated by the House. Whether such additions can survive on the Senate floor, where they would almost certainly provoke a fight, is still an unanswerable question.

Another imponderable is just how big a price Mr. Schlesinger might end up paying for such a victory. There are many experts on Capitol Hill who believe the Defense Secretary made a mistake in openly attacking the House Appropriations panel and its long-time chairman, Democrat George Mahon of Texas.

"In the short run, Schlesinger might increase his budget slightly but in the process could end up alienating Congress," a House specialist in defense matters says. "He's been a little heavy-handed."

#### THE LATE HONORABLE JOHN J. ROONEY

#### HON. SAMUEL L. DEVINE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1975

Mr. DEVINE. Mr. Speaker, it is with deep sadness that I pay tribute to a friend, former colleague, and a gentleman, Congressman John J. Rooney, of Brooklyn, N.Y., who departed this life on Sunday, October 26.

Because of failing health, and with reluctance, in June 1974, John announced his decision to retire at the end of the 93d Congress after 30 years of deep dedication in this body.

During his lengthy tenure, John Rooney served as chairman of the Subcommittee on Appropriations for the Departments of State, Justice, Commerce, the Federal judiciary, and related agencies. Always referred to as the "watchdog" of the State Department budget, he was also an ardent protector of the Federal Bureau of Investigation, an agency in which I proudly served for 5 years as a special agent.

I had great admiration and respect for this great man, and he will be sorely missed by all who had the honor of knowing him. To Mrs. Rooney, his daughter and sons and other members of his family, I extend my deepest sympathies and prayers in their great loss.

#### CONSERVATIONIST OF THE CENTURY

#### HON. HARLEY O. STAGGERS

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1975

Mr. STAGGERS. Mr. Speaker, my native State of West Virginia is blessed by Mother Nature with resplendence and magnificence unmatched anywhere, either in the old world or the new. We are determined to preserve its glories for the benefit of future generations, so that the appellation, "Almost Heaven," may have meaning and substance through coming ages.

Habitually we honor our citizens who dedicate their lives and their talents to the improvement of nature in all its aspects. This year our West Virginia State Wildlife Federation has conferred an unprecedented title. It is not simply, "The Conservationist of the Year," but "The Conservationist of the 20th Century." The recipient is Ted Fearnow, well known to all lovers of nature from Maine to California, from the gulf to the frozen Arctic.

In the hope that Ted Fearnow's example may inspire others to go and do likewise, I offer a copy of his citation for the RECORD.

#### MOUNTAIN STATE CONSERVATIONIST OF THE 20TH CENTURY

The West Virginia Wildlife Federation each year honors a small, carefully chosen group of West Virginians who have made outstanding contributions to the conservation of game, fish, forests and other renewable resources in the Mountain State. This year a special award is being added in a special category—emphasizing long service and dedication. The new category: "West Virginia's Outstanding Conservationist of the 20th Century".

The recipient of this award has been actively identified with conservation for more than a half century. He began his career as a high school summer student working at the White Sulphur Springs, West Virginia fish hatchery in 1920. In subsequent assignments while completing his formal education, he worked in the national headquarters of the U.S. Bureau of Fisheries at Washington and on one of the early railroad fish cars used to transport fish from hatcheries to streams before the era of good roads and motor trucks. He studied the intricacies of trout propagation at many famous hatcheries, ranging from White Sulphur Springs, West Virginia to Leadville, Colorado. Later he was assigned to a warm water hatchery in South Carolina where he studied techniques for producing black bass. In 1926, he entered the competitive U.S. Civil Service as a full-time employee of the Federal Bureau of Fisheries.

Two years later, in 1928, the recipient was named first chief of the West Virginia Fisheries Division. He scouted streams of the state, located fish hatchery sites, designed and superintended construction of hatcheries and finally trained men from the game protector force to serve as the first hatchery managers. The recipient of this award remained with the West Virginia Game and Fish Commission for more than six years, returning to the U.S. Bureau of Fisheries under an appointment as Aquatic Biologist in 1934.

One year after returning to the Bureau of Fisheries the recipient of this award was

"loaned" to the U.S. Forest Service as a fisheries advisor. Here he was active in promoting stream management as an integral part of forest management. The Forest Service never "returned" the awardee. Instead, they promoted him to the post of Regional Biologist in charge of both game and fish management for fourteen eastern states from Maine to Kentucky including West Virginia. He was a prime mover in creating cooperative agreements under which the Monongahela and George Washington National Forests now provide a million acres of managed public hunting and fishing for West Virginians under joint supervision of the Department of Natural Resources and the U.S. Forest Service. He also left a trail of accomplishments of benefit to sportsmen in our neighboring states, Virginia, Kentucky, and Pennsylvania.

During a 30-year career with the U.S. Forest Service the recipient qualified for advancement under competitive civil service to the post of Regional Wildlife Biologist and later Assistant Regional Forester. At this point, he also became an early recipient of a Nash Award for achievements in conservation.

This Wildlife Federation award, first of its kind, is made to Theodore C. Fearnow, better known as "Ted," a native of Morgan County who has maintained a home in Berkeley Springs throughout his far-ranging conservation career.

Since "retiring" from the U.S. Forest Service at the end of 1965, Mr. Fearnow has served as Director of National Affairs for the West Virginia Wildlife Federation. He has worked as a consultant to game and fish clubs and as a land management consultant and advisor to industry. He is Chairman of the Middle Atlantic Environmental Council, serving Maryland, Pennsylvania, Virginia and West Virginia. He has served as West Virginia's representative on the Potomac Basin Advisory Committee at Washington under appointment by Governor Arch Moore. Last year he spoke before an Inter-American conference of engineers at Toronto, Canada on "The Environmental Aspects of Natural Resource Development." He has been the author of many conservation articles, revealing in unmistakable ways his deep love for the Mountain State.

For more than a half century, Ted Fearnow has been a champion of conservation and good resource management and he continues to be an active leader in his profession. For dedicated service to West Virginia and the nation in conservation and resource management extending over more than a half century, the West Virginia Wildlife Federation has designated "Ted" Fearnow "Mountain State Conservationist of the 20th Century."

**SADAT'S LETTER CONGRATULATING HITLER**

**HON. ELIZABETH HOLTZMAN**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1975

Ms. HOLTZMAN. Mr. Speaker, next week President Anwar Sadat of Egypt will address the Congress. I think, therefore, my colleagues should be acquainted with an important aspect of his past—Mr. Sadat's collaboration with and admiration for the Nazis.

The following is an excerpt from the book, *The New Anti-Semitism*:

The current leader of Egypt has a long history of pro-Nazi sympathies and anti-

Semitic pronouncements. Anwar Sadat in his young days was associated with the fanatical, anti-Semitic Moslem Brotherhood. He was a major conspirator in the clique surrounding Nasser, who had attempted to arraign Egypt on the side of Nazi Germany, and Sadat had acted as liaison with the Third Reich during the war. In September 1953, several news agencies reported that Hitler was still alive; on the basis of this report, a Cairo weekly, *Al Mussawar*, asked a number of Egyptian personalities the following question: "If you wished to send Hitler a personal letter, what would you write to him?" And twenty years ago the man who is now president of Egypt offered this response:

MY DEAR HITLER: I congratulate you from the bottom of my heart. Even if you appear to have been defeated, in reality you are the victor. You succeeded in creating dissensions between Churchill, the old man, and his allies, the Sons of Satan. Germany will win because her existence is necessary to preserve the world balance. Germany will be reborn in spite of the Western and Eastern powers. There will be no peace unless Germany once again becomes what she was. The West, as well as the East, will pay for her rehabilitation—whether they like it or not. Both sides will invest a great deal of money and effort in Germany, in order to have her on their side, which is of great benefit to Germany. So much for the present and the future.

As for the past, I think you made some mistakes, like too many battlefronts and the shortsightedness of Ribbentrop vis-a-vis the experienced British diplomacy. But your trust in your country and people will atone for those blunders. You may be proud of having become the immortal leader of Germany. We will not be surprised if you appear again in Germany or if a new Hitler rises up in your wake.

(Signed) ANWAR SADAT.

**SADAT'S ATTACK ON ZIONISM AND JEWS CONDEMNED**

**HON. BENJAMIN S. ROSENTHAL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1975

Mr. ROSENTHAL. Mr. Speaker, the recent comments here in Washington by the President of Egypt attacking Zionism and Jews are an insult not only to one of America's closest and most faithful allies, but also to all Americans who believe in religious tolerance.

Nine of our colleagues have today joined with me in issuing the following statement in response to President Sadat's remarks:

**STATEMENT**

We deplore the virulently anti-Semitic remarks made by Egyptian President Sadat at the National Press Club this week. For a man who claims to be a recent convert to the cause of peace, he has a strange way of expressing his newfound creed.

Mr. Sadat's comments that the Jews of Egypt "had our economy in their hands up till 1950 or more" not only distorts Egyptian history but also recalls the more blatant, though no less vicious, charges by Jew-baiters and haters throughout history.

To describe Zionism as the cause of "bitterness, violence, hatred (and) killing" in the Middle East, as Sadat does, is to ignore history and deny truth.

In recognition of this, the entire Senate

and nearly every Member of the House have gone on record condemning the resolution before the United Nations General Assembly linking Zionism with racism.

We are profoundly disappointed by the silence of President Ford in the aftermath of the Sadat remarks on Zionism, although he has spoken out against the U.N. resolution.

That resolution condemning the philosophical foundation of the only viable democracy in the Middle East is the product of the poisoned pens of totalitarian regimes and police states that have no respect for freedom or human dignity, which are basic principles of Zionism.

Signed:

Benjamin S. Rosenthal, Jonathan B. Bingham, Phillip Burton, Robert F. Drinan, Elizabeth Holtzman, Edward I. Koch, William Lehman, Richard L. Ottinger, Stephen J. Solarz, Charles A. Vanik.

**VETERANS DAY—1975**

**HON. RAY ROBERTS**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1975

Mr. ROBERTS. Mr. Speaker, although it is both fitting and proper that the Nation pause and pay respect on Veterans Day to those who have given their lives that the ideals of our Nation might be preserved, it is also fitting that we recognize that fully two-thirds of all those who have ever donned the Nation's military uniforms in all wars during the past 200 years, are alive today. Thus, the living veteran, as well as his dead comrade in arms, is deserving of our continued loyalty, respect, and concern.

These facts were highlighted in an address given by the Honorable Richard L. Roudebush, Administrator of Veterans Affairs, when he spoke at the annual Veterans Day ceremonies at Arlington National Cemetery, October 27, 1975.

Mr. Speaker, I feel that Mr. Roudebush's remarks should be of keen concern to all thoughtful Americans and I respectfully request that they be placed in the RECORD:

**VETERANS DAY—1975**

Last year the President of the United States led the Nation in observance of Veterans Day by participating in these ceremonies after laying a wreath at the Tomb of the Unknowns.

Earlier this morning the President was again here to lay a wreath, thus paying his personal tribute to veterans and once more leading all Americans in a reverent salute to those who have defended and protected our country.

The President asked me to represent him in the later ceremonies at the Tomb and in delivering the traditional remarks at this gathering.

I am sure you appreciate the honor I feel in occupying the spot he filled last year and in being here in his place this morning.

In the proclamation he issued setting aside this day, President Ford said:

"Of all the important days to be celebrated during America's Bicentennial, none is more worthy of special observance than Veterans Day. Had not the patriotic men and women, to whom we pay deserved and grateful tribute on Veterans Day, heard and answered freedom's call during the past

200 years, there would be no American Bicentennial of freedom."

I think it is inevitable . . . and it is fitting . . . that today's events marking Veterans Day, events all over the Nation as well as here in the Capital, will be devoted to recalling our history and our heritage even more than in past observances.

We are completing our two-hundredth year. It is a time for celebration.

It is also a time for contemplation, for considering how we came to be where we are.

And I think that, particularly on Veterans Day, it is a time for consecration . . . for declaring ourselves to be up to the tasks that face us if we are to not only keep intact but to nurture and develop the rights, the privileges and the institutions that fighting men have defended and sacrificed for throughout all our generations.

President Ford's proclamation recalls two centuries of gallant service by our armed forces.

One hundred and twelve years ago this fall, another President delivered what would have been considered a perfect Veterans Day address if there had been a Veterans Day then.

It was at a time when there was great uncertainty whether the Nation would last for even one hundred years, when there was a monumental and bloody struggle going on to keep the Union from complete and final dissolution.

In his speech he spoke of the obligation we have to those who died for their country:

"It is for us, the living . . . to be dedicated here to the unfinished work which they . . . have thus far so nobly advanced. It is . . . for us to be here dedicated to the great task remaining before us—that from these honored dead we take increased devotion to that cause for which they gave their last full measure of devotion. . . ."

The "great task" that Lincoln spoke about at Gettysburg was successful completion of the Civil War and reuniting the country. We do not face such an immediate and dangerous task today.

But we do face tasks and bear obligations of citizenship. The Nation is ours to keep strong, to keep free, to keep true to its principles.

And, as Americans, we are governed by the same moral imperative not to forget those who have given "their last full measure of devotion."

The words Lincoln spoke at the resting place of those who fell at Gettysburg are just as appropriate at this cemetery here today. In fact, their meaning is enhanced by the fact that some 700,000 Americans have died in battle since they were first uttered.

But Veterans Day is not just a day to honor the dead.

Forty-four and one-half million Americans have worn their country's uniform during the last two hundred years. Two-thirds of them live today.

There are 29½ million veterans in the United States. About forty per cent of all adult males are veterans.

It is, thus, apparent that there is nothing numerically unique about being a veteran. But it is apparent, also, that Veterans Day, if it were measured simply by the number of persons involved, would be an important day.

This is a special day for all Americans, though, and I do not want to make too much of the statistics that pertain to one particular group of Americans.

Just as we would be making a mistake if we were to consider this just a day for honoring the dead, we would be making a mistake if we thought of this only as a day of veteran interest and participation.

This is a day for all citizens to be proud of America.

This is a day for us to recall our battles, our dark periods of adversity. It is a day

for us to remember the bright victories that followed, thanks to the devotion and bravery of our fighting men and the spiritual and moral strength their country gave them.

This is a day, as I said earlier, for us to reflect on our heritage . . . nearly 200 years now as one people . . . and to be thankful for those who have contributed to it.

The trappings of Veterans Day . . . uniforms, cannon, military music . . . have a martial characteristic that is both traditional and understandable.

But we must remember that Veterans Day is a day of peace and that if it is to have full meaning for us it must be observed that way.

The day and the events that mark it took their form and their original place on the calendar not because of war, but because a great war was over.

I think it is appropriate that we will soon return to that original date, not only because it has special meaning as a day in the lives of nearly one million veterans but also because it is remembered as a day of peace by all Americans.

We have seldom known more than a generation of peace during the last two centuries. The period from the end of the Civil War until the outbreak of the Spanish-American War . . . the period that included our Centennial celebration . . . is the longest we have spent without going into battle.

There is irony in this because we are a peace-loving people. We have no desire to dominate others. We have no territorial designs and our relations with other countries have been characterized by unselfishness.

But we have learned that a desire for peace does not always bring peace. We have found that the cause of freedom, for ourselves and for others, often requires armed service by our citizens, their suffering and their bloodshed.

Today we are at peace once more after recent long eras of combat. We pray that it will last.

This is a land of people with diverse outlooks and a wide range of tastes and interests. It is a country where a great variety of beliefs and philosophies exists, where differences of opinion abound.

But I am certain that, if all Americans were called on to state one goal the Nation must seek as we enter our third century, the goal of lasting peace would be chosen with near unanimity.

And I am certain our people would mean peace that is more than the absence of war . . . peace with justice and equality, a peaceful condition that promotes opportunity and happiness, peace with safety, peace with freedom.

The kind of peace for which Americans have yearned throughout the years and for which so many have served, sacrificed their health and given their lives.

Let us dedicate ourselves to that kind of peace for our people and for all peoples.

Let us remember this day not just as a day devoted to history and past achievement, but as a day when we looked ahead with firm resolution that there could be a future without war, without war suffering, without war dead.

I will conclude these remarks by, first, commending you for the interest that has brought you here to participate in this event and, second, assuring you of my continued personal dedication to the needs of the men and women we honor here today.

I join with my more than 200,000 colleagues at the Veterans Administration in pledging the best service we know how to give and, beyond that, an approach to veterans programs that reflects the great appreciation and respect the American people feel for those who have earned that service.

I thank you all for your interest in this program and my special thanks goes to those who worked so hard to arrange it.

## A SALUTE TO HUGH CAREY

### HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1975

Mr. RANGEL. Mr. Speaker, in these times of rapid change and advancement this country needs leaders who have the courage to face the many problems at hand and the strength not to succumb to the demands of a few at the expense of the majority in this country.

The presentation of the Eleanor Roosevelt Humanitarian Award to Gov. Hugh L. Carey of New York State proves he is that type of a leader. In public and private life Governor Carey has been a champion of humanitarian causes. I am sure my colleagues will remember the governor's fine work on the Ways and Means Committee while he was a Member of Congress.

With this in mind I would like to introduce into the RECORD the full text of Governor Carey's remarks upon receipt of the Eleanor Roosevelt Humanitarian Award. I am sure my colleagues will enjoy reading the comments of this distinguished former Member. His remarks follow:

TEXT OF REMARKS BY GOV. HUGH L. CAREY

Thank you.

It is indeed an honor to receive an award named after one of the greatest humanitarians who ever lived.

The only other wish I might have is to have Eleanor Roosevelt here herself. She could be helpful these days . . . to all of us. She once said: "You gain strength, courage and confidence by every experience in which you really stop to look fear in the face. You are able to say to yourself, I lived through this. I can take the next thing that comes along . . . you must do the thing you think you cannot do."

We need people who believe that today . . . people who believe problems can be overcome. People willing to put themselves on the line to overcome them.

People, in fact, like those who started this League . . . who would not accept the word defeat, but fought back instead . . .

Who would not accept that those with hearing impairments were unemployable, and started the first programs for vocational counseling and guidance and education.

People who believed that to reach those with impairments when they were children would give them a better chance, and started the first program for children . . .

Who believed that no one was too old to be helped, or beyond contributing their part to society at any age, and started the first program for senior citizens with hearing impairments.

With individuals like this in every area affecting the handicapped, we have turned people's attitudes around during the last sixty years. We have opened windows and let the light shine through the myths of ignorance that enchained helpless thousands before these efforts succeeded.

And today we can see the rewards of those efforts—the countless thousands of individuals with impairments, trained for and performing technical, highly skilled jobs. Men and women performing at the highest levels. Men and women contributing to this society instead of being victimized by misfortune.

That's what America has always been about. Treating the least strong among us, and by so doing making us, and this country, stronger in the process . . . educating

the children and the newcomers . . . helping the sick and the elderly.

It is the kind of commitment no budget austerity can ever cancel, as long as we believe in this country. Because the basic strength of this country is, and always has been, its people . . . its most basic resource.

I've just come from a meeting of the Emergency Finance Control Board. And the decisions we are facing for New York City—as cities across this country are facing—are hard ones. But they are not ones where essential human needs are going to be ignored.

We believe even in hard times there is a way to act responsibly.

Unfortunately, at the national level we see men willing to gamble on people's lives for the sake of politics . . . who still believe in the worn-out trickle-down theory, that if you put enough money at the top it will trickle down to those who need it.

Who put oil companies and private corporations ahead of jobholders and homeowners and school children.

We know where we stand on the issue. We want to keep building schools and housing. We want to give the sick and the mentally and physically disabled the help they need . . . the help we owe them. We want our neighborhoods, our cities, our very lives wherever we live—to reflect our basic humanity. We are not simply machines to make and dispense money. We are human beings who believe some things can't be balanced in a checkbook, but must come from the heart.

And it's because you believe these things too and have demonstrated that commitment for 65 years of fine service, that I am proud to receive this award from you today.

I consider it more than thanks for anything I may have done. I consider it a continuing pledge, to do my part in continuing to keep alive the ideals and the commitments which Eleanor Roosevelt, and this League, best exemplify.

#### THE U.N. RESOLUTION ON ZIONISM

### HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1975

Mr. LONG of Maryland. Mr. Speaker, I protest the resolution by the United Nations' Third Committee which has equated Zionism with racism, an action that can only erode further the U.N.'s usefulness. The Third Committee vote is partly another example of the anti-Semitism which has lately acerbated the debates of the U.N., and partly a cowardly surrender by many nations to the Arabs' use of their oil to manipulate world politics. There is a total disingenuousness in the "racist" labeling of the Jewish people, who have suffered centuries of persecution for their "race." It is a further demonstration of double-speak that this resolution comes as part of a yearly review of the U.N.'s so-called "Decade of Struggle Against Discrimination."

If the Third Committee's stand is not repudiated by the U.N. General Assembly, I would urge that the U.S. publicly question the sincerity of the so-called "Decade of Struggle Against Discrimination," and indicate the possibility of reducing the U.S. financial contribution to the U.N. until it turns its back on this kind of demagoguery.

#### GENERAL REVENUE SHARING

### HON. RICHARD NOLAN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1975

Mr. NOLAN. Mr. Speaker, the National Association of Towns and Township Officials has unanimously endorsed the reenactment of the general revenue sharing program. General revenue sharing has succeeded in responding directly and effectively to the needs of small towns and communities. By eliminating redtape, it has permitted Federal funds to reach small towns that would otherwise receive no assistance. Further, it has reduced the need for increases in burdensome local taxes.

Mr. Martin Sabo, Speaker of the Minnesota House of Representatives, has compiled some convincing statistics regarding the importance of revenue sharing to State and local governments. In Minnesota, if we were to replace all State and local general revenue sharing funds which have come into the State, we would be forced to choose between a number of equally disastrous options:

First, increase individual income tax by 11.4 percent.

Second, increase corporate income tax by 71.2 percent.

Third, increase sales tax by 30.1 percent.

Fourth, reduce school aid by 16.7 percent.

Fifth, reduce aid to local governments by 86.5 percent.

Sixth, eliminate public welfare aid to families with dependent children.

Seventh, eliminate all legislative, judicial and executive departments general fund expenditures.

Eighth, allow local governments to raise property taxes by 10 percent combined with a 4 percent increase in individual income tax.

Mr. Wally Gustafson of the National Association of Towns and Township Officials recently testified before the House Subcommittee on Intergovernmental Relations and Human Resources in support of the General Revenue Sharing Program. Mr. Gustafson's remarks are persuasive and noteworthy. I hope that my colleagues will read this statement carefully and give serious consideration to the extension of this important program.

Mr. Gustafson's remarks follow:

#### REMARKS OF WALLACE GUSTAFSON

Mr. Chairman and Distinguished Members of this Committee: I am Wallace Gustafson, attorney from Willmar, Minnesota and represent the National Association of Towns and Township Officials. Joining with me in this presentation are members of the Board of Directors of the National Association who also represent the several state associations of townships and township officials from throughout the United States. There are twenty-one states in the United States that afford to their people the benefits of a township form of government, and most of these state associations of township officials are members of the National Association of Towns and Township Officials under whose auspices we appear before you today.

When the State and Local Fiscal Assistance Act of 1972 was enacted establishing general

federal revenue sharing, the Congressional mandate was to "help assure the financial soundness of state and local governments which is essential to our federal system." As a further affirmation of Congressional intent, Congress determined that the sound financial condition of local governments in our country was critical to their survival, and hence it provided that two-thirds of the general revenue sharing moneys allocated to each state be provided to local governments and one-third to the state government. To date of the twenty billion dollars of funds disbursed in the form of revenue sharing, approximately one billion or 5% has been allocated to the townships in the United States. The more than three years of participation of 16,487 townships exceeded in number only by the 18,651 cities who have registered a minimum of complaints and unanimously endorse re-enactment beyond 1976 dramatically demonstrates that the program has been a success and ought to be continued.

At the outset, the National Association of Towns and Township Officials and its constituent members believe that revenue sharing embodies those original constitutional principles of government by the people which we will soon celebrate during the Bi-Centennial of our nation's birth. The fundamental premise underlying the American federal system is a concept that government must remain close to the people it serves. Within this system we suggest it is the townships and their elected officials that are most directly in contact with their constituents, and we believe most responsive to the individual communities' real needs. Federal revenue sharing encourages orderly local planning since officials know in advance the funds they will receive; its procedures are elementary and recipient governments need not employ additional expensive staff to cope with federally designed paper work.

Of equal importance is the objective of revenue sharing to provide federal assistance to all units of general government in the United States. Most other federal aid programs are targeted at one or another specified level of government and each of the hundreds of categorical aid programs addresses a particular need that may exist in only a few jurisdictions. One of the tragedies of categorical aid programs is the difficulty most local governments encounter in identifying the sources of the grants and preparing and coping with the applications in compliance with the diversity of federal regulations and procedures that apply to all of these programs. The result has been that too often only the more affluent, sophisticated and well-staffed units of government can compete successfully in such "grantsmanship" exercises. On the other hand, the association that we represent applauds this new federal revenue sharing program, being mindful that Americans in all communities have basic needs that require public services and assistance.

When the Federal Revenue Sharing Act was enacted, it was understood that decisions concerning the use of federally shared revenues would be made by the recipient governments and not by the Treasury Department.

Priorities for the uses of moneys are ordained locally and the citizenry of each community hold their officials accountable for the decisions made. Township officials who are public-spirited individuals that give of their time for minimum, if any, remuneration are in no position to go to Washington and roam the halls of HEW, HUD, DOT and other departments to coax aid out of these agencies laden with red tape. Federal prescriptions developed for universal application may be laudable, but we do not have the time, patience or expertise to prepare the reams and reams of paper necessary to justify and document our qualifications for the hundreds of possible grant-in-aid programs. We in township government believe that town-

ships and their elected officials are in a better position to determine the priorities of their own communities rather than appointed officials far removed from us, especially since their decisions are subject to evaluation by their constituents at the ballot box.

Our association supports the growing acceptance of the principle that revenue sharing is a necessary element in a 3-part federal aid mix. A well rounded federal aid system needs (a) categorical grants to stimulate and support state and local programs and areas of specific interest; (b) block grants to give states and localities greater flexibility in broad functional areas of national interest and (c) general support grants (revenue sharing aid) to reduce intergovernmental fiscal disparities and to enhance the ability of states and localities to meet their own diverse budgetary needs.

Those of us who work closely with state governments recognize that state revenue sharing with localities is a practice at least a generation old, whereas federal revenue sharing is a new concept or experiment in our American political system. The public debate over federal revenue sharing is in high gear and the greatest danger in evaluating the program is to exaggerate its benefits or condemn its shortcomings. Certainly the enactment of revenue sharing has not ushered out financial predicaments and crises in local governments nor has it produced a new generation of free-wheeling spenders of public moneys because of the minimum of red tape entailed in securing federal revenue sharing funds. One of the most valued by-products of this new federal program has been to reverse the trend of power and authority accumulating in Washington at an ever-increasing rate.

There are many critiques that must be applied to evaluate this program, but we believe that the townships in America must score high marks when one asks, "Has the program increased local decision-making, increased citizen participation, properly husbanded funds with a minimum of compliance violations, and operated with dependability yet flexibility in such a way as to recognize and encourage the combination of national unity and local diversity that has made ours the strongest of nations for nearly 200 years?"

We are sure that the virtues and merits of the program have been outlined to you with repetition ad nauseam and little new or imaginative light has been cast on the subject. However, we are now in October 1975 and all units of government including the various states, cities and counties have urged upon you the importance of an early congressional decision about the future of continued revenue sharing. The need of townships to know about their future revenue sharing entitlements at an early date is greater than their need for advance information about categorical aids. Shared revenues become a part of the general fund of townships which is not necessarily the case with other aids. These funds support essential day-to-day service which in many cases would be eliminated or paid for with higher local taxes should revenue sharing terminate. As reported by the Department of the Treasury, the program was intended to allow, along with other things, hard-pressed jurisdictions to maintain essential existing services, to reduce taxes or to prevent tax increases.

In this current period of national economic uncertainty and unprecedented deficits, the economic situation at our local governmental level is also severe where the problems resulting from inflation and rising unemployment have reached crisis proportions. As distinguished from the townships, the federal government has preempted many sources of taxation and has a superior revenue-raising instrument in the income tax—the most

responsive and equitable tax in use—as well as other fiscal and monetary tools that it alone possesses. Additionally, the federal government has the primary responsibility for the management of our economy. If revenue sharing is to remain true to its original concept and is to serve its purpose of underpinning local budgets, it should not be cyclical but a stable and continuing program.

Mr. Chairman, we are honored to have had this opportunity to present testimony and would be pleased to submit any other material or data which might be useful in your deliberations. For the remainder of our allotted time, we invite your questions and will attempt to supply the answers to the best of our ability.

### REVOLUTIONARY PACIFISM AND SABOTAGE: THE WAR RESISTERS LEAGUE

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1975

Mr. McDONALD of Georgia. Mr. Speaker, from the early years of this century, militant, revolutionary "pacifists" have considered sabotage a "morally just" act as long as directed against property. The revolutionary pacifists consider as legitimate targets property or facilities of the Armed Forces, the property or facilities of corporations doing business with the Armed Forces or the Government, and various other inanimate "symbolic" targets. In this they are no less a threat to the peace and internal security than the Weather Underground Organization which also regards its actions as "armed propaganda" against the State.

One of these revolutionary pacifist organizations, the War Resisters League—WRL—recently held its annual conference to develop new organizing issues now that Southeast Asia has been won by the Communists. A prime topic for discussion was the antinuclear power campaign developed so successfully by radical environmentalist groups. Featured at the WRL meetings was Sam Lovejoy, the admitted saboteur of a weather tower at a planned nuclear powerplant in Montague, Mass.

Samuel H. Lovejoy, 30, a member of the environmentalist group, Nuclear Objectors for a Pure Environment—NOPE—and a resident of an organic farming commune formerly the headquarters of the radical Liberation News Service, surrendered himself to police on February 22, 1974, after toppling the \$50,000 tower. In a previously prepared statement, Lovejoy admitted "full responsibility for sabotaging that outrageous symbol of a future nuclear powerplant."

After a 7-day jury trial in September 1974, in which Lovejoy defended himself as having acted "in the public interest." Before the case went to the jury, Judge Kent B. Smith of Greenfield, Mass., directed acquittal on grounds that the indictment was faulty, having charged Lovejoy with destruction of "personal" property rather than with "real" property.

In a press interview, Lovejoy jubilantly stated:

The publicity given the trial was a great victory, and we've entered the issue of civil disobedience into the environmental movement.

He was not retried.

Lovejoy was present at the War Resisters League meeting to discuss "organizing against nuclear powerplants" and to show a film glorifying his sabotage exploit called "Sam Lovejoy's Nuclear War."

Held at Park College in Parkville, Mo., the WRL reported that the principal aim was to develop "cooperation among pacifist groups, women's liberation, men's liberation, socialist's liberation, pacifist's liberation, anarchist's liberation, (groups interested in) the Middle East, nuclear power, et cetera."

The WRL's contempt for the moral standards of conservative religious groups was expressed in a report on the meeting by two leaders in these terms:

Our finest moments came during the off-hours, however. After the beer was snuck past the watchful Mormon eyes of the campus officials we adjourned to our rooms for partying and to the corridors for some good old-time radical songfesting.

The War Resisters League, founded in 1923, is the American section of the War Resisters International. The WRL has its headquarters at 339 Lafayette Street, New York, N.Y. 10012, and regional offices in Atlanta, Austin, Kansas City, and San Francisco.

WRL's parent, the War Resisters International, a militant pacifist organization active in some 60 countries, was organized by three Socialist-feminists—Jessie Wallace Hughan, Tracey McGat, and Francis Witherspoon—from the remnants of the anti-enlistment campaigns of World War I. From the beginning, the WRI contained a strong Marxist element which saw capitalism and free market competition as the ultimate cause of war.

From 1923 until the end of World War II, the WRL's principal activities were antiwar counseling and distributing anti-military literature. Various WRL activists served prison sentences for their draft resistance.

However, in 1947, at the beginning of the Soviet Union's Cold War of aggression, a Marxist revolutionary faction gained control of the WRL executive committee which resulted in the organization's acceptance of its current revolutionary viewpoint.

WRL organizer Ed Hedemann discussed this process in an interview in the radical Atlanta tabloid, "The Great Speckled Bird," September 28, 1975:

In 1947, there were a series of executive committee meetings, with resolutions calling for a more revolutionary viewpoint, getting people in the streets, having demonstrations. There was even a call for sabotage of war industries, for taking food out of the groceries and distributing it to [the] poor.

The War Resisters League organizer continued:

Dave Dellinger, Jim Peck, Dell Rudenko [Igal Roodenko?], Bayard Rustin, and people like them were in the forefront making WRL more revolutionary. \* \* \* they started

resisting, not paying taxes, and saying the capitalist system was in fact a major cause of war.

The public record of work against the interests of America by those individuals is prodigious. Rustin, a Communist Party, U.S.A., member and Young Communist League organizer in the 1930's and early 1940's, states he broke with CPUSA over racial discrimination issues. Rustin, while serving as executive secretary of the WRL, served from 1955 to 1960 as a secretary to Rev. Martin Luther King, helping to set up the Southern Christian Leadership Conference. His career has included support for a wide range of Socialist and left causes ranging from the League for Industrial Democracy through the Peace Information Center and the Medical Aid to Cuba Committee. David Dellinger, one of the principal leaders of the so-called "anti-war" movement in support of North Vietnamese Communist aggression, has stated that he is a "Communist, although not of the Soviet variety." Currently active with several New Left publishing projects, Dellinger shares with Rustin yet another bond of enmity against traditional American values—a record of conviction for sexual perversion in public places.

In the late 1960's, the War Resisters League joined with WIN, a counterculture youth oriented magazine, with which WRL commenced to build a wider base among the Marxist Socialists, anarchists, and women's and homosexual liberationists of the New Left.

During the demonstrations in support of North Vietnam and the Vietcong terrorists, the WRL took an important organizational role in the SPUSA-dominated People's Coalition for Peace and Justice—PCPJ—and its many predecessors. In these coalitions, the WRL took a leading role in establishing the pattern of "mass civil disobedience" and "nonviolent resistance"—including the physical and psychological conditioning of militant pacifist "shock troops"—which so greatly assisted the spreading of contempt for the laws created through our constitutional, representative system of government.

Hedemann's definition of the WRL's "nonviolent resistance" is enlightening as to the militance and fanaticism found among its members:

The nonviolence we are talking about is different from the old-style, in which pacifists did not want to get their hands dirty, did not want to get involved in a conflict situation. To fight causes of war, we have to risk getting arrested, going to jail where necessary, getting killed. There are times when we must put our lives on the line.

Presumably sabotaging nuclear plant facilities falls within the acceptable risk category for the WRL.

The War Resisters League's plans include organizing against all forms of defense spending, against military recruiting, and supporting the Communist-sponsored "liberation struggles" in third world countries. In this connection, WRL states:

We sympathize with these movements, we want the same ends they want. What is most important for people in this country to do is not to run over and join

the Black Liberation Army or to send weapons over, but to fight the military in our own country, to get our oppressive military and oppressive government and corporations off their backs—get Gulf Oil out of Angola, for example.

It is noted with interest, but without surprise that the War Resisters League views Communist China's totalitarian regime with affectionate admiration, equating China's decentralized "village industries"—which are run on a centralized top-down basis by Chinese Communist Party functionaries—with Gandhi's proposed ideal pacifist society.

The recent War Resisters International Triennial meeting held in Noordwijkerhout, near Amsterdam, Holland, discussed a broad range of topics "related to Namibia—Southwest Africa—Northern Ireland, the Middle East, India, ecology, sexism, militarism and conscription, arms sales, pollution and ecology, nuclear energy, et cetera."

The WRI has elected as its new "chairperson," Myrtle Solomon of the British Peace Pledge Union to replace retiring Devi Prasad of India. It is understood that Prasad will soon be on a speaking tour of the United States to spread the WRI/WRL "peace" line.

WRL leader Ann Morrissett Davidson reported that while the two previous WRI Triennials, whose themes were "Liberation and Revolution: Gandhi's Challenge," and "Revolution: Prospects and Strategies," were largely "caught up in the exigencies of the Vietnam war." However, she wrote:

This year WRI was more clearly seen by most participants as a trans-national Left-oriented group ready to undermine not only militarism but also capitalism, imperialism, multinational corporations, racism, sexism, and totalitarian repression of any kind.

The War Resisters League is more and more focusing its attention on the antinuclear power movement. WIN magazine since spring has been featuring accounts of militant antinuclear demonstrations, sit-ins, and plant occupations in Europe. Taken together with the presence of successful saboteurs like Sam Lovejoy at the recent WRL conference, a new militancy may be injected into the antinuclear powerplant effort—this being timed to coincide with a rising need for nonpetroleum energy sources for American homes and industry.

A wide range of militant environmentalist and Marxist revolutionary organizations have jumped on the antinuclear bandwagon and have so far with their attacks created a situation in which nearly half of the planned U.S. nuclear powerplants have been postponed or canceled.

Let us see to it that forcible occupation of construction sites and destruction of equipment does not add to the delay in making America self-sufficient in energy.

ABE SAID IT LONG AGO

HON. DAWSON MATHIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1975

Mr. MATHIS. Mr. Speaker, I recently received a copy of a quotation attributed

to Abraham Lincoln from some constituents of mine, Mrs. Iva P. Goolsby and Mr. Vernon Phillips both of Cuthbert, Ga. I feel that the contents of the quote are very applicable at this time in our American history and I would like to share it with my colleagues:

ABE SAID IT LONG AGO

"You cannot strengthen the weak by weakening the strong. You cannot help small men by tearing down big men. You cannot help the poor by destroying the rich. You cannot lift the wage earner by pulling down the wage payer. You cannot keep out of trouble by spending more than your income."

"You cannot further brotherhood of man by inciting class hatreds. You cannot establish security on borrowed money. You cannot build character and courage by taking away a man's initiative and independence. You cannot help men by doing for them what they could and should do for themselves."—Abraham Lincoln.

This was good philosophy then and is still good now.

Sincerely,

VERNON PHILLIPS.  
IVA PHILLIP GOOLSBY.

H.R. 66—FOR THE ANIMALS

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1975

Mr. ANDERSON of California. Mr. Speaker, on November 18 the Subcommittee on Fisheries and Wildlife Conservation and the Environment of the House Merchant Marine and Fisheries Committee will hold hearings on H.R. 66, legislation I introduced which would discourage the use of painful devices in the trapping of animals and birds. I would like to take this opportunity to thank my distinguished colleague from California, BOB LEGGETT, who chairs the subcommittee, for recognizing the intense interest in this legislation by scheduling these hearings—the first ever since the inception of this type of legislation.

The useless slaughter each year of millions of wild and domestic animals by the cruel steel-jaw leghold trap must cease, and effective alternative devices must be found. H.R. 66 encourages both.

In these days preceding the November 18 hearing, I intend to provide for the RECORD a series of factual presentations focusing on the inhumaneness, unreliability, and ineffectiveness of the antiquated steel-jaw trap. I sincerely hope that my colleagues will take a few minutes each day to review these very interesting stories.

The following is from the most recent publication of Defenders magazine:

"A STAR SAYS NO"

(By Mary Tyler Moore)

It was the end of a busy day of shooting. I was stopped at a red light on Sunset Boulevard. Suddenly there she was—a woman sauntering across the street in not just a leopard coat but a leopard hat too. Something in me snapped. In my mind's eye I didn't see that woman at all. I saw one of the most beautiful creatures in the world moving gracefully through his jungle—and then I also saw his torment and his agony.

It was too much for me. I opened the window. "Are you happy now?" I shouted. "Are

you happy that you killed those leopards?" She looked around. For an instant our eyes met. "I hope you know," I said, "you look awful."

I don't know whether she recognized me or not. But I do know that, after our confrontation, I trembled a little—and I wasn't sorry. I was still mad. I want to say I'm not usually one to make scenes like that. I'm no cause monger; I value my privacy and my right to free thinking, and I assume others do, too. I wouldn't attack a guest at a dinner party or embarrass a stranger shopping, though I'm always ready to be vocal should the subject come up. Sometimes, however, my horror at cruelty and ignorance overwhelms my reserve, and I have to speak out. Calling to that woman was one of those times. This is another.

Let me begin at the beginning. I wish I had always felt the way I do now about furs, but I didn't. I grew up in a normal middle-class family, moving from Brooklyn to Los Angeles at an early age. I was a kind and decent child, like most children, and I dearly loved animals. Furs weren't worn in my family—there were always more important things to buy—and we certainly didn't need them for warmth in Southern California. But fur is beautiful and wonderful to touch. More than that, it is a traditional symbol of a certain success. So, when I bought my first mink stole several years ago, I was naturally pleased. It never once occurred to me that in order for that soft beauty to be on my back, innocent animals had to die.

I believe it is the same with the leopard-clad woman—in fact, with most people we see wearing furs. Their imaginations have not made the leap. They do not think that the coat they are wearing rightfully belonged to something else, that the toy they are using to stroke their vanity is made out of the pain and death of fellow creatures. Someone has to help our minds make that leap.

It happened to me when I first saw a film Cleveland Amory showed about the clubbing of the baby seals. I was as shocked as if I had been hit in the face. I immediately called my local station to find out what could be done to stop that outrage. They told me to call Cleveland at The Fund for Animals. When I talked to him and later met him and learned firsthand about the realities of "fur production," I was of course sickened. At the same time, however, I was grateful. I was grateful, first, that I would no longer be an unwitting party to brutality by using fur and, second, that I could actually be of some use in the fight. At first, I was concerned mainly with the torture of wild animals with clubs and steel-jaw leg-hold traps. But eventually I came to believe that even farmed furs were wrong. What can be right with raising animals simply for death—not for food, or out of need, but for the sake of "glamour"?

Shortly after meeting with Cleveland, Jayne Meadows, Doris Day, Amanda Blake, Angie Dickinson, and I did an advertisement for the Fund—paid for by E. F. Timme & Son, makers of fake furs. Through this advertisement we hoped to communicate with people through our familiar names. We felt that fur is not necessary to make a woman feel beautiful or glamorous. The real glamour is a result of the imagination that goes into the garment. Why put a dead thing on your back when we have all these creative new fabrics and designs that can be put together to achieve a dazzling effect and one uniquely our own, which is really the important thing.

The response I received after that fake fur ad amazed me. I don't think that my statement was anywhere near strong enough. Frankly I couldn't imagine anyone arguing for cruelty, but some people did. I actually received hate mail. I even received threatening letters from furriers and trappers trying to force-feed me their propaganda. It consisted of a lot of rhetoric selfishly defending their right to make money and was rounded out with the usual nonsense about

rabies and mange. It was an eye-opener. I remember I received one letter calling me Mary Blyer Boore and suggesting that perhaps I would like to stand at a deer or skunk crossing and see that the animals crossed safely.

Such letters did not, of course, have the effect the other side might have desired. In fact they had the opposite. I went on and did a public service announcement for the Fund, and this time my statement was very strong. "Behind every beautiful wild animal," I said slowly, "there is an ugly story. It is a brutal, bloody, barbaric story. The animal is not killed—it is tortured to death. I don't think a fur coat is worth it."

I believe we are winning. I really do. So many people are working to get the word out; the truth is becoming harder and harder to escape. Most people by now have at least an idea of the stigma of a fur. The people I see and know have no desire to wear furs; even at premieres and parties I rarely see a fur coat or hat anymore. We're lucky in that our message seems to be falling on fertile times. Values are changing. We have more awareness of the concepts of equality and rights. The people I meet are more sensitive to communication, have more of a desire for a code and a philosophy to live by and less and less of an interest in the outer "trappings." These days, status is related more to actions and beliefs than to what we put on our bodies.

Just ten years ago people weren't thinking so much about things like animal suffering. Now, we're not only thinking about it, we are actually living and applying what we know. Take my business. I would never consider wearing a fur on the screen, no matter what the script called for. On our show we've even gone back and removed old format shots in which fur appears. And I keep an eagle eye on everyone—from guest stars to extras. If I see anyone wearing fur, even if it is just a walk-on, I go straight to Leslie in Wardrobe and say, "Can you fix that woman up with a decent coat?"

Whenever a scene involving references to animals comes up on the set, we are all conscious of its implications. Just recently, for example, "Mr. Grant" (Ed Asner) was supposed to be having a bad day. When he arrived to knock on my door, a dog that had been barking suddenly yelped and then was silent. The inference was that Ed had kicked the dog. We had the scene rewritten; we don't want to influence kids with that mentality. On another occasion, the prop men were setting up for a bar scene, and they wanted an overly masculine quality in the motif of the bar. They came up with stuffed trophy heads and guns to make the bar look like a hunting club. Now these are men who would no more go out and hunt than they would shoot people on the street, but the fact that that motif might promote the sport of hunting had been missed. They were just doing something without thinking. Now we think. The particular scene, incidentally, was redone with a football motif.

We're getting there, but we must keep working. People will always reward themselves with presents and luxuries; but soon, furs will be such a criticized "luxury" they will simply not be worn by any thinking person. When that day comes, we will all sleep better at night.

#### SWEDEN REACHES 1 PERCENT FOR FOREIGN AID

HON. PAUL SIMON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1975

Mr. SIMON. Mr. Speaker, my colleagues will recall that some weeks ago

during the debate on H.R. 9005 Congressman STEVE SOLARZ offered an amendment which would require the United States, over a period of years, to meet the United Nations goal of seven-tenths of 1 percent of our gross national product for development in the poorer areas overseas.

We are not now meeting that modest goal, though following World War II we did four times that much under the Marshall plan.

The article from the New York Times that I am inserting in the RECORD here points out that Sweden is now devoting 1 percent to foreign economic assistance.

Some of the statistics from various sources differ slightly, with some sources indicating that the Netherlands is already devoting 1.2 percent. But whatever the minor differences in the statistics, what is clear is that many other nations are doing more than we are.

We need to reexamine our expenditures, and where we can without damage to the defense of this Nation assist the developing nations with economic assistance rather than guns and tanks and bombers, I favor doing that.

The article follows:

[From the New York Times, Oct. 27, 1975]

#### SWEDEN MEETS THIRD-WORLD AID GOAL

(By Bernard Weinraub)

STOCKHOLM, October 20.—Sweden has quietly emerged as the first industrial nation to spend 1 per cent of her gross national product on foreign aid. In doing so, she is meeting a major demand placed before wealthy nations by the third world.

"We have made a conscious effort to try to fulfill our obligation to the poor countries," said Premier Olof Palme. "We say, 'What can we do to help you in your national effort?' We don't say, 'You do this or that.' We let them decide. Aid can be difficult and complex but it has been worthwhile from our point of view and theirs."

Although some problems have arisen in Sweden's aid programs, officials here are reluctant at reaching the 1 per cent aid figure, a goal for several years. The aid itself serves to underline Sweden's public and political support for "progressive" nations, especially North Vietnam, Cuba and Tanzania.

For the current fiscal year ending in June, the Swedish Parliament has appropriated \$660-million for foreign aid, or 1 percent of the G.N.P. The Netherlands and Norway are approaching the 1 percent figure, and are expected to reach it within the next year or two. Gross national product is the total value of goods produced and services performed in a country.

Sten-Olof Doos, deputy director general of the Swedish International Development Authority, which oversees aid, said that only 400 to 500 Swedes were working abroad on aid and that the program ranged from specific projects—such as helping build a paper and pulp mill in North Vietnam—to direct financial contributions for India, which needs foreign currency to buy food and other imports.

"We want to give our aid in such a way that recipient countries have a high degree of influence over what our resources are used for," he said. "We prefer to give aid to countries which promote the interests of poor people. If some countries wanted a blank check, they could have it, so long as we know how it will be used."

One major project, a hospital in Tunisia, is viewed as a virtual failure. "It was built in the mid-sixties and it was too Swedish," Mr. Doos said. "We tried to imitate a Swedish hospital and, of course, it didn't work. Everything—the machinery, the spare parts, the construction, even the light bulbs have been

a problem. All too Swedish. It's now working at only a small level of planned capacity."

Major beneficiaries of Swedish foreign aid this year are India, Bangladesh, Cuba, North Vietnam and African nations that include Tanzania, Ethiopia, Guinea-Bissau, Zambia and Botswana. A major aid program to Chile was abruptly halted with the overthrow in 1973 of President Salvador Allende Gossens. Almost 40 percent of Swedish development aid is channeled through the United Nations Development Program and other international organizations.

In recent years Sweden has largely supported the demands of the third world at special economic sessions of the General Assembly and, in some cases, has used some of the rhetoric of the poorer countries. As Carl Lidbon, the Swedish representative at the recent special session of the General Assembly, pointedly said:

"The share of the rich countries of the world's resources is unreasonably large. It is also partly put to absurd use. To mention but one example: the value of the production of arms and military equipment by the rich world amounts each year to more than the G.N.P. in all the countries in Africa, the Middle East and South Asia."

Sweden herself has the fourth largest military budget in the world, on a per capita basis, spending 4 percent of G.N.P. and using 12 percent of the Government's budget. Only the United States, the Soviet Union and Israel exceed this per capita outlay.

#### ARMS CONTROL AND CHEMICAL WARFARE

### HON. FLOYD V. HICKS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1975

Mr. HICKS. Mr. Speaker, for the last 3 years, the United States has been involved in chemical warfare arms control negotiations at the Conference of the Committee on Disarmament, CCD, in Geneva. The object of these negotiations is to conclude a comprehensive agreement banning research, development, production and stockpiling of chemical weapons. At present, the United States and the Soviet Union are signatories of the Geneva Protocol of 1925 which prohibits "first use" of chemical weapons. The Geneva Protocol does not deal with research, development, production, and stockpiling of chemical weapons.

The CCD has discussed chemical warfare issues over the last 3 years. At various times during this period, the two principal negotiating parties and co-chairman of the CCD, the United States and the Soviet Union, seemed intent on making a major effort to draft an agreement. At the conclusion of the Moscow summit, on July 3, 1974, President Nixon and General Secretary Brezhnev stated:

Both sides reaffirmed their interest in an effective international agreement which would exclude from the arsenals of states such dangerous instruments of mass destruction as chemical weapons. Desiring to contribute to early progress in this direction, the U.S.A. and the U.S.S.R. agreed to consider a joint initiative in the Conference of the Committee on Disarmament with respect to the conclusion, as a first step, of an international convention dealing with the most dangerous, lethal means of chemical warfare.

At the Vladivostok summit, President Ford and General Secretary Brezhnev reaffirmed this goal. The joint communiqué of November 24, 1974 stated:

It was noted that, in accordance with previous agreements, initial contacts were established between representatives of the U.S. and the U.S.S.R. on questions related to . . . measures dealing with the most dangerous and lethal means of chemical warfare. It was agreed to continue an active search for mutually acceptable solutions to these questions.

It is now almost 1 year since the last U.S.-U.S.S.R. summit communiqué concerning a joint initiative at the CCD. There still has been no sign of that joint initiative. A number of the delegations at the CCD have begun to express impatience with the lack of progress in the negotiations for a comprehensive chemical warfare treaty. The Canadian Ambassador to the CCD summed up the feelings of many of the delegates:

Last year our Co-chairmen indicated that they would be undertaking a joint initiative on the most lethal chemical weapons. No doubt many delegations around this table have thus felt constrained in putting forward further proposals of their own, preferring to await this joint initiative. Recognizing that the Co-chairmen have perhaps the largest stocks of chemical weapons among nations here represented and recognizing that they possess the most sophisticated technology in this area, this reluctance on the part of other members of the Committee is quite understandable. Nevertheless, we must remember that at its twenty-ninth session the United Nations General Assembly repeated the call upon us to continue our negotiations on chemical weapons "as a matter of high priority." The Canadian authorities therefore are concerned about the apparent hiatus in our discussions of this subject. It has been our hope that the Co-chairmen would soon be able to present us with the results of their bilateral consultations. . . .

The Ambassador from Sweden stated the matter in this way:

In the joint communiqué from the summit meeting in Moscow about a year ago the United States and the U.S.S.R. announced that they were considering a "joint initiative" in the CCD. . . . This announcement was welcomed as it seemed to signify that the United States and the U.S.S.R. had at last decided to find, or had even found, a way to overcome their outstanding differences on the implementation of a first step of a ban on chemical weapons. As we know, this intention was confirmed later during the summit meeting in Vladivostok last November. . . . But what has happened since? A year has elapsed without any signs of a result whatsoever. Concerned questions have been put to the two delegations here in the CCD. So far we have only learned that discussions are going on between them but not a word has been given as to what is being discussed, or how long we shall have to wait.

The almost complete silence which this "joint initiative" has brought to CCD discussions on chemical weapons this year has certainly been detrimental to our work on this subject. . . .

We have also to say, very clearly, that the "joint initiative" really will have to materialize at the start of next year's session at the latest, if it is not to lose its credibility.

The negotiations at the CCD are to resume in February. The Congress has given an added boost to these negotiations by denying the Army's request to set up a manufacturing facility and production line for binary nerve agent muni-

tions. Many of the delegates to the CCD voiced apprehension over the binary program and its potential impact on arms control negotiations in chemical warfare. As the Iranian Ambassador stated:

We are often informed by the news media about refinements of chemical weapons, particularly of the so-called "binaries" . . . We cannot expect the evolution of this or any other weapons system to stop by itself. We must move quickly to head off its development before we are faced with a problem as enormous as that of halting nuclear weapons development.

In denying funds for the binary production line, the House Appropriations Committee has addressed this concern:

In the meantime, it is sincerely hoped that genuine progress can be made during the forthcoming year at the U.N. Conference of the Committee on Disarmament in Geneva on a realistic and workable treaty to ban all means of chemical warfare. If no progress is made in these negotiations at the time we are to consider the Fiscal Year 1977 Defense budget, the Committee may have to re-assert its position on this overall matter.

Thus, if the negotiations at the CCD are to move forward on outstanding chemical warfare issues, they must move forward soon. In my view, there will be no forward movement until there is a "joint initiative" by the United States and the U.S.S.R., and there will be no joint initiative until the United States formulates a negotiating position on chemical warfare issues. The Soviet Union has done so and has presented a negotiating proposal at the CCD; the United States has not.

Based on testimony presented to congressional committees, it is apparent to me that the executive branch has yet to formulate a position on chemical warfare. For the last 2 years, Pentagon officials have argued that we must produce binary nerve agents munitions. For the last 2 years, the Director of the Arms Control and Disarmament Agency has testified that we should not produce binaries—that production would harm the negotiations which two Presidents of the United States have pledged to support.

In light of recent congressional actions concerning chemical warfare, it is my hope that the executive will formulate its position on chemical warfare issues. It appears unlikely that there can be any joint initiative or successful conclusions to the CCD negotiations if the United States continues in its present non-position.

#### CONCORDE SST

### HON. JOHN W. WYDLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1975

Mr. WYDLER. Mr. Speaker, I would like to introduce, for the record, a letter which the Environmental Defense Fund sent to the Honorable William T. Coleman, Jr., Secretary of Transportation, on Wednesday, October 22. This letter asks Mr. Coleman to recirculate a revised environmental impact statement for further comments prior to making any decision on admitting the Concorde SST to the United States.

As the EDF letter points out, this is the same request that was made in very strong terms last spring, by the State of New York. The State felt that the original draft statement was so deficient as not to even provide a basis for informed discussion. I think the EDF letter shows some of the reasons why the State, and others, came to that conclusion.

Mr. Speaker, I would like to identify myself with this request, and to urge my colleagues to join me in recommending this approach to Secretary Coleman.

ENVIRONMENTAL DEFENSE FUND,  
Washington, D.C., October 22, 1975.

Re Concorde SST: Petition for Recirculation of Impact Statement.

Hon. WILLIAM T. COLEMAN, Jr.  
Secretary of Transportation,  
Washington, D.C.

DEAR MR. SECRETARY: The Environmental Defense Fund ("EDF") on behalf of its 55,000 members throughout the United States, hereby petitions you to recirculate the Department of Transportation's forthcoming revised environmental impact statement on the Concorde SST for further comments, as a second draft, before making any decision on admitting that aircraft to John F. Kennedy Airport in New York ("JFK") or Dulles International Airport near Washington, D.C. ("Dulles").

This procedure was requested last May by both EDF and the State of New York. The reason for the request, then as now, was that the FAA's draft impact statement on the Concorde was not merely uninformative on many crucial issues, but also affirmatively misleading—so much so as to flout the Council on Environmental Quality's Guidelines. Preparation of Environmental Impact Statements, 40 C.F.R. § 1500.7(a), which require that:

"Each environmental impact statement shall be prepared and circulated for comment in accordance with the provisions of these guidelines. The draft statement must satisfy to the fullest extent possible at the time the draft is prepared the requirements established for final statements by section 102(2)(c) [of the National Environmental Policy Act, 42 U.S.C. § 4332(2)(c)]." (Emphasis added.)

The draft impact statement on the Concorde fell so far short of this requirement that, as the State of New York put the matter:

"In these circumstances, the only appropriate course of action for the FAA is to prepare a second or revised Draft EIS which, hopefully, will adequately and completely consider the many important environmental, social and economic impacts not adequately dealt with in its first DEIS. This second Draft should then be circulated to the appropriate states, agencies, individuals, etc. for further consideration and comment. Such a process should provide the basis for the preparation of an adequate and complete Final EIS if the inadequacies and omissions noted in New York State's comments, as well as those of others are properly addressed. The preparation of a final EIS at this time would be premature and would effectively deny New York State and others an opportunity to comment on the [FAA's] assessment of all the relevant potential impacts. . . ."<sup>1</sup>

In EDF's comments of May 6, we pointed out some of the specific ways in which the draft statement was affirmatively misleading as to particular issues, especially the ozone and cancer issue (pp. 2-7 of our comments) and the noise issue (pp. 8-14).

Since last May, though, further information has come to light which shows that we—and the other parties who commented

on the draft—were able to identify and document only a fraction of the misinformation contained in the draft impact statement.

#### I. Range, Fuel Reserves, and Air Traffic Control

For example, the draft flatly asserted (pp. 52-53) that:

"The Concorde does not require any unique air traffic procedures in which to operate in the approach, cruise or departure phases of flight. . . ."

"If traffic delays are encountered at an airport, the Concorde will hold at 15,000 feet MSL [mean sea level] or higher. Holding at or above this altitude will have no significant impact on other air traffic or the air traffic control system in the U.S."

Not until mid-September did we discover that, in the words of the FAA's Eastern Regional Office:

"The statement made on Page 52 of the subject draft that 'the Concorde does not require any unique air traffic procedures to operate in the approach, cruise or departure phases of flight, is not completely accurate."

"It has not yet been established to FAA's satisfaction that the Concorde can hold within present protected holding airspace areas above 14,000 feet."

"The Concorde is exceptionally fuel critical. Special procedures must be set up if delays of 30 minutes or more are expected at [a] destination airport. These procedures would have to include relaying anticipated delay information to the operator prior to scheduled departure."<sup>2</sup>

Not until September 23 did we learn the opinion of the Professional Air Traffic Controllers Organization ("PATCO")—which was never invited to comment on the draft impact statement—that:

"The Federal Aviation Administration has attempted to delude the public in a recent statement that no 'unique air traffic procedures' are needed for the SST. Nothing could be farther from the truth. We have here a plane which can fly at 1,200 mph, that has special landing and climbing profiles, including a special profile to go supersonic, and which has a critically low fuel reserve."<sup>3</sup>

At the time that we submitted our comments, on May 6, we were also thrown somewhat off the scent by a full page advertisement purchased in the New York Times for April 17 by British Aircraft Corporation, which advised us that the "Concorde is simply just another jet from the points of view of both the passengers and the airport communities."<sup>4</sup> and specifically that the Concorde does not need "special control treatment." It was not until later that we discovered the *Concorde Appraisal Report By British Airways* (1974) which candidly advised the British Secretary of State for Trade, the Rt. Hon. Peter Shore, M.P., that:

"For payload and economic assessments, minimum safety fuel reserves have been employed, although regularity/punctuality of operation, especially to New York and Washington, may be adversely affected by such an approach in practice."

"London-New York . . . [I]f, in order to improve regularity of direct service to New York, holding fuel is increased by 15 minutes, then payload penalties [are] estimated of between 6,000 and 11,000 lbs., i.e. 26/43% reduction."

"London-Washington . . . Night departures from Washington necessary in summer to avoid too large a payload loss due to temperature. (If holding increased at WAS by 15 minutes, payload reduced to approximately 13,000 lbs. summer, 6,000 lbs. winter)."<sup>5</sup>

This same document adds that:

"In order to minimize estimates of sector

payload penalties, alternate airfields have been assumed as near as possible to the prime destination. . . . (In practice, the effect of such an approach would be to reduce regularity and punctuality of service). Id. (Emphasis added.)

Surely this information was available to the FAA when it prepared its draft impact statement. The FAA also had available, when it prepared the draft, the *Final Report of the Ad Hoc Supersonic Transport Review Committee, White House Office of Science and Technology* (1969) (the "Garwin Report"). Much like the 1974 *British Airways Appraisal Report*, the Garwin Report concluded (p. 9) that:

"[T]he Concorde of the present size, and its production versions (unless they are entirely different aircraft) are too small and have too little margin to be productive aircraft for trans-oceanic flight. For example, the production Concorde, with capacity for more than 124 seats, is now expected by the airlines . . . to carry only 95 passengers Paris-New York and only 66 Frankfurt-New York, with further restrictions at New York on days warmer than 82° F. and at Madrid beyond 45° F." (Emphasis added.)<sup>6</sup>

The FAA, to our knowledge, has never explained what restrictions are to be imposed at New York on days warmer than 82° F.; who is to impose them; or who is to enforce them. Are Concorde passengers, holding long-standing reservations and paying a large surcharge over first class fare, subject to being "bumped" at the last minute because of ambient air temperature at takeoff time? If so, why would any rational person pay the surcharge? If not, can the Concorde operate safely in the summer months? The draft impact statement not only fails to answer these questions; it fails to give any clue that the questions exist. And the point of our present complaint is that one cannot reasonably be expected to comment on questions whose very existence has been concealed from him.

#### II. NOISE (CONTINUED)

In our May 6 comments, we pointed out in some detail that the FAA's discussion of Concorde noise in its draft impact statement was affirmatively misleading. The extent of the misinformation contained in the draft statement is now revealed by measurements made at Heathrow Airport near London. According to yesterday's Washington Post:

"A report by the Greater London Council show[s] that the [Concorde] may be the world's noisiest plane. On takeoff, Concorde is six times as loud as the new generation of quieter jets . . . and three times as noisy as the veteran Boeing 707." (Emphasis added.)

The Boeing 707, of course, is one of the worst of the present subsonic jets, in terms of noise. Suffice it to say that nothing in the FAA's draft statement remotely tended to convey this information. Indeed, the same newspaper, the *Post*, read the draft impact statement and concluded editorially that:

"As best we can make out from the data available [i.e., the draft statement] the Concorde makes slightly less noise landing than do some of the 707s and DC-8s now flying [and only] slightly more noise than those planes make taking off . . . ." *Post*, April 24, 1975. (Emphasis added.)

If the draft statements managed to fool the *Post*, it could easily have fooled any other non-expert reader.

#### III. BEATING THE BLACK BOX

The FAA's draft statement observed offhandedly (p. 86) that "it may be possible to initiate a turn after takeoff to avoid populated areas." (Emphasis added.)

This is the statement's only reference to the takeoff maneuver by which the Concorde proposes to "beat the black box" at JFK, aid thus attain technical compliance

Footnotes at end of article.

with the noise limit imposed on takeoff by the Port Authority of New York and New Jersey, the airport operator.

Nothing in the draft statement describes the maneuver itself. (This maneuver, as we understand it, is a 26° bank turn, begun at an altitude of only 100 feet.) The draft statement omits such a description even though (a) the FAA was advised by the Port Authority, on February 10, 1975, that:

"Since this procedure represents a departure from those customarily used by subsonic aircraft, we have expressed concern with its safety aspects;"<sup>7</sup> and (b) at the time of the draft impact statement it was the FAA's "understanding that as yet a final determination has not been made by either the pilots' groups involved or the government aeronautical authorities of the U.K. or France as to the acceptability of the proposed departure procedure."<sup>8</sup>

On July 30, the FAA certified the maneuver as safe notwithstanding that (a) the maneuver had never been described, much less analyzed, in the draft statement (b) no final impact statement had been prepared which mentioned this maneuver; (c) the maneuver still had not been approved as safe by the British Airline Pilots Association; and (d) it was still being criticized as unsafe by the International Federation of Airline Pilots Associations. The FAA thus attempted to remove entirely from the impact statement procedure a major federal action which has significant environmental impacts,<sup>9</sup> as to which there was substantial room for legitimate disagreement.

Moreover, neither the draft impact statement nor the July 30 certification mentioned one of the most important questions as to the safety of this maneuver. That question is as follows: The maneuver can be executed only on a takeoff from Runway 31L at JFK. It is not claimed that the Concorde can comply with the JFK noise limit—even nominally—on any other runway. A certain, significant portion of the time, due to wind changes, a takeoff on Runway 31L will be counter to the prevailing traffic pattern at the airport.<sup>11</sup> What happens at such times? Will the Concorde attempt to take off counter to the prevailing pattern, with all of the safety problems that this entails? Or will the Concorde take off on some other runway, in frank violation of the airport's noise rule? The FAA has never publicly acknowledged this question, much less answered it.

#### IV. FUEL TANK EXPLOSIONS

In August, 1975, we learned for the first time that:

"The FAA has requested for safety purposes that the Concorde manufacturers install a nitrogen-inerting system in the fuel tank. The estimated cost for all Concordes is approximately 25 million dollars. It also would probably result in a loss of one to two seat payload capacity. Discussions with the British and French have taken place over the last year and a half on this problem."<sup>12</sup>

Not until October did we learn the point of those discussions. See your letter of October 8 to Sen. William Proxmire, answering questions which he had submitted:

"Question: Will the Concorde manufacturers install a nitrogen-inerting system in the fuel tanks? If not, why not and what became of the FAA request that they do so?"

"Answer: The FAA suggested at one time that the manufacturers install a nitrogen-inerting system in the Concorde fuel tanks, but the FAA does not specifically require that such a system be installed. The FAA has, however, promulgated a special rule which will have to be complied with prior to the issuance of a U.S. type certificate. The issuance of a type certificate will be required only if a U.S. air carrier decides to pur-

chase or operate the Concorde. The FAA does not have authority to require other governments to meet our airworthiness standards.

"The special rule, FAR 121.255, requires that a means must be provided for the prevention or suppression of fire or explosion within the fuel tanks. The Concorde will not be fitted with a nitrogen-inerting system, but that system is only one of many ways by which the aircraft might comply with the rule. \* \* \* [T]he FAA has not yet determined by what method the Concorde will attempt to comply with the rule or whether that method will be adequate. \* \* \* (Emphasis added.)

In other words, if the Concorde were now proposed to be operated by a U.S. flag carrier, rather than Air France and British Airways, it would be illegal because unsafe, for lack of compliance with FAR 121.255. Yet the FAA's draft impact statement made literally no mention of this point, and no one outside the FAA was able to comment on it.

#### V. OTHER ELEMENTS OF THE COVER-UP

The foregoing list of issues concealed from public view by the FAA is neither exclusive nor meant to be. We suspect that there are numerous other problems, just as serious or more so, which were likewise never identified for public comment in the draft impact statement.

But the foregoing list is surely enough to show that the State of New York was right when it said that the draft impact statement was so inadequate as to "effectively deny New York State and others an opportunity to comment on the [FAA's] assessment of all the relevant potential impacts. . . ."<sup>13</sup>

#### VI. APPROPRIATE RELIEF

Under the circumstances, the proper thing to do is to issue the revised impact statement as a second draft, and solicit comments on the basis of this (presumably) more complete and candid exposition of the Concorde's safety and other environmental problems, meanwhile withholding action on the Concorde for the brief period that this procedure would require. As the State of New York further pointed out in its comments:

"This suggested course of action is a fair and appropriate administrative procedure in these circumstances. The preparation of a second or revised Draft EIS for circulation and comment is an established procedure utilized by other Federal agencies. For example, the Army Corps of Engineers (ACE) and the Department of Transportation (DOT) have both utilized a two-draft procedure in a number of cases. In certain circumstances, ACE and DOT have issued preliminary Draft EIS's and circulated them for comments prior to preparing and circulating a Draft EIS. In these cases, such a two-draft approach was initially decided upon as being appropriate to fulfill NEPA's requirements.

"The two-draft EIS procedure has also been utilized in circumstances where the federal agency had not initially planned to prepare more than one draft. For example, the ACE prepared a second Draft EIS for a proposed Vehicle Maintenance Facility in Lower Manhattan after its first Draft EIS had come under considerable criticism for its various omissions and deficiencies. The United States Navy likewise prepared a revised Draft EIS, subsequent to its first draft, for its proposal to dredge the Thames River in New London, Connecticut and to dispose of the dredged materials by dumping in the ocean. Finally, the Atomic Energy Commission (now the Nuclear Regulatory Commission) prepared and circulated both initial and revised Draft EIS's for the proposed Newbold Island Nuclear Facility in the Delaware River.

"In the present case, the FAA should follow these precedents and issue a revised Draft EIS which fully corrects the many shortcomings of the first DEIS prepared. The

revised statement must not only respond to criticism of the original DEIS but must also broaden its unnecessarily and improperly narrow scope of impact analysis. A comprehensive and vigorous impact assessment must be completed before any commercial SST service is initiated. Such a statement must assess the environmental, social, and economic impacts of instituting commercial SST service in the United States, as well as all reasonable alternatives to such general SST use. The limited and narrow scope of the FAA DEIS does not permit this necessary assessment. A major revision must occur to correct these shortcomings."<sup>14</sup>

As we pointed out in our May 6 comments, EDF believes that this procedure is not only equitable, but also, under the circumstances, legally required. If necessary, we are willing to resort to legal action to enforce the rights we and our members have in this regard, but we would prefer first to submit the matter to your sense of fairness.

Sincerely yours,

JOHN F. HELLEGERS,  
Washington Counsel.

#### FOOTNOTES

<sup>1</sup> Comments of the State of New York, pp. 6-7, transmitted under cover letter from Hon. Ogden Reid, May 23, 1975. (Emphasis added.)

<sup>2</sup> Memorandum, Walter D. Kies, Chief, Planning Staff, FAA Eastern Regional Office, to APS-1, May 2, 1975. (Emphasis added.)

<sup>3</sup> PATCO News Release, Sept. 23, 1975. PATCO also observed that:

"[T]he problems of coordinating such a plane [the Concorde] in the same sky as planes going as slow as 150 mph are immense . . ."

that "the possibility of delays to other flights can be anticipated," and that "The Concorde demands [a] disproportionate amount of attention" from air traffic controllers because "perceptual judgments . . . vis a vis the radar scope, will be increasingly different and difficult. . . ." *Id.*

<sup>4</sup> Compare R.C. Collins, "Through the Blue at Mach 2," *Air Transport World*, February, 1975, p. 33. Mr. Collins, a vice president for engineering, United Airlines, gives the following description of a Concorde departure from San Francisco International Airport.

"I'm not sure what kind of flight rules they have in France, but the crew paid little attention to the 250 kt. speed limit that exists below 10,000 ft. in the U.S. At 5000 ft. we were indicating 350 kt.; at 6000 ft. 400 kt. ATC [Air Traffic Control] seemed to accept this as normal for an SST."

The FAA's draft impact statement mentioned neither this speed limit nor the Concorde's ability or inability to comply with it.

<sup>5</sup> British Department of Trade, *Concorde Appraisal by British Airways*, Appendix A (1974). (Emphasis added.) A 6,000 lb. payload [sic!] is the equivalent, of course, of thirty 200 lb. passengers, none carrying so much as a briefcase as luggage. One is left to wonder what the Paris-Dulles payload would be "if, in order to improve regularity of direct service . . . holding fuel is increased by 15 minutes," since the Paris-Dulles route is 173 statute miles longer than the London-Dulles route.

<sup>6</sup> The runway heat problem is one of air density. Air at 82° F., for example, is 7% less dense than air at 45° F., assuming constant altitude. "This would correspond to about 7% reduction in thrust, except that the [Concorde] engine is turbine-inlet-temperature limited and so loses even more thrust than that." Letter, Dr. Richard L. Garwin to the undersigned, Oct. 16, 1975.

<sup>7</sup> Letter, C. B. Pattarini, Director of Aviation (Port Authority), to Alexander P. Butterfield, Administrator, FAA, Feb. 10, 1975.

<sup>8</sup> Letter, Alexander P. Butterfield to C. B. Pattarini, March 7, 1975.

<sup>9</sup> Letter, James E. Dow, Acting Administrator, FAA to C. B. Pattarini.

<sup>10</sup> Section 101 of the National Environmental Policy Act, 42 U.S.C. § 4331, twice mentions safety as an environmental amenity which that Act seeks to protect.

<sup>11</sup> A related question is whether the Concorde will be able to take off with a tailwind—not a headwind—on Runway 31L on days when, because of ambient air temperature, it is already near its payload limit. This is another question which the draft impact statement failed even to suggest.

<sup>12</sup> Minutes of Interagency Meeting October 10, 1972, on Regulatory Actions Affecting SSTs, p. 2. These minutes were turned over to us in connection with a pending lawsuit *Environmental Defense Fund v. Butterfield*, Civ. No. 74-217 (D.D.C.)

<sup>13</sup> See text at note 1, *supra*.

<sup>14</sup> New York State Comments, note 1, *supra*, pp. 7-8.

#### AGENCY FOR CONSUMER PROTECTION

### HON. ANTHONY TOBY MOFFETT

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1975

Mr. MOFFETT. Mr. Speaker, the House is scheduled to consider on Wednesday legislation which would create an Agency for Consumer Protection. I view this bill as a small but urgently needed step toward correcting the tremendous imbalance in lobbying strength that exists between consumer groups on the one hand and business lobbies on the other.

To help illustrate this, I would like to place in the RECORD an April 23 article from the Washington Post and an article which appeared in the Washington Star on October 28. The Post article gives a good picture of the overwhelming financial capabilities of certain business lobbies, while the Star article shows the trouble that consumer groups are having just trying to survive. I would ask my colleagues to read and contrast these articles as they make up their minds on H.R. 7575.

[From the Washington Post, April 23, 1975]

#### LOBBYING ENTERS THE COMPUTER ERA

(By Jack Anderson and Les Whitten)

The delicate art of influencing legislation—popularly known as lobbying—has been moved a great distance from the days when professional pleaders prowled the Capitol corridors twisting legislative arms.

Today, the U.S. Chamber of Commerce uses a computer to keep track of the members of Congress who may need a little gentle persuasion. The infernal instrument identifies not only the legislator who may require some quiet pressure but the businessmen back home who can best apply it.

This scientific system is now being brought to bear upon consumer legislation. With a whirring of little wheels, the electronic mastermind is helping the chamber to deploy its forces most effectively to kill the Consumer Protection Agency bill.

The chamber's chief lobbyist, Hilton Davis, has developed computerized files that list members of Congress and the home-state businessmen who have the most influence over them.

"What I'd like you to do," he wrote to corporate executives whose names went into the computer, "is indicate those senators and representatives with whom your company has a constituent relationship . . . That will permit me to signal the right people when

special need arises for assistance with a specific legislator."

Then the big names are brought in from home states to make the personal contacts. They are guided unerringly to the right doors by the clocking, whirring machine in the chamber's headquarters.

We have now cracked the secret code on the chamber's master computer, which sorts the wheat from the chaff on Capitol Hill not by name but by number. To the computer, for example, Senate Democratic leader Mike Mansfield is "S0605" and Senate Republican leader Hugh Scott is "S0851." Speaker Carl Albert, who presides over the House, is "H0055."

The chamber's chief defender on Capitol Hill, Sen. James R. Allen (D-Ala.), is depersonalized into "S0036," while consumer champion, Sen. James Abourezk (D-S.D.) has been assigned the James Bondian code number of "S0010."

The system works this way:

Suppose the chamber wanted to put the squeeze on pro-consumer Sen. Mark O. Hatfield (R-Ore.). The computer operator would punch Hatfield's code, "S0451." The machine would spit out the names of all chamber members who own businesses in Oregon and who might be enlisted to join in pressuring Hatfield.

The computer would automatically address tabs or envelopes to these key businessmen. Clerks would insert specially prepared chamber instructions, calling upon the businessmen to make personal phone calls and write letters to Hatfield. The ones with the most influence upon Hatfield would be hauled to Washington for personal visits.

The chamber even encourages executives to enlist their employees in the pressure campaign to defeat the consumer bills that would protect the employees.

Davis assured us there was nothing sinister about the chamber's computerized lobbying, although he conceded the computer's codes and records were "confidential."

Davis said the system will merely cut malling and clerical costs by getting out appeals selectively instead of to the general membership. "It doesn't frighten me at all," he said.

[From the Washington Star, Oct. 28, 1975]

#### LACK OF MONEY PINCHES THE MOVEMENT—CONSUMERISM IS NOW A LUXURY ITEM

(By Bailey Morris)

The cost of food still outrages it, but the preoccupation of the consumer movement these days is money—the lack of it.

The movement is almost broke. It is living a precarious, hand-to-mouth existence dependent largely on the survival instincts of its leaders, who scratch around for the few public-interest dollars still left.

The pickings are pretty slim during shaky financial times because most supporters of the movement come from the middle class, consumer leaders say. This means that a \$15 contribution to a consumer group is one of the first expenses to be cut by a family trying to stay within a household budget.

"Consumerism is a luxury item during bad economic periods. . . . It's as simple as that," says a Washington-based public interest lawyer.

It is the government, always a fat target for the lean, hungry consumer movement, which is now a major financial supporter of it.

Most groups, while willing to alter their activities to qualify for government money, would rather die a natural, economic death than grasp at the carrot of corporate money which often is dangled before them.

The effects of the lack of money on the work of the movement are sometimes subtle and sometimes so obvious they are painful for its members to see.

Lack of money means fewer professionals

in the movement, less visibility on Capitol Hill, less time to argue matters of health and safety before regulatory agencies and no funds to organize the grass roots, especially on election issues.

The impact has been felt nationally in planned programs that never got off the ground. Most were intended to supply organizations with funds and expertise before the coming elections.

At the state and city levels the combination of no money—and in many cases smaller memberships—is more obvious. Consumer leaders say the money crunch is likely to be felt locally in the following areas:

Utility rate cases and the expert testimony local public interest groups have provided.

Consumer representation on and before local public service commissions.

Lobbying before state legislatures on issues including prescription drug prices, milk marketing orders, hospital costs and no-fault insurance.

Consumer pressure on local candidates to endorse public-interest projects as part of campaign platforms.

Eileen Gorman, executive director of the National Consumers Congress, finds herself hustling for dollars for the first time in her consumer-oriented career. But she says the NCC, which grew out of the meat boycott of 1973 and has stayed alive on food and energy issues, refuses to touch corporate money.

"There's money in industry we could tap into . . . but there's no way we would tap into it because there are strings attached. . . . Mobil Oil says we can have money. But how would it look to our constituency?" Gorman asks.

The alternative for NCC, which cannot afford the \$20,000 cost of a mass-mail money campaign, is grants, both government and private.

So far, a winning streak in the grantsmanship game has kept Gorman's group alive. Grants from Consumers Union, the Office of Economic Opportunity and some foundations have allowed NCC to stay in business, if not to expand its operations.

Carol Foreman plays the survival game on a one-night-stand speaking tour.

"It's a tough way to earn money. I feel like somebody trying to make it in show biz . . . a different town every night," Foreman says.

Rumors began to spread several months ago that Consumer Federation of America, the organization Foreman runs and the largest of the consumer groups, might have to close for lack of funds.

That's not true, according to Foreman. "The wolf may be knocking at the door in January 1976," but not this year, she says.

Foreman's speaking tour and a large chunk of money received this past January from Consumers Union have given CFA "some cushion" to ride out the bad months, she said.

But the CFA's future rests, in domino-like fashion, on the solvency of its sister organization, Consumers Union.

"We get money from 226 organizations but Consumers Union is our biggest piece of pie. . . . If their money grant to us is cut down we need 15 or 20 new funding sources and they are not available right now," Foreman says.

Consumers Union, which survived the Great Depression and which has remained the most solvent and visible of the consumer groups, is now having severe money problems.

For its 1974-75 fiscal year ended last May, CU, which publishes Consumer Reports, announced a "large and troubling deficit" of more than \$3 million.

A lag in new subscriptions to Consumer Reports, which tests and rates products by brand name, created "an unprecedented drop

in income," coupled with rising costs for printing and mailing, CU said.

\* \* \* money, and CPA which lost a major portion of its CP financing—have been curtailed.

CU suffered staff layoffs during the fiscal year ended in May and has deferred the planned construction of a new auto testing facility.

In Washington, the layoffs reduced the professional staff from five to three attorneys. In the organization's newly opened West Coast office, there is only one attorney in residence instead of a planned three or four.

CU's troubles are one example of the effects economic uncertainty has on otherwise healthy organizations. Foreman, of the CFA, says many groups that are not on the brink of folding are in a holding pattern, staying alive until the economy gets better. Her own group also is among them.

In the past, CFA, whose large membership draws on labor unions, rural electric cooperatives and other consumer groups, has shied from endorsing local and national candidates for office.

This year it has set up a study group to find the best way of mobilizing its large membership to make endorsements, but Foreman says the money crunch "may affect our ability to do that."

And because she spends at least one day a week on the road, she says she has less time to lobby and not enough staff to take up the slack. That means "we should have spent more time lobbying against the Beef Research and Information Act than we did and more time lobbying in favor of no-fault insurance," Foreman explains.

At the NCC, the effects of the holding pattern are similar.

"We haven't had to actually cut out any program," Gorman says. But NCC did have to postpone planned activities and spend less time on others because of its stepped-up fundraising.

A program to provide technical organizing assistance to local groups across the country had to be put aside as was a legislative-lobbying program which NCC lacks the funds to put into operation.

"There are a lot of consumer groups around the country who are only working at half speed because of not enough money," Gorman says.

Even Ralph Nader is said to have some financial troubles in his multi-tiered operation. Nader was not available to confirm or deny the rumor, which has circulated among others in the consumer movement.

The annual reports of Public Citizen Inc. for the past three years indicate that public contributions, the main source of funding for the Nader conglomerate, are up slightly from 1973, a depressed year, but still down from 1972 levels.

#### AGENCY FOR CONSUMER PROTECTION

**HON. HENRY A. WAXMAN**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1975

Mr. WAXMAN. Mr. Speaker, landmark legislation establishing an Agency for Consumer Protection will shortly come before the House. If enacted, this measure will provide American consumers with access to an agency which is directly responsive to their interests, and which will represent them before existing Federal regulatory and judicial bodies. I do not think I need belabor the fact that such an agency is vitally needed. As legislators, we have all re-

ceived hundreds of letters from individuals who have been frustrated in their attempts to purchase safe and effective products at a reasonable cost.

Their frustration has generated a variety of programs aimed at resolving consumer complaints, ranging from Nader's Raiders to televised "action lines." Yet within the Federal Government, whose byzantine labyrinth of departments, commissions, and agencies would put Daedalus to shame, the individual consumer has little opportunity to redress his grievance. The time has come to correct this inadequacy, and I believe H.R. 7575 is the vehicle with which to do it.

Last June, the Los Angeles Times featured an article which summarizes the need for and purposes of the proposed Consumer Protection Agency. I would like to take this opportunity to commend it to my colleagues for their consideration.

The article follows:

[From the Los Angeles Times, June 7, 1975]

#### CONSUMER ADVOCATE—BUSINESS WATCHES WATCHDOG BILL

(By Ellen Stern Harris)

Suppose you'd like to take a week off and go to Washington, D.C., to give "them" a piece of your mind on an important consumer issue. If you're a businessman you might buy a first-class round-trip airline ticket from Los Angeles for \$488.73. And you'd probably be prepared to spend at least \$100 a day on hotel and other expenses.

You may, in addition, pay dues to a trade association to alert you as to exactly when and how to take action in your company's best interest. Further, you might engage the services of an attorney or lobbyist to enhance your effectiveness before whatever agency is involved with the pending decision that concerns you. Of course, all of these expenses will be tax deductible as part of your cost of doing business.

Now let's suppose instead that you're simply a very concerned consumer who wants to participate in the governmental decision-making processes that will affect your life, too. You could buy a round-trip coach ticket for \$346.73 and expect to spend a minimum of \$50 a day for a not-so-great hotel room plus other expenses. If you have children at home, the cost of hiring a baby sitter must be considered, too. And, rather than receiving a tax deduction for taking time out and for spending several hundred dollars to present the consumer's point of view, you will have lost a week's wages, if not your job.

It's hardly any wonder that consumer representation in Washington is no match for industry's clout. For six years efforts have been made by underfunded, understaffed consumer organizations to help rectify this untenable state of affairs. The legislation these groups have been seeking has been known as the Consumer Protection Agency bill. This year's version is called the Agency for Consumer Advocacy bill, or S. 200.

It does not create another layer of regulatory government but rather provides for sustained, effective consumer representation before existing commissions, boards and agencies, as well as the federal courts, in matters affecting consumer interests. For lack of balanced representation, these federal agencies have all too often become captives of the very industries they were originally set up to control on behalf of all citizens.

The only way to get them back on the track is to have them regularly receive expert testimony from an independent source whose sole accountability is to the consumer. Unlike the U.S. Department of Commerce, which represents business interests so thoroughly, the ACA will not be headed by

a cabinet-rank officer. It will have an administrator and an annual budget equivalent to the Pentagon's budget for one two-hour period—\$15 million.

In contrast, the Department of Commerce's current budget is in excess of \$1.5 billion. Further, the ACA, if enacted into law, will be established on a three-year trial basis only. In fact this bill has been so modified to accommodate industry objections that Ralph Nader has said it is "honed down to its bare bones."

On May 15 the Senate overwhelmingly voted its approval of S. 200 but, in so doing, included an amendment that would prohibit the ACA from participating in any matters involving agriculture until farm products are in the hands of processors or retailers. Consumer groups are hopeful this limitation will be removed by a congressional conference committee following the bill's expected passage by the House of Representatives. If this amendment remains, it means the Agriculture Department's policies concerning DES in cattle feed, the routine application of antibiotics to poultry, pesticides to produce, etc., cannot be addressed by the ACA.

In speaking for S. 200, Sen. Abraham Ribicoff (D-Conn.) appears to have updated President Calvin Coolidge's pre-Depression remark of 50 years ago, "The business of America is business." Ribicoff has said, "This bill is not anti-business. It is pro-consumer and what is good for consumers is good for responsible businesses. It will make our government more responsive to the needs of the American people and thereby help restore dwindling confidence in our free enterprise system." Some notable corporations are in agreement and are now endorsing S. 200.

A month ago, before ACA's passage in the Senate, President Ford requested that action be postponed on the bill. He said, "It is my conviction that the best way to protect the consumer is to improve the existing institutions of government, not to add more government." Proponents of S. 200 believe improvement will only be achieved with the creation of a full-time agency for consumer advocacy to assure such needed institutional improvements. Opponents of S. 200 claim that Ford will veto the bill. Proponents fear they may be right. The President has not said what he will do. Perhaps he's waiting to hear from you.

#### LEGISLATION AMENDING SOCIAL SECURITY ACT WOULD HELP STATES WITH RESPECT TO AFDC

**HON. BENJAMIN A. GILMAN**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1975

Mr. GILMAN. Mr. Speaker, I rise today to introduce legislation amending titles IV and XIX of the Social Security Act to provide that the Federal payment to any State for any calendar quarter with respect to amounts expended during such quarters as aid to families with dependent children or medical assistance shall be at least equal to 75 percent of the expenditures made by the State for such aid or assistance if unemployment in the State as determined by the Bureau of Labor Statistics in the Department of Labor exceeds 7 percent.

Presently, Mr. Speaker, the 26th Congressional District of New York which I represent, as well as the whole of New York State, faces an emergency situation that has reached near crisis proportion. In my district, Rockland County is \$5

million short of meeting this year's welfare commitments and estimates that its 1976 budget may rise as much as 40 percent. In neighboring Orange County, the county legislature has refused to borrow money to meet an appropriation for supplemental welfare commitments.

My proposal attempts to alleviate this crisis by distributing costs on the basis of capacity to pay and by sharply reducing the gap between States like New York, which must under the present system pay 50 percent of the costs of AFDC and medicaid, and those States like Mississippi that pay only 20 percent of their AFDC costs.

My bill does not involve any basic change in the philosophy that underlies the existing welfare system. Federal law now recognizes that the basic economic health of a State should be taken into account when determining what share of AFDC and medicaid costs the National Government should bear. What this legislation does permit is a more realistic distribution of costs on the basis of capacity to pay.

The current basis for determining the Federal share of AFDC and medicaid costs, generally the percentage of a State's population with incomes below a given level, is inadequate. First, it does not consider geographical variations in living costs; and second and more importantly, this basis provides only a static picture of economic health, unrelated to the economic cycles that so seriously affect the costs of relieving dependency.

It has been estimated that my proposed formula would result in a substantial reduction in State and local welfare costs in as many as 38 States. In New York, the impact would be dramatic—a reduction in State expenditures during the current fiscal crisis of approximately \$700 million, a reduction in city expenditures out of tax levy funds of over \$400 million, and a reduction in expenditures out of county funds of over \$175 million, all during the current fiscal year.

I recognize that this legislation is an interim measure, a stopgap attempt to reduce the strain felt by States and their localities, toward the day that we finally enact a more equitable and rational welfare system. But something must be done and it must be done quickly.

I hope that the Congress, and particularly those Congressmen and Senators who represent the States most adversely affected by the current system of welfare financing, will not leave the initiative solely to the administration, but rather will act quickly and effectively to bring to our States and local governments the relief they so desperately need.

The full text of this bill is as follows:  
H.R. 10489

A bill to amend titles IV and XIX of the Social Security Act to provide that the Federal payment to a State for any quarter on account of aid to families with dependent children or medical assistance shall be at least equal to 75 percent of the expenditures made by the State for such aid or assistance if unemployment in the State exceeds 7 percent, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 403(a) of the Social Security Act is

amended by striking out "shall pay" in the matter preceding paragraph (1) and inserting in lieu thereof "shall (subject to subsection (1)) pay".

(b) Section 403 of such Act is further amended by adding at the end thereof the following new subsection:

"(1) Notwithstanding any other provision of this section or of section 1118, the Federal payment to any State for any calendar quarter with respect to amounts expended during such quarter as aid to families with dependent children under paragraph (1) or (2) of subsection (a) shall not be less than 75 percent of such amounts (determined without regard to any maximum on the dollar amounts per recipient which may be counted under such paragraph) if the rate of unemployment in the State (as determined by the Bureau of Labor Statistics in the Department of Labor) exceeded 7 percent during the second quarter preceding such calendar quarter."

Sec. 2. Section 1903 of the Social Security Act is amended by adding at the end thereof the following new subsection:

"(1) Notwithstanding any other provision of this section, the Federal payment to any State for any calendar quarter with respect to amounts expended during such quarter as medical assistance under paragraph (1) of subsection (a) shall not be less than 75 percent of such amounts if the rate of unemployment in the State (as determined by the Bureau of Labor Statistics in the Department of Labor) exceeded 7 percent during the second quarter preceding such calendar quarter."

Sec. 3. Section 402(a) of the Social Security Act is amended—

(1) by striking out "and" at the end of paragraph (26),

(2) by striking out the period at the end of paragraph (27) and inserting in lieu thereof "; and"; and

(3) by adding after paragraph (27) the following new paragraph:

"(28) provide that no limitation on the number of hours which an individual may work (or other durational limitation on the amount of work which an individual may perform) will be imposed (under the provisions of the plan required by paragraph (7) or (8) of this subsection or under any other provision of the plan or of this part) in determining the eligibility of any dependent child, relative, or other person for aid under the plan."

Sec. 4. The amendments made by this Act shall apply with respect to quarters beginning on or after the date of the enactment of this Act.

JONATHAN, MINN.

HON. TOM HAGEDORN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1975

Mr. HAGEDORN. Mr. Speaker, the Subcommittee on Housing and Development of the Committee on Banking, Currency and Housing, recently held a series of oversight hearings on the new community program authorized by the Housing and Development Act of 1970. In view of the fact that there is a title VII-assisted new community in the Second Congressional District of Minnesota, I presented testimony to the subcommittee about some of the growing problems this new community has encountered as the first new town in the United States, its rapid rate of growth that saw the hopes and plans of the town's creators

evolve into reality, as well as the potential its residents feel this successful community has for the future.

Mr. Speaker, under leave to extend my remarks in the CONGRESSIONAL RECORD, I would like to include the following statement which I submitted before the Subcommittee on Housing and Community Development concerning Jonathan, Minn.'s first completely new town.

The statement follows:

STATEMENT BY REPRESENTATIVE  
TOM HAGEDORN

Mr. CHAIRMAN: I appreciate your invitation to testify before this subcommittee concerning the adequacy of the Title VII program and its administration as well as the problems which have arisen in my district as a result of its having within it the first federally guaranteed New Town in the United States. The New Community of Jonathan currently has a population of approximately 2300 people, 700 housing units and approximately 1400 jobs in its flourishing industrial park. The community is located within the City of Chaska, and its political and service infrastructure is supplied by that City. The City of Chaska and the new community of Jonathan have worked very closely over the years to provide a superior living environment for the people moving into Jonathan; and the relations between the public and private sector are almost a model of public-private partnership. In addition to strong municipal support the New Community of Jonathan has a strong and viable residents' association which has a remarkable record of working to achieve the established social goals of the New Community legislation. Jonathan is an outstanding illustration that people of differing backgrounds, economic levels, and races can live together in harmony and to their mutual benefit. It has been, I think, the leader of all the New Communities in carrying out the express goals of the original legislation.

Today and over the past two years, Jonathan has faced financial difficulties due primarily to the unexpected death of its founder and principal investor, Henry McKnight. Mr. McKnight's death understandably resulted in changes in the investment objectives of that part of the ownership of the development company. In addition, of course, the general economic environment in recent years has been very poor for the housing industry. I am happy to inform the Committee, however, that an experienced land development company is well along in its negotiations with Jonathan and the Department of Housing and Urban Development in securing control and management of Jonathan so that I believe we will see Jonathan go forward in achieving its original planning, economic and societal goals.

It is, however, distressing that the original objectives of the new community legislation have not been carried forward by the Department of Housing and Urban Development with the kind of vigor that Congress envisioned. Since 1970, there has been little evidence of strong administrative support for this program. Over the past year or two, during a period which everyone agrees has been catastrophic for the development industry because of forces outside of that industry's control, the department's support for the program has been at its lowest ebb. Generally, any support given has been too little and too late. This is not to say, however, that the New Communities Administration does not have dedicated people within it. I believe, however, that without strong support and interest from higher levels within the administration, the New Communities Administration cannot be very effective in

meeting the challenges arising in the New Town industry.

Congress enacted good and reasonably complete legislation when it enacted new community legislation in Title IV of the 1968 Housing Act, and improved and expanded that legislation through Title VII of the 1970 Housing Act. However, as has been previously stated before this Committee, and I concur, the legislation as enacted, has never been fully implemented in the manner envisioned by Congress. The comprehensive Title VII program has become almost solely a federal bond guaranty program with a few categorical grants thrown in.

The original reasons for this legislation are still compelling and even more apparent. We are still duplicating urban environments along the same lines as over the past thirty or forty years, and all of us can agree that must be improved upon. Preservicing of urban development was and still is a worthwhile objective. Creation of New Communities which contain their job basis and service for their people makes more sense than ever in view of the energy problems which we face today. We have barely scratched the surface of the real potential of this program.

We do have problems. But I believe we also have many successes. We should expect problems and we should do those things necessary to correct those problems so that we may continue to make progress towards achieving the goals and objectives of the original legislation. Perhaps we have found that the limitations of federal participation are too low to build a community. We certainly have witnessed a lack of interagency and interdepartmental administration to help support the New Communities which have been approved. Perhaps we should look toward legislation which requires, at least on an interim basis, support from other agencies and departments. Block grants to governmental units containing New Communities should, I believe, receive priority consideration particularly where such local governments have demonstrated by their action strong support for the New Community in their midst. In any event, I believe Congress should continue its strong support for this program and should foster the partnership of the public and private sector in the development field.

#### CONSUMERS STILL NEED CHAMPION

### HON. DAVID R. OBEY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1975

Mr. OBEY. Mr. Speaker, in the past I have supported legislation establishing a consumer agency because I support the creation of a mechanism which will protect consumers against the various cozy relationships between the Government and big business in this country which have resulted in a lack of competition.

But, I have just finished reading the article which I am inserting for reprinting in the RECORD. That article raises serious questions in my mind about my ability to support the Consumer Protection Act when it comes before the House next week. The article reflects an anti-rural, antiproducer bias which will be, in the long run, economically disastrous to the country. If supporters of the legislation envision the kind of know nothing intervention on questions involving producer prices for agricultural commodities which is suggested by this article, then I want no part of it.

In the last year we have seen a depressing indifference on the part of some self-styled consumer advocates toward the rural poor. Nowhere was that indifference more blatantly exhibited than during the lobbying surrounding the farm bill earlier this year. If these same groups intend to carry their "don't give a damn" attitude toward the rural poor over into the operation of this new agency as the article suggests, I would be hard pressed to support the upcoming legislation. I am perfectly willing to be convinced that that is not so, but based on past experiences, I am dubious.

The article follows:

[From the Washington Star, Oct. 29, 1975]

#### CONSUMERS STILL NEED CHAMPION

(By Goody L. Solomon)

We're in for another round of price hikes on milk and dairy products and can't do much about it.

The minimum price for fluid milk (which is set by a complicated system of federal milk marketing orders) as of November 1 will be \$8.27 for 100 pounds, which compares with \$6.80 in March. At retail, that \$1.47 jump translates into at least four cents a quart and in many localities more than that because:

The U.S. Department of Agriculture (USDA) sets the minimum price according to prevailing rates in Minnesota and Wisconsin but each of 56 regions around the country has a specified formula for setting its floor price which accounts for transportation and production costs and therefore usually is above the federal rate. In addition, dairy cooperatives set so-called "negotiated" prices (also referred to as "over order premium") which push retails still higher.

Although the system of setting regional formulae allows for public hearings if USDA is petitioned to hold them and therefore consumers theoretically have the chance to present a case against certain price hikes, actually petitions for hearings come from industry while consumer groups lack the expertise and resources to participate, according to Robert March of USDA's dairy division. He said:

"We've been trying to work with consumer groups to help their representatives get better understanding of the problems in marketing milk... But it's a very difficult (subject) and the groups lose continuity; often are unable to be expert in a number of different areas (of consumer concern)." He also noted that the milk industry has economists and lawyers whose careers are devoted to milk matters.

March was attempting to show USDA's interest in helping consumers. In effect, he gave the argument of consumer activists who have been struggling for almost a decade to get a federal consumer advocate—an independent agency that would act as a spokesman for consumers when U.S. departments and commissions make decisions or promulgate rules. The agency would deal with the gamut of federal proceedings regarding food, household products, automobiles, advertising, airline rates, highway construction, moving practices and the rest.

Since the late 1960s, bills to create such an agency have passed either the House or Senate, never both. In the current session, this embattled legislation again faces tough terrain. This time food regulations have taken the spotlight in the debates.

Last May, the Senate passed S. 200 which would establish an Agency for Consumer Advocacy (ACA); however, the Senate also voted for an amendment sponsored by Robert Dole (R-Kan.) that exempts from ACA's jurisdiction "any proceeding or activity directly affecting producers of livestock, poultry or agricultural crops."

Senator Charles H. Percy (R-Ill.), who opposed the amendment, wrote a letter urging Jack Brooks (D-Tex.), chairman of the House Government Operations Committee, not to "include any such arbitrary exclusion for agricultural proceedings" in the House version (H.R. 7575). Percy wrote:

"This amendment... would exclude the consumer advocate not just from Department of Agriculture proceedings but from many proceedings under the Food and Drug Administration, the Federal Trade Commission, the Environmental Protection Agency and other federal regulatory commissions and agencies...."

"The agriculture exemption presumes that the Department of Agriculture always favors, and consumers always oppose, positions taken by farmers. That is just not so. Moreover, the exclusion ignores the fact that more vigorous action by the Department of Agriculture, the Federal Trade Commission and the Department of Justice in tracing, investigating and prosecuting price-fixing and other anticompetitive situations in the food industry would benefit farmers as well as consumers."

The House committee apparently agreed with Percy and voted out a bill sans the food exemption. It is expected to come to the House floor on November 5. At that time, consumer activists fear that, as happened in the Senate, the food exemption could be tacked on.

In any event, there are several differences between the House and Senate versions to embroil the conference committee. (The administrator's term and exemptions for labor and broadcasting are examples.)

Then, there looms a promised presidential veto regardless of specific provisions. President Ford has argued that instead of spending roughly \$10 million a year on a new agency, more attention should go toward improving consumer functions throughout the bureaucracy. Supporters of the bill say that might be a good idea, but it would not mean real machinery for expressing the consumer viewpoint.

Moreover, Congressman Benjamin Rosenthal (D-N.Y.), earliest champion of the consumer agency, has said that \$10 million a year spent on an independent consumer advocate could save consumers more than \$300 million a year in monopolistic overcharges, unsafe products and such.

If the bill reaches the point of a presidential veto, the next and toughest job would be mustering the two-thirds vote to override. A loss there won't put this bit of legislation to rest. Ralph Nader has said, "While the consumer bill has led a tortuous path through Congress... it is an idea that will persist until enacted into law."

#### SCHOOL LUNCH AND CHILD NUTRITION ACT OF 1975

### HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1975

Mr. FORD of Michigan. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following: SPECIAL REPORT FROM CONGRESSMAN WILLIAM FORD: SCHOOL LUNCH AND CHILD NUTRITION ACT OF 1975 AS PASSED BY THE U.S. HOUSE OF REPRESENTATIVES

As a result of the President's veto of the School Lunch and Child Nutrition Act of 1975 and the subsequent Congressional override, I have received a lot of questions from my constituents regarding this legislation. Because the debate was long and the issue

controversial, I would like to review the history of this legislation.

On October 7, the House and Senate overrode the President's veto of the School Lunch and Child Nutrition Act of 1975, which is without doubt the most important child nutrition legislation in recent years. The Act, which became law, despite the President's opposition, significantly strengthens the Federal programs which provide essential nutrition assistance to needy youngsters. In addition to increasing the amount of Federal assistance for the various anti-hunger programs for children, the bill extends such assistance, for the first time, to many groups of children previously excluded from program participation.

This legislation does not contain all of what I had hoped for, nor what I fought for during the last eight months. It is legislation which I wholeheartedly support and, though I fought for an even stronger bill, this is one of the best school lunch and child nutrition bills we have ever considered.

#### THE LEGISLATIVE STORY

The House version of the bill, H.R. 4222, was a balanced piece of legislation which was designed to help in improving the nutritional status of all children. That bill, which was approved in the House overwhelmingly by a vote of 355-39 on April 28, provided needed additional financial support for all aspects of the lunch program. Additional funds were to be provided not only for the free and reduced program, but also for that portion of the program under which students pay the full price for their lunch.

You will recall that this latter provision authorized an additional five cent subsidy on each paying lunch during this current fiscal year. Just before the August recess, an agreement was reached in conference which, in every detail, made substantial and important improvements in all the child feeding programs.

That Conference Report, like the original House bill, was a balanced piece of legislation. Twenty-four of the thirty Conferees on the bill signed the Conference Report, on July 30 with 19 of the 22 House Conferees agreeing to the Report.

There was not one provision in that report that any organization or person interested in nutrition and well-balanced and adequate diets for our children could have justified opposing. The provisions contained in that report (especially the five cent subsidy on each paying lunch) were to keep the constantly rising prices of school lunches within the means of all children. In light of the overwhelming votes on H.R. 4222 in both the House and the Senate, and the compromises contained in the Conference Report, we should have been able to expect prompt and favorable action by both Houses. However, on September 5, the Senate unanimously voted to recommit H.R. 4222 back to the Conference Committee. There were no instructions with the recommitment. The discussion on the floor of the Senate indicated that the principle opposition to the Conference Report was related to the budgetary concerns—and more particularly, to our agreement to provide a three cent subsidy on each lunch other than a free or reduced price lunch.

The justification and necessity for providing at a minimum a three cent subsidy was clearly documented in the House debate on H.R. 4222. All the studies which came to our attention during the course of the hearings clearly demonstrate that a successful school lunch program depends not only upon adequate federal support for the free and reduced price lunch programs, but also on adequate participation of paying students in the program.

When we went back to conference, it was my position that the House stand firm on

the three cent subsidy, and on another provision which required the service of a reduced price lunch to students from families with incomes up to 95 per cent above the income poverty guidelines (\$9,770 for a family of four).

The Senate insisted that we do away with the three cent provision and lower the income eligibility guideline to 90 per cent above the poverty level. We refused. In lieu of the three cent subsidy, we offered a compromise under which additional commodities would be distributed this year equal to one cent per lunch on every lunch served, and that we go to 100 per cent above the poverty index. This was rejected by the Senate Conferees.

We then offered a compromise under which we would recede on the three cent subsidy but insisted on 100 per cent above the poverty index as was the case in the House bill. This too was rejected by the Senate Conferees.

We were, however, able to retain the 95 per cent figure. In summary, in the last conference, the House was asked to give in on two points—elimination of the three cent subsidy and the lowering of the income guidelines. We lost the subsidy entirely, but we were able to hold firm on the guidelines.

The bill was trimmed by \$75 million, and approved by both Houses. In spite of our efforts, the President waited until the last possible day (October 3) and then vetoed it, thus insuring the greatest possible damage to the programs. Finally, on October 7, the veto was overridden by both the House and the Senate and the School Lunch and Child Nutrition Act of 1975 became law.

#### THE PROVISIONS OF THE ACT

1. *The Reduced Price Lunch Program:* As I mentioned above, the original House bill required reduced price meals to be offered in every school and placed the eligibility ceiling for reduced price meals at 200 per cent of the Secretary of Agriculture's "income poverty guideline" (which comes out to \$10,020 for a family of four during the current school year). The Senate bill contained no comparable provision.

Essentially, the House prevailed on this issue, with the conference making only a slight modification. The conference agreed to mandate the provision of reduced price meals in schools, and lowered the eligibility ceiling only slightly—to 95 per cent above the income poverty guideline (or \$9,770 for a family of four). Because of this, an additional 2.2 million students will qualify for a reduced price meal for which the price to the student cannot exceed twenty cents.

This provision will be of great benefit to children from low income working families. At present, many of these children are paying 46-65 cents for a school lunch.

2. *The School Breakfast Program:* This legislation makes the school breakfast program a permanent program. It also encourages the expansion of the breakfast program to reach more students, particularly those who qualify for a free or reduced price lunch.

3. *Free or Reduced Price Lunches for Children of Unemployed Parents:* Provides that any child whose parents are unemployed shall be served a free or reduced price lunch. This was amended, thereby watered-down in conference to require that in addition to being unemployed, family income guidelines would also have to be met.

Current rates of income shall be used as the basis for determining such income eligibility. It was my concern that substantial numbers of children from families whose parents have recently become unemployed are not receiving the benefits of the free or reduced price lunch program.

I introduced this amendment to provide immediate eligibility for a free or reduced price lunch to any child whose parent (head of the household) becomes unemployed. The family would be eligible during the entire

period of unemployment, so long as it meets the income eligibility criteria.

In addition, my amendment directs the Secretary of Agriculture to issue appropriate regulations requiring local school districts to develop and make available informational materials, relating to the income eligibility criteria for free and reduced price lunches to local unemployment offices and to major employers contemplating large layoffs throughout the school year. Such a procedure should serve to alert unemployed persons to the potential eligibility of their children to receive free lunches or to purchase reduced price lunches.

4. *Commodity Distribution Program:* The necessary authority for the Secretary of Agriculture to purchase agricultural commodities for donation to the child nutrition programs and programs for the elderly is extended.

5. *The Summer Feeding Program:* The summer feeding program for children, which I also sponsored, is extended through September 30, 1977, and specific reimbursement rates are set. Advanced funding of the summer program is authorized and the program is modified to provide that all meals served to the needy in the summer program are served without cost. Virtually all of the problems which have traditionally plagued this important program of summer nutrition are remedied by this legislation.

6. *The WIC Program:* This program of preventive nutrition assistance for pregnant and lactating women and their infants is strengthened considerably. The legislation raises the level of funding to \$250 million annually and insures that the money is spent; increases the amount of administrative funds provided by USDA, and includes funds for nutrition education and starting WIC program services. It makes the package of high-protein foods for program participants more flexible to allow necessary variations based on health needs and cultural preferences, and increases the age eligibility limit for children by one year (up to the fifth birthday). Finally, it allows mothers to receive assistance up to six weeks, after the baby is born.

7. *The Food Program for Residential Institutions:* For the first time, children in residential child care facilities like orphanages and homes for the mentally retarded are made eligible for the school lunch program. The year-round phase of the special food service program for children is revised to establish a child care program for children in nonresidential child care institutions, and the program is extended through September, 1978. Previously, children in such institutions had to suffer substandard nutrition assistance because of such institution's inability to afford proper meal services.

#### SUPPORT FOR THE AGENCY FOR CONSUMER ADVOCACY

HON. JAMES V. STANTON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1975

Mr. JAMES V. STANTON. Mr. Speaker, I would like to bring to the attention of my colleagues the statement in support of the proposed Consumer Protection Act which was authored by Dr. Samuel S. Epstein of the School of Medicine of Case Western Reserve University, and was signed by over 100 scientists, physicians and educators from all parts of the country.

The statement follows:

STATEMENT IN SUPPORT OF LEGISLATION TO  
CREATE THE AGENCY FOR CONSUMER PROTECTION,  
JULY 7, 1975 \*

As scientists, physicians and educators concerned with problems of preventive medicine, and consumer health and safety, we express strong support for legislation to create the Agency for Consumer Protection (H.R. 7575). Similar legislation has already been passed in this Congress by the Senate (S. 200).

The proposed Agency for Consumer Protection would be independent and non-regulatory. Uniquely, it would be responsible for representing the interests of consumers before Federal regulatory agencies, departments and the courts, and to present facts and arguments to Federal decision-makers as to how their various decisions would benefit and harm consumers, both directly and indirectly. The Consumer Protection Agency will additionally be provided with the means to disseminate relevant consumer information.

Modern industrial society places undue emphasis on initial sales and initial costs of products and processes, rather than on product lifetime costs, including use and repairs, and social costs, including environmental degradation and adverse effects on human health and safety. The Agency for Consumer Protection would address itself to challenge the technological and social basis for our throw-away economy, as embodied in narrowly-based decisions of regulatory agencies, and thus assist in re-orientation towards an economy reflecting life-time use and the wellbeing of society as a whole.

While numerous agencies, particularly the Department of Commerce and the Small Business Administration, in one way or another, already support the positions and interests of industry, no agency of government is charged with the advocacy and protection of consumer interests. Whether these interests relate to concerns such as clean air, auto safety, meat inspection or land use, there is no currently adequate mechanism for presenting the consumer perspective or the perspective of scientific and legal representatives of consumer viewpoints.

In recent Congressional testimony, an official of the Federal Trade Commission stated that business representatives outnumber consumer representatives by 100 to 1 in appearances before Federal agencies. The offices of consumer affairs of the various agencies are small and relatively ineffectual, reflecting as they do overall agency policies and pressures, and are clearly no substitute for an independent agency, uniquely and solely charged with representing consumer interests. This is a critical deficiency in regulatory practice, especially as the health, safety and other interests of the consumer have been and can be massively influenced by the decisions and actions of a wide range of Federal agencies including the Energy Research and Development Administration, the Consumer Product Safety Commission, the Environmental Protection Agency, the Departments of Interior, Labor, Housing and Urban Development, Transportation—including the National Highway Traffic Safety Administration and the Federal Aviation Administration—the Civil Aeronautics Board, and the Food and Drug Administration of the Department of Health, Education and Welfare.

By comparison with the Department of Commerce budget request for FY 1976 of \$1,738 million and the Small Business Administration budget request of \$289 million, the estimated budget of only \$16 million for the proposed new consumer agency is extremely modest and incommensurately low in relation to the importance of its proposed

functions. The cost to the average American family for the Agency will be approximately 25¢ per year.

Many case studies were cited in recent Congressional debate to illustrate the lack of adequate scientific, legal, and other representation of consumer interests in Federal decision-making processes. It is well recognized that these processes are systematically subjected to pressures of special interests. A series of varied examples, illustrating the extent and scope of this problem are presented below.

EXAMPLES RELATING TO THE FOOD AND DRUG  
ADMINISTRATION

The FDA has repeatedly delayed implementing its authority, failed to regulate (except in certain cases of proven human deaths from known products) and relied on voluntary compliance from the industry it is charged to oversee. Thus, in September 1972, the FDA finally classified all products containing hexachlorophene (HCP) as prescription drugs, ending its extensive use in hundreds of over-the-counter remedies and cosmetics, but only after some 30 French children had died from exposure to HCP in baby powder. Experimental toxicological data on HCP had, in fact, been available to FDA from its own scientists for several years, and FDA admitted at the time of the action that the central nervous system lesions in these infants were identical with those induced in experimental animals.

FDA has resisted implementing the 1962 Drug Efficacy amendments to the Federal Food, Drug, and Cosmetic Act, which require most drugs marketed after 1938 to be proven effective. In 1966, FDA belatedly began working on the law by commissioning the National Academy of Sciences (NAS) to report on the effectiveness of a representative group of drugs. The NAS found that some 60% of the drugs studied has not been proven effective for any purpose. Taking ineffective drugs may not only cause serious side effects, but also reduces the opportunity to benefit from effective drugs. Thirteen years after passage of the Act, FDA has still taken no regulatory action on 2,300 of the 2,800 drugs found to be ineffective by the NAS.

The failure of the FDA to institute an investigation of recalled pacemakers which would have revealed that hermetic sealing could have avoided unnecessary harm or deaths. Senator Ribicoff commented upon this:

"The pacemaker incident showed great neglect on the part of FDA. If there had been a consumer's advocate who could have pointed to the fact that there was another good pacemaker devised by the U.S. Navy, we would not have had to recall thousands and thousands of pacemakers. If there is one particular agency that needs the oversight of a consumer advocate, it is the Food and Drug Administration."

On August 15, 1972, the FDA promulgated performance standards for diagnostic x-ray equipment, which would significantly reduce the major source of man-made radiation exposure. The FDA subsequently extended the deadline for compliance to 1974. Present levels of radiation exposure from diagnostic x-rays have been recognized by a 1972 NAS committee as unnecessarily high, with significant potential for reduction without impairing diagnostic benefits. These performance standards, which apply only to new equipment (and not to old equipment which often emits excessive radiation), came four years after passage of the 1968 Radiation Control Act, during which time several hundred million annual x-ray examinations were performed, with unnecessary risk from somatic and genetic efforts to both the patient and operator.

The aspirin order of February 16, 1972 was

the first regulation under the Poison Prevention Packaging Act of 1970, an Act which allows FDA to prescribe childproof safety packaging for hazardous household substances. The regulation took over two years to formulate. When finally published, the FDA took the extraordinary step of soliciting the pharmaceutical industry for petitions for exemptions. Thereafter, FDA granted permission for non-compliance to three categories of aspirin products, and extended the deadline for compliance by other categories up until July 1, 1973. According to FDA figures, approximately 800 children under the age of five years suffer accidental aspirin poisoning each month, and 90% of these would be prevented by special packages.

EXAMPLES RELATING TO OTHER AGENCIES

The auto safety regulation decisions of the National Highway Traffic Safety Administration Department of Transportation, are strongly influenced by the business emphasis on initial sales. The industry loudly protests that safety features automatically increase cost (with the usual profit taken on these features). Some safety features can be adopted without increasing costs, simply by redesign of body work to exclude sharp and protuberant edges. Other safety investments can be more than compensated by reducing styling or other such frivolous investments. Not to be discounted are the "penumbra" savings of insurance repairs, time lost and accidents. But where is the consumer voice adequately protesting the 46,000 killed and the estimated 4.6 million injured in one year, and the other social costs of cars? Would it not be better to raise the cost of the car with safety features and lower the cost of insurance and hospital bills? This has not been proposed strongly enough by the present government bodies, and the Agency for Consumer Protection could strengthen this consumer voice.

In 1972, after a DC-10 passenger plane was involved in a near fatal crash, the Federal Aviation Administration (FAA), Department of Transportation, discovered the cargo door was at fault. The FAA drafted a directive requiring the manufacturer, McDonnell-Douglas, to correct the defect. McDonnell-Douglas intervened directly with the FAA, successfully urging that the modification be made voluntary, rather than mandatory. Changes thus were not made on all DC-10's. In March 1974, a DC-10 crashed near Paris, killing 344 people. The plane's door had not been modified, and this defect is believed responsible for the crash. Had there been a Consumer Protection Agency with power to subpoena documents in the course of this informal agency activity, it could have subpoenaed manufacturers' safety testing records, indicating the extent of the danger, and manufacturers' and operators' records, indicating the extent of cooperation with the voluntary rule. Pressure on the FAA to promulgate a mandatory safety regulation might have meant the difference between life and death to the 344 persons killed in the crash.

The Civil Aeronautics Board, according to a recent report of the Senate Subcommittee on Administrative Practice and Procedure, has for the last five years regularly violated its own rules, and sometimes Federal law, while acting to protect the interests of the airlines at the expense of the traveller. Violations of the Board include closing of an investigation on possibly illegal campaign contributions by airlines, failure to follow "commonly accepted standards of fairness and openness", and failure to hold hearings on decisions not to grant new routes to airlines.

The Cost of Living Council, now defunct, in 1973 permitted domestic auto makers to raise their prices an average of \$70 per car. Although the cost of this to the American public was approximately \$54 million per

\* Revised draft of June 20, 1975 Statement.

month in increased costs, the Council notified the public of its proposed action only one day before the deadline for requesting an opportunity of appeal and only four working days before the hearings. The Council also failed to provide the public with the basic information necessary to prepare meaningful comments.

A Federal Energy Administration (FEA) regulation issued in November 1974 mandated that oil refiners treat refinery-fuel costs as a non-product cost subject to profit margin limitations, rather than as a product cost which could be automatically passed through dollar-for-dollar to the consumer. The FEA decided not to make the new clarification retroactive. The potential cost to consumers of that refusal is estimated at \$750 million. Had there been a Consumer Protection Agency, it could have urged the FEA to make the ruling retroactive. Increases in natural gas prices are approved without adequate consumer data. The economic impact is enormous. In December 1974, the Federal Power Commission set a nationwide rate of 54¢ (including production taxes) per mcf of natural gas. The previous rate set in Southern Louisiana was 26¢ per mcf in July of 1971. Calculating on the basis of 12 trillion cubic feet of gas used by consumers, this rate hike cost consumers approximately \$3,360,000,000.

The Consumer Product Safety Commission has recently set permissible levels of 0.5% lead in paint, in spite of the overwhelming objections of expert independent scientists, including the Director of the Center for Disease Control, who recommended maximal levels of 0.06%. This action places at risk thousands of children to lead poisoning, with attendant potential massive social and economic costs.

The Consumer Product Safety Commission delayed banning the sale of aerosol cans containing vinyl chloride propellants, in spite of the overwhelming data on carcinogenicity of vinyl chloride, until six months following petition by a public interest group (The Health Research Group).

In the face of evidence that about 5,000 deaths and 200,000 injuries result each year from burns associated with flammable fabrics, Congress strengthened the Flammable Fabrics Act in 1967. The Commerce Department, charged with administering this law, waited four full years before establishing a strict flammability standard covering sizes 0-6X of children's sleepwear. When the Consumer Product Safety Commission was formed in April 1973, it inherited authority to administer the Flammable Fabrics Act from the Commerce Department. In desperation over the series of inexplicable government delays, a group of Boston parents of burned children pleaded with the Commission for over a year to act. The Commission took a full year to issue the flammability standard for children's sleepwear, sizes 7-14, which the Commerce Department had finally proposed in March 1973—six years after the Act was passed—and the standard did not go into effect until May of 1975. The Commission has failed to issue any other flammability standard proposed in earlier years by the Commerce Department, or to initiate new standards.

This miscellaneous and broad range of case studies illustrates the critical and urgent need to create the Consumer Protection Agency to represent effectively the interests of the consumer in Federal decision-making. By advocating broadly based consumer perspectives and viewpoints, the Consumer Protection Agency can attempt to restore to the regulatory processes the necessary checks and balances which are inherent in the democratic practice and fundamental to our system of government.—SAMUEL S. EPSTEIN, M.D.

## RAILROAD COMMISSION OF TEXAS DISAPPROVES S. 2310

HON. JACK HIGHTOWER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1975

Mr. HIGHTOWER. Mr. Speaker, the Railroad Commission of Texas, which was established in 1871, is my State's regulatory body for the oil and gas industry. Its members and staff have few peers in their knowledge and understanding of this complex industry.

The Senate has passed S. 2310 and has now transferred to the House of Representatives the responsibility for determining what course the Nation must pursue in assuring adequate and continuing supplies of this precious natural resource. We must act soon. We must act responsibly.

Anticipating that we would be considering this critical legislation, Mr. Mack Wallace, a highly respected member of the commission, wrote a letter to me giving the most careful and detailed analysis of the original Senate bill I have seen. The factual information he presents is especially pertinent to our deliberations about this issue. I commend Mr. Wallace's letter to the attention of my colleagues.

RAILROAD COMMISSION OF TEXAS,  
Austin, Texas, September 17, 1975.

HON. JACK HIGHTOWER,  
House Office Building,  
Washington, D.C.

DEAR JACK: After studying the provisions of Senate Bill 2310, I feel it is my duty to express a considered viewpoint on the inadvisability of this type of legislative approach to our energy problems.

S. 2310 is wrong for several reasons.

First, the attitude of the bill's authors is that a gas shortage has suddenly hit us and must be handled by emergency government action for the immediate winter heating season. The same states named in the Act as the principal beneficiaries have ignored over two decades of warnings by Texas Railroad Commission members and others that to follow the Federal Power Commission policy on gas pricing and the New England philosophy on imported oil would lead this nation into a gas and oil shortage and dependence on foreign oil. Now that their actions have borne fruit, these states refuse to even sample its bitter taste, much less adopt a responsible attitude regarding the utilization of the nation's total energy resources. Instead, these states choose to punish producing states with discriminatory legislation such as this Act.

Second, S. 2310 provides no incentive to increase the nation's supply of natural gas. It merely provides a means of allocating existing gas production—generally by taking intrastate gas and diverting it into interstate markets. This Act is probably counterproductive in enhancing gas supply due to its blatant use of federal power to reallocate property rights, and to displace free enterprise with legislative fiat in meeting a national problem.

Third, S. 2310 represents a myopic approach to the energy shortage faced by this nation. The authors have drafted a bill that speaks to the upcoming shortage of gas this winter in their states as if it were the most important problem facing the nation. They are willing for the producing states to suffer permanent damage to their natural resources

for one winter's economic comfort for the benefiting states. Senator Glenn mentioned several times that all energy resources should be shared, but this Act places no burden on the benefiting states to contribute anything. The Act relies on government price control, severe penalties, and the equity power in federal courts to force the producing states into line, and effectively prevents free market forces from working to solve our long range energy shortage. The verbiage in the Act assumes that large volumes of new gas are available and can be quickly put on stream. The truth is that during the short time frame of this Act the only gas that can be quickly put into the interstate market is that gas which is currently moving in the intrastate pipelines. Due to the very real limitations of labor, material supply, and drilling rigs this Act will not bring on stream any unconnected gas from the Outer Continental Shelf or federal lands. Instead, it will do what it is intended to do, and that is take intrastate gas from Texas citizens and industry and move it into interstate commerce for the benefit of industry and citizens in the Northeast and Upper Midwest.

Fourth, S. 2310 sets up a nightmarish system whereby five federal agencies are to act quickly and harmoniously in securing, classifying, and handling natural gas producers, transporters, and purchasers. Many potential conflicts are built into the general authorities contained in the Act. Based on past and present experience with federal agencies, there is every reason to believe that the regulation proposed by this Act would simply result in confusion and would paralyze the intrastate and interstate natural gas industries. The chaos resulting from the FEO's attempt to allocate gasoline and fuel oil would be nothing compared to the confusion and uncertainty that could be generated by this proposal.

Fifth, S. 2310 is totally inequitable in its impact in that the benefiting states are essentially those fourteen states named in the Act, while the states for which a sacrifice is demanded are limited to those with an intrastate gas market—principally Texas. The stated purposes of the act are to minimize the detrimental effects on employment, food production, and public health, safety, and welfare caused by natural gas supply shortages. The fact is, however, that this special treatment is reserved for only those states served by a "priority interstate purchaser." Texas will be sacrificing once again, possibly permanently, for the benefit of the identical consumers and states that orchestrated the policies that precipitated the current energy shortage. Several of the fourteen states named by Senator Glenn have refused to allow exploration for oil and gas or construction of refineries within their boundaries or off their shores. There is no equity available for intrastate high priority users, and under this Act it is entirely possible that identical users will be treated differently. One in Texas on an intrastate line will be shut off while another served by a "priority interstate purchaser" pipeline will continue to operate through the winter. The Act includes expiring intrastate contracts within the definition of "new natural gas," but no mention is made of expiring interstate contracts. Producers tied to interstate contracts will be left with the Federal Power Commission's policy against allowing abandonments even after such contracts have terminated.

Sixth, by virtue of its status as having the largest gas reserves in the nation and being the largest consumer of its own produced natural gas, Texas labor, industry, schools, and future tax revenue could pay a tremendous price if this bill is passed. This bill seems to recognize what a maximum efficient rate (MER) means to a producing gas

or oil reservoir, but then with godlike simplicity proceeds to adopt regulations specifically designed to require production at rates in excess of the MER. And what's the trade-off? What's the cost/benefit ratio for this permanent loss in the oil and gas reserves of this nation? The benefit is jobs, heat, and light this winter for several states served by interstate pipelines. It is ironic that an elected official in at least one of these benefiting states has stated publicly that he prefers freezing in the dark to marring the environment of his fair state with drilling rigs or offshore platforms. The cost to Texas of providing this benefit is the permanent loss of oil and gas reserves. Since it would be very difficult to quantify the loss of recoverable reserves in a reservoir until that reservoir is depleted, the stated compensation for such damage through federal condemnation proceedings is rather hollow. Texas will lose substantial amounts of tax revenue if its reserves of oil and gas are reduced. In addition, Texas will suffer the loss of royalty income from both state and school lands. In addition to the reservoir damage possible from exceeding a reservoir's MER, Texas would lose tremendous amounts of hydrocarbons if gas being used for pressure maintenance or recycling were diverted into interstate markets. The bill contains no provision for protecting pressure maintenance gas, recycling gas, or lease use gas. The burden placed on the Texas Railroad Commission to establish an MER or a temporary emergency production rate for all oil and gas fields in Texas would be very difficult to accomplish within the forty-five day period allowed in the Act. Since production in excess of a reservoir's MER constitutes waste in that it leaves recoverable hydrocarbons in the ground, this Act represents a direct attack on the Texas Railroad Commission's conservation responsibility as outlined in the Texas Constitution.

Lastly, the Texas economy is energy intensive, and the massive chemical and petrochemical complexes along the Texas Gulf Coast are largely dependent on natural gas and natural gas derivatives for feedstock to these industries would represent the loss of 30,000 Texas jobs. A loss of natural gas to supply feedstock for other than agricultural products would delay or possibly prevent the economic recovery so desperately needed in Texas. In Texas, two of seven nonfarm workers work directly or indirectly in oil and gas related jobs. Any misallocation of our energy resources, such as this proposed diversion of intrastate gas out of Texas, multiplies the damage to the Texas economy.

In conclusion, it is time that all citizens—including elected public officials—recognize the importance of the oil and gas resources of this state to its economy and tax base. It is equally important to recognize that Texas and Texans have been victimized for many years by the Northeastern consuming states' lobby. Consider the identity of the real benefactors under such federal policies as the Federal Power Commission's price control on natural gas, the destruction of the Mandatory Oil Import Program to allow the importation of "cheap" foreign oil, the Old Oil Entitlements program, a stiff tax on, or the rationing of, gasoline, and the Act under consideration, S. 2310. In each case the answer is the same: The real benefactors are essentially the same states named in S. 2310, with New England thrown in for good measure. Now consider who has suffered, under each of the above federal policies. Once again, the answer is the same: The producing states, principally Texas, have paid for these benefits in terms of jobs, tax revenue, and permanent loss of natural resources.

Texas has suffered a tremendous loss in gas reserves and tax revenue as a result of the Federal Power Commission's pricing of natural gas in the interstate market at below

replacement costs. Texas has suffered a loss of oil reserves and tax revenue by the misuse and elimination of the Mandatory Oil Import Program and other oil price control techniques dictated by the Northeastern states. Texas citizens and consumers are paying higher prices for gasoline and refined products because under the Old Oil Entitlements Program refiners in this state who use Texas produced crude oil, (sold at a controlled price of \$5.50 per barrel for old oil) are forced to send money to refiners in the Northeast who are dependent on foreign oil which costs \$14 to \$15 per barrel. Texans would suffer more from either a large federal tax on gasoline or gasoline rationing by virtue of the fact that Texas is a large state and Texans travel more miles per capita per year than the citizens of states located in the Northeast and Upper Midwest. The cost to Texas of underwriting the benefits sought by these same consuming states in S. 2310 has been outlined above. I believe the citizens of this state are entitled to have all their elected officials exert every effort to prevent this great state from being once again served up as a sacrificial lamb on yet another altar of federal regulation.

Sincerely,

MACK WALLACE,  
Commissioner.

#### EPILEPSY: FOUR MILLION AMERICANS SHOULD NOT HAVE TO LIE ABOUT THEIR HEALTH

HON. JAMES F. HASTINGS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1975

Mr. HASTINGS. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following: The following article appeared in the September 1975 issue of Today's Health. This appears to be an excellent summary of problems that exist due to public misunderstanding and I am including this in the CONGRESSIONAL RECORD for the attention of my colleagues:

FOUR MILLION AMERICANS SHOULD NOT HAVE TO LIE ABOUT THEIR HEALTH

(By Dodi Schultz)

If you want to pick a fight with Garry Howatt, you are likely to make rapid contact with the floor. Howatt, 5' 8" and 170 pounds of instant muscle, is the smallest and admittedly the scrappiest player in the National Hockey League. He openly leads his fellow players on the New York Islanders team in minutes spent in the penalty box—all for being fast and uncommonly effective with his fists. Garry Howatt is demonstrative about another fact: He has epilepsy and doesn't care who knows it. "Epilepsy," he declares, "has been in the closet too long."

David Spivak, of Brooklyn, New York, also has epilepsy, but he does care who knows. At 20, he has already had a vocational door slammed in his face. He is, at this writing, about to start a summer job, and he has deliberately deceived his employer—despite his conviction that the most important thing in any relationship is honesty.

Gordon Morris, a high-level sales executive with a nationwide insurance firm headquartered in the Midwest, cares, too—so much that his identity has been carefully disguised in this article. "It hasn't stopped me yet," he asserts, and I intend to get to the top."

Why, in our medically enlightened age, is epilepsy a "closet" condition—one that can move a person who reveres the truth to outright deception?

Perhaps it is because some people still believe that the disorder is a form of mental illness. Though the full range of causes is not yet known, it has long been understood that epilepsy—which is characterized by recurrent, chronic seizures (see page 16 for a thorough discussion of the condition and its treatment)—is not a mental or emotional illness. But that knowledge has not diminished the tenacity of the superstitions surrounding the affliction.

Nor did it stop R. V. Pierce, M.D., of Buffalo, New York, from confiding to his readers in the 36th (1895) edition of *The People's Common Sense Medical Advisors in Plain English* (which sold upwards of 930,000 copies) that, "The predisposing causes [of epilepsy] are an hereditary tendency to the disease, and everything which impairs the constitution and produces nervous prostration and irritability. Syphilis, phimosi [constriction of the penis], sexual abuses, uterine disease, and the use of alcoholic liquors are prominent predisposing causes. Many of the cases treated by us have been brought on by masturbation. Others are the results of injuries to the head. . . . The exciting causes include everything which disturbs the equilibrium of the nervous system . . . indigestible particles of food, intestinal worms . . . grief, anger, constipation . . . malaria, and disease of the kidneys or liver."

Except for his reference to head injuries, Dr. Pierce's statements were utter nonsense. But his pronouncements, and those of others like him, were popular and reinforced the misconceptions that exist even today. Indeed, epilepsy has been attributed to everything from lizards in the brain to radioactive fallout, and one in every seven Americans still believes that it is a form of insanity.

According to David A. Kahn, M.D., a psychiatrist at the Children's Service Center of Wyoming Valley, Pennsylvania, such prejudices reflect basic human fears. "Even if the idea of 'demonic possession' no longer has many adherents," he explains, "epilepsy retains something of that atmosphere. To the uninformed observer, a seizure is still an extremely mysterious event. After all, something is going on within the brain, something over which the individual has no control. Finally—and I think this is really the bottom line—that loss of control, occurring unpredictably and for reasons that are ill-understood, touches a deep dread. We fear loss of control in anyone, in any form whether temporary or permanent. Most of all, we fear the possibility within ourselves—and each reminder in others renews that fear."

Conservative estimates put the worldwide incidence of epilepsy at approximately 2 percent: That is a minimum of 4 million Americans—approximately 1 in every 50 persons—who are victims of the disorder.

Epilepsy strikes most often in childhood. Physicians have suggested that there may be a disproportionate number of youngsters with epilepsy simply because children have a lower "seizure threshold."

In children, special problems inevitably arise. Most important, they must learn how to live with their disorder. Parents and family become deeply involved.

Sidney Carter, M.D., chief of the Child Neurology Service at Columbia-Presbyterian Medical Center, in New York City, notes that "prejudice—unreasoning and illogical as it is—does exist. Many parents, understandably, don't want the word 'epilepsy' to appear on a child's school record, which often follows a person for an entire lifetime, for just that reason. They also do not want the teacher jumping every time a youngster sneezes—which is only a slight exaggeration of how many teachers behave toward children they know are subject to seizures. And some schools, due to widespread misunderstanding, have been known to exclude children from

sports and other activities in which they are perfectly capable of participating."

Many youngsters, Dr. Carter adds, do achieve control or near control with drugs. Currently, it is believed that most children do not outgrow the problem and that regular medication usually must continue for life. However, a 1972 study by physicians at the St. Louis Children's Hospital in Missouri suggests that drugs could be safely withdrawn, without recurrence of seizures, in a possible 75 percent of child-onset cases, after a period of time that must be individually determined. The study found that the prognosis also varies with different types of seizures.

Children with epilepsy can be as normal and capable as other children. Irene Odinov, a professional rehabilitation counselor for the Epilepsy Foundation of America (EFA), a national organization devoted to research and public information, explains, "We try to make people aware that epilepsy is not an ugly thing, and we try to dramatize the fact that most children with the condition can live very full lives."

Recently, many epileptics have found themselves making headlines. They have not sought publicity—merely their rights as human beings.

Steven Frazier, of Renton, Washington, had worked for the Container Corporation for five years when he was abruptly fired late in 1974 following a minor seizure at work. He had, the firm claimed, "falsified his job application" by failing to mention his epilepsy. Frazier learned his lesson, and now duly notes his epilepsy on all job applications. No one has refused him a new job outright; he simply has heard nothing at all. His suit against his former employer for reinstatement under Washington's antidiscrimination statute is still pending. Collecting unemployment benefits is not to Steve Frazier's taste: "Let's give it to someone who needs it—someone who can't work."

In Oswego, New York, a mother and father—both epileptics—finally won a court battle for custody of their own six-month-old baby. State welfare officials argued that the child would not be cared for properly because of the parents' afflictions. Judge Donald Comstock sought more information. After hearing testimony from John K. Wolf, M.D., associate professor of neurology at the Upstate Medical Center of the State University of New York, and after learning that no ill had befallen the mother's now-teenage daughters from her previous marriage, Judge Comstock ruled in favor of the parents.

Said Dr. Wolf, "We all run risks in raising our children. So far, I haven't seen any children injured because of a parent's seizures."

Susan Lifson graduated from college in 1973, ready, willing, and prepared to teach—but not able to: The New York Board of Examiners advised her that she could not be licensed until she had not experienced a seizure for two full years (her last was in January 1973) it took a concerted effort on the part of Ms. Lifson and the Epilepsy Foundation of Long Island, but finally, in the fall of 1974, the board's rigid ruling was overturned by the state education commissioner.

Nondiscrimination laws have improved matters recently—to a degree. But even those steps forward are in some cases extremely recent. Many states, for example, formerly denied epileptics the right to marry. None now retain such restrictions but the prohibition persisted well into the 1950s, in a quarter of the states, and six still had such laws in 1960. The last to repeal the ban, North Carolina, did so in 1967. But these moves have not changed the fact that epileptics, like other minority groups, continue to suffer from discrimination that is, for the most part based on ignorance.

By far the biggest problem revolves around employment—an issue that can have devastating impact on an individual's life. An EPA survey conducted earlier this year found that more than 40 percent of adult epileptics polled reported that they had indeed encountered barriers affecting their livelihood. Also, just over one-third of the parents of epileptic children fear that unreasoned bias will affect their youngsters' futures.

\* \* \*

David Spivak, who will be 21 in June, is outgoing and articulate. He likes to dress casually and has a beard and mustache. David had his first seizure just after his seventh birthday, in 1962. His seizures were infrequent at first, and their cause is still unknown. But within a few months they were occurring at the rate of one to three each night. David's family doctor referred his parents to a major New York City hospital where, for the first time, he heard such terms as "grand mal" and "petit mal."

During the ensuing 13 years, David continued under the care of various specialists. His medication has changed a number of times in that period; his present combination of two drugs—phenytoin and methsuximide—seems, thus far, to be effecting control. David's parents do not feel that epilepsy is a mark of shame. Nor does David. But he is very much aware that some people do.

"I think many people see epilepsy as a disease that somehow makes you less of a person," says David. "Not that the epileptic is 'looked down on' exactly, but that he is seen as 'different,' as someone who has something 'wrong' with him. It's not viewed the same way as other chronic problems like heart disease or arthritis. Epilepsy is seen as a mental disorder, simply because the problem is located in the brain." He shakes his head, his tousled hair brushes across his eyebrows, and he continues. "I think that's due mainly to ignorance. It may be hard for some laymen to understand, especially if they have seen an epileptic having a major seizure. They conclude that he has 'something wrong up there.' They avoid him. And he becomes a second-class person."

A basketball enthusiast and amateur guitarist, David feels he was relatively inhibited until recently. "I was afraid to ask girls out," he admits. "I had to think up some excuse why we had to take the subway or bum a ride in some other guy's car. I really didn't know what to say when somebody asked why I didn't drive." (New York State laws require a one-year seizure-free period to issue a driver's license to epileptics. At the time we spoke, David had gone a month and a half without a seizure.)

"I resent it, sure," says David. "But I have to admit it's logical. I could kill people if I had a seizure behind the wheel. Of course I want to drive, but I'll just have to wait and see how it goes. When I've been seizure-free for 365 days instead of only 45, then I'll make plans. The girl I'm going with now knows the whole story, and she doesn't think epilepsy is any kind of bad scene. That's important to me; the vital thing in a relationship is honesty."

David graduated from high school in 1974 and began attending Brooklyn College in the fall. Eventually, he wants to follow his father, a school principal, into education—perhaps teaching or public school administration. Last year, with those plans in mind, he got a job as a summer camp counselor.

"I was there one day, and I was asked to leave," he reports. "I was told that the camp director didn't think I would get along with the children. But I'd just arrived the day before and hadn't even had a chance to get acquainted with the kids, let alone get into arguments with them. I think I probably had a seizure during the night; I sleep

soundly—it's possible that I had a seizure without waking up. But nobody would tell me the truth."

There were immediate dilemmas—such as how to answer friends who asked, "Hey, what are you doing around here I thought you were working at a camp this summer." But another, more serious question was to arise.

This year, David again applied for a camp job. And he did something that goes against his own standard of scrupulous honesty. He "neglected" to mention on his application that he is an epileptic. "I just figured I wouldn't get the job if I told them. If everything goes okay, and my medication continues to do its job, there'll be nothing to tell."

Suppose he were the owner or director of a camp: How would he handle this situation? David was quite definite. "If I ran a camp, I would not hesitate to hire an epileptic. I think the feeling of camp directors is that if they know a counselor has epilepsy, they worry that he will have a major seizure in front of the kids, and that it will frighten them. I see their point, and I'd consider it if I were in the hiring position; I think I would do two things. I would probably assign that counselor to older kids—15-year-olds rather than 6-year-olds, since 6-year-olds could probably panic pretty easily. And I'd suggest strongly to him that he discuss the subject with the kids, so they would really know the facts."

Gordon Morris has a medium build, is of medium height, and has a go-getter air about him. Epilepsy was just a word to Gordon until five years ago when, early one Saturday morning, he was starting off on a fishing trip.

"It was a beautiful spring day," Gordon recalls, "and I was heading for a lake about 50 miles out of the city. I was driving along without a care in the world. I remember I was approaching a traffic circle, and I'd slowed down so I'd be sure to spot the turn-off to the lake; I'd only been there once before, and I wasn't sure which road to take. The next thing I knew, my car was jammed into the back of a small pickup truck. Luckily, no one was seriously hurt; I was emotionally jolted more than anything else. I couldn't understand why I had no memory of the moment before the collision; I didn't even remember seeing the truck in front of me. I finally concluded that I must have struck my head on something at the time of the collision causing sort of a selective amnesia. Now, of course, I know that I had had a seizure, and that I had blanked out before I hit the truck."

The next episode occurred several weeks later on a visit to his parents. "We were sitting around on the front porch after breakfast one morning. Again, I 'lost' a period of time; it was like a cut in a motion picture—a sudden jump from one scene to another, with no transition between. One moment I was in the middle of a conversation. Then, out of nowhere, my father was standing beside my chair with a glass of water in his hand, asking me if I was all right. He told me I had suddenly become glassy-eyed and then was apparently 'out'—completely unresponsive—for about 30 seconds. We concluded it must have been some aftermath of the accident and dismissed it."

What Gordon now knows were his third, and fifth epileptic seizures could not be so easily dismissed: The next time, Gordon continued, "I was on a weekend business trip to the East Coast. Two mornings in a row, I woke up in my hotel room with a cut lower lip. That was pretty frightening. Of course, I know now that I must have had seizures in my sleep and bitten my lip. Nocturnal seizures are pretty rare in my case; mostly, they're in the morning. My next one was. It was the following week—Thursday. I think. One of my associates found me on the

floor of my office and from his description, I had been convulsing to some extent. By then, I was really scared; I didn't need any urging to go to the emergency room of the nearest hospital. Later I went to see my own internist. When I'd told him the whole story, starting with the accident, he looked at me and said, 'You are going into the hospital for a complete neurological work-up.' I spent a week there, and I came out with a definite diagnosis; psychomotor epilepsy."

Gordon's neurological work-up included an electroencephalogram (EEG), a painless electrical test that measures, locates, and records electrical discharge patterns of brain cells. It has proved extremely useful in pinpointing and diagnosing the epilepsy patient's problems and progress.

Gordon's seizures, which his doctor termed "idiopathic" (the cause is unknown), are still not fully controlled. He knows he is likely to have one once or twice a month. Yet he has not permitted his epilepsy to interfere with his life, and he intends to keep it that way.

He plans, for one thing, to get married this winter: "My fiancée—she's a freelance illustrator—knows all about it, and it makes absolutely no difference. I work out at a gym. I play tennis, I go biking; I don't see any reason to give up any of those things.

"Two people at my present company do know about it," he explains, "because I thought it was necessary from a safety viewpoint. Both are good friends of mine. I see no need to tell anyone else. Let's face it—society isn't sufficiently educated on the subject of neurological disorders. If people in my industry were to find out, I foresee two possible reactions. One might be a lot of misdirected pity; I can do without that. The other—and I think it would be the more likely—could be a subtle kind of discrimination. Not that I'd be fired. But there would be limits to how far I could go; I don't think I'd continue to enjoy the unlimited upward mobility I have now. I'm frankly ambitious, and I know I'm good at what I do. I want to get to the top, and I think I can."

Harry Sands, Ph.D., a New York City psychotherapist and consultant to the EPA, feels that a lot must be done to improve the welfare of epileptics.

"Certainly science should continue efforts to develop better medications that will effect greater control," he says. "But that is by no means an answer to the attitudinal problem: epileptics are tagged with societal and occupational stigmas even when medication has rendered them free of seizures for years. Physicians must not merely see that their patients are properly diagnosed and medicated: They must develop far more understanding of what the epileptic patient feels and thinks."

Dr. Sands supports the efforts of public figures like hockey star Gary Howatt. But the main thrust, Dr. Sands feels, must be one of active advocacy involving full and effective use of the force of law.

"There have been gratifying reforms in state statutes, such as the elimination of those laws denying epileptics the right to marry. Some laws based on outdated misconceptions still exist, and we should continue to fight for their repeal."

It's encouraging that for the most part epilepsy is no longer attributed to heredity, masturbation, worms, or venereal disease. David Spivak, who has been giving long, hard thought to his future, offers some advice to epileptics: "Live with it!" he emphasized. "Remember to take the prescribed medications—but other than that, ignore it. Do whatever you want to do, whatever you're interested in. Be limited only by your own abilities. And don't accept any other limitations."

## FOOD STAMP PROGRAM REFORM NEEDED

### HON. BILL ARCHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1975

Mr. ARCHER. Mr. Speaker, I was shocked to read recently that the Department of Agriculture had estimated that \$264 million was wasted last year as a result of overpayments or payments made to persons not eligible in the food stamp program. The error rates were discovered in a quality control study based on a scientific sampling of 29,000 nonwelfare food stamp households in all the 50 States and the District of Columbia. The study revealed an error rate of 23.5 percent which included 17.5 percent of food stamp dollars paid to ineligible households and 8.4 percent which were overissued to eligible households. In this study, only 2.6 percent of food stamp dollars were underissued.

However, the Washington Star in its own study of error in the food stamp program believed the Department of Agriculture estimate was too low and that the true figure of waste in the program was closer to \$797 million.

What does this mean for the average American taxpayer? The food stamp program cost a total of \$4.75 billion in fiscal year 1975 and may cost as much as \$6.6 billion in the current fiscal year. For the average taxpayer the food stamp program has been misspending as much as \$1 out of every \$5.

I am a cosponsor of the National Food Stamp Reform Act and have joined as a cosponsor of the bill incorporating the recommendations of the President in reforming the program. I recently had the opportunity to submit testimony to a Senate subcommittee on the urgent need to reform this program and would like to include this testimony in the CONGRESSIONAL RECORD:

Testimony Submitted to the Subcommittee on Agricultural Research and General Legislation by Representative Bill Archer of Texas on the Food Stamp Program.

Mr. Chairman, I am pleased to have the opportunity to testify before the Agricultural Research and General Legislation Subcommittee of the Senate Agriculture and Forestry Committee on the Food Stamp Program. I wish to commend the Chairman for having these hearings on such an important matter.

The food stamp program has become our fastest growing welfare program. Any investigation of this program reveals that the federal government is spending billions and billions of dollars in issuing food stamps while having very little in the way of effective controls over this massive program. In the current fiscal year, this program will cost about \$6.6 billion. In June of 1975, 19.2 million were receiving food stamps. All present evidence indicates the cost and the number of recipients will increase.

I have very serious concerns with the direction of this program. Administrative mistakes have brought about an error rate of about 20%. Cases of fraud have been reported throughout the country. The eligibility requirements are so shot full of loopholes that over a fourth of the American

people are now technically eligible for benefits, many of whom earn far in excess of poverty wages. People who earn good incomes, but are living beyond their means, are turning to food stamps as a crutch to help them continue in that lifestyle. That has never been the purpose of the program.

The question here is one of restructuring the program to remove non-needy Americans from the welfare rolls, not to reduce benefits for those Americans who are truly needy. The great tragedy with any welfare program with lax controls and poor administrative procedures is that the program allows ineligibles to participate while denying assistance to the really needy. If we can cut out the waste and the ineligibles in the food stamp program, we can better utilize our resources to help those in need.

Every dollar that is spent to provide welfare benefits for the non-needy is another wasted tax dollar that contributes to the inflation that we are all suffering from. If this Congress truly wants to help the needy, and the taxpayers of this country at the same time, it will act quickly in adopting the responsible provisions contained in the National Food Stamp Reform Act. Congress needs to take action. Adoption of the National Food Stamp Reform Act, which I am proud to co-sponsor, would tighten up administrative regulations, reduce the number of those who should not be recipients of the program, and yet still increase benefits to the really needy.

I urge this Subcommittee to take action to adopt meaningful reform of the food stamp program.

H.R. 8603

### HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1975

Mr. EDWARDS of California. Mr. Speaker, since the passage of the Postal Reorganization Act of 1970, we in Congress, as well as our constituents at home, have become increasingly aware of the fact that the term U.S. Postal Service is a misnomer. Clearly the emphasis is not on service.

The break-even concept embodied in the Postal Reorganization Act of 1970 has caused the Postal Service to look upon itself as more of a business than a public service. This is a mistake since the U.S. mail is the most visible and pervasive public service which this Government renders to the American people. In the face of rising taxes and declining public confidence in government, the Congress must not allow the further erosion of this very basic and far reaching service.

Under the presently proposed Postal Service regulations there is no option for providing door-to-door service in new residential or urban renewal areas. This limits the options of the mail recipient to either curbside or clusterbox delivery. These mailboxes may be located as far from a residence as the length of a football field. This creates considerable burdens for the aged and handicapped, especially in regions where winters are severe and sidewalks icy. In many localities environmental problems and vandalism have forced the passage of local zon-

ing ordinances which do not allow curbside service. In these areas the resident is forced to choose between collecting his or her mail at a clusterbox down the street, at the nearest post office, or not at all.

In my own district there have been repeated cases of confusion over whether a new residential area would receive door or curbside delivery. Often this confusion has resulted in no mail service at all. Both individuals and businesses have complained bitterly about the Government's apparent inability to deliver their mail.

The regulations which the Postal Service now seeks to impose would eliminate door-to-door delivery in all new residential areas throughout the country. This would be done without any consideration for the needs of the local community. In contrast, the delivery requirements of H.R. 8603 establish certain standards of distribution and involve local jurisdictions in some of the decisions affecting adequate mail delivery.

My colleague from San Jose, NORMAN MINETA, offered this provision of the bill based on his experience with delivery problems in our area of California. It has received the careful consideration and endorsement of the Committee on Post Office and Civil Service. The thrust of this language is to guarantee quality delivery service to the public while at the same time placing the decisionmaking process regarding local delivery where it should be: at the local level.

#### TALKING WITH THE SECRETARY OF DEFENSE

### HON. JOHN P. MURTHA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1975

Mr. MURTHA. Mr. Speaker—

In the longer run, the U.S. (defense) is going down, has been going down; its forces have been dwindling. The effect of this over several years—a continuation of these trends—will be major difficulties for the U.S. and its allies.

So said Secretary of Defense James Schlesinger in an executive interview with me recently which highlighted a number of key areas where Mr. Schlesinger believes U.S. defenses are in imminent danger of becoming second rate. While some may dispute his assessments, no one can ignore the warnings of this intelligent, dedicated man who sits at the center of our worldwide defense system.

In the course of our conversation, Schlesinger covered four items that have become standard features of U.S. defense thinking that may be rapidly developing into myths.

First, I asked him about the long-held superiority of the U.S. Navy. Schlesinger replied:

The Navy in the last eight years has shrunk from 976 ships to 483 in the active fleet.

I think in a side-by-side engagement, the United States Navy may still have an edge (over the Soviet Union). But . . . we have to protect the sea lines of communication

between ourselves and our many Allies that are separated by the oceans' waters. And it is far easier to interdict those lines of communication than to protect them . . . consequently, mere equality is insufficient from the standpoint of our naval forces and we are today living with a higher level of risk than I think the American people really want.

The second myth I questioned him about is our technological superiority. Schlesinger said:

The most interesting development in the last decade has been that the Soviets are becoming more sophisticated; that they are improving the quality of their weapons . . . the notion of the Soviets as being armed in massive numbers with primitive weapons is beginning to fade.

What about these "massive numbers" of Soviets under arms, I asked. How do they stack up against the myth of wide-ranging American troop commitments throughout the world?

Schlesinger replied:

First, I'd stress that we have half the number under arms today that the Soviet Union has. We had cut our armed forces in the last eight years by 1.5 million men . . . we are about 600,000 to 700,000 men below what we were pre-Vietnam in the face of major buildups on the other side.

Finally, we discussed the idea that détente would lessen our need for military strength. Schlesinger said it was "appropriate to attempt to achieve improved relations," but added:

If our forces continue to shrink and the military balances are consequently upset, our hopes for improved relations and greater stability will disappear and there will be important political changes in the world that will adversely affect the United States.

The Secretary believes that recent budget cuts will prevent us from countering these trends. It is my own belief we have failed to focus on the long-range implications of our spending; failed to realize what we decide now will set the pace for the next decade.

Not everyone agrees with Secretary Schlesinger. But I congratulate him for directly confronting the issue of what kind of defense system our country wants. He is stimulating a national debate of the highest priority, and its resolution is essential to our future security.

#### MULTIPLY BY THE DIGIT YOU FIRST THOUGHT OF

### HON. WILLIAM L. HUNGATE

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1975

Mr. HUNGATE. Mr. Speaker, as we drift relentlessly toward a computerized Congress, perhaps the Members will appreciate a picture of what the future will be like:

MULTIPLY BY THE DIGIT YOU FIRST  
THOUGHT OF

(In which Richard Gordon is programmed into the world of computers)

My 1954 edition of the *Concise Oxford* had never heard of a computer. In 1975, dictionaries are being printed by them. But we never throw computers a complimentary or

even cordial word. We curse them, make jokes against them, develop paranoia over them. This is unfair. The introduction of computers from America in the mid-twentieth century only complicated and incommoded habits already widespread in European society. It was the same with the introduction of syphilis by Columbus's returning sailors at the end of the fifteenth.

After World War II Europe grew horribly impersonal, because there were too many people demanding too much notice. A few million serfs could rub along comfortably from cradle to early grave without anyone bothering insuring them, taxing them or even counting them. About 1950, they all jumped into their motor-cars and drove off rapidly in chromium-plated isolation, glaring and shouting at perfect strangers who behind their windscreens were possibly the most amusing and agreeable of company.

Commerce became dehumanized. Even the wickedest of Chesterton's grocers—shoveling sugar into stiff little blue bags in a deliciously aromatic shop amid roll-necked sacks of split peas and lentils—wrote his bills in copperplate and presented them with his compliments. Post-war banks still contained high desks and decent, semi-stiff collared clerks, labouring with fountain pens in beautiful leather-bound ledgers with gorgeously marbled crimson and purple edges. Then all the serfs wanted an account at the bank and at Harrods. Most of all, they wanted to take the waiting out of wanting. The numerical mechanics of providing these blessings for civilization overstretched its brains, and the computer was invented to prevent the top mathematicians going even madder than I have always found them to be.

Computers must be sold frantically, to make a profit on a vast outlay. IBM provide lovely brochures of their machinery looking well styled but intensely purposeful, like the male and female models playing with it. Once sold, computers must be worked incessantly to write off the stupendous expense. This has incited the invention of several million unnecessary and wildly extravagant schemes based on them. Governments have eagerly joined the game, reducing each of their citizens to ugly strings of numerals, governments of all political hues having in common an enthusiastic contempt for the people whose interests they represent.

VAT scourges the British public only to provide full employment for a computer at the end of the pier in Southend. Mr. Healey's "pipsqueak" system of taxation was imposed simply to justify the Revenue computer at Bootle. The same attitude afflicted the Government of Queen Elizabeth the First, with a perfectly good rack standing idle in the Tower.

Computers make our unsociable society the bleaker. When you knew the Bobby on the corner personally, you didn't ruin his evenings by breaking the law. When you said good morning to your boss, you didn't go on strike. Now the cops chase the robbers by computer, every firm hastens to get itself run by one, bank clerks are kept behind bullet-proof glass, and the only personal service you get at the grocer's is a cold from the girl at the supermarket check-out.

Such icy indifference being clearly bad for business, ardent attempts are made to personalize computers. Admittedly, computers like humans can make mistakes, and like humans always in their own favour. They can write letters in capitals and breathlessly short of commas. They have other human traits, all feminine. They will answer only acceptable questions, and only in their own way. Arguing with them enmeshes you in such a tangle you never dare try again. Though their behaviour is generally reliable and predictable, when they go wrong they go wildly wrong, causing havoc for everybody in sight.

In the 1960s, Lyons teashops' Electronics

Office christened their computer Leo, instantly giving it a cosy teddy-bear image. Since 1956, everyone has known Ernie up at Lytham St Annes, the retired seaside comic with a complexion like sliced salami who laughingly scatters tenners from a top hat into the breezes of the Ribble estuary. I resent less getting a bill from Gloria if I can fantasize her as a quiet, smooth industrious girl, with her only excess an addiction for noughts-and-crosses. One razor-minded, computerized unit trust advertised itself with an old-fashioned apple-cheeked, silvery-haired bank manager, fingertips together and watch chain agleam, expressing over his half-moon glasses the reassuring essence of financial wisdom and benevolence. People prefer risking their money with men rather than machines. This is proved by the continuing popularity of bookies over the Tote.

The medical profession employs so many computers it has unleashed an epidemic of new diseases. Some make diagnoses. You press "Yes" or "No" buttons in response to questions flashed on a television screen. This has the boon of saving you from facing a forbidding middle-aged man in a white coat, himself in the pink of condition, demanding why you smoke and drink so much and aren't losing weight.

One medical computer was human enough to create a pregnancy. The patient was asked the usual questions about menstruation, morning sickness and marital relations, and the print-out established a normal gravidity of eight weeks. Over the following seven months, the computer disgorged relentlessly regular bulletins on the patient's condition, calculated from its original feed of information. It finally produced a pair of twins, female, weighing five and a half pounds, blood group O. The patient was a retired Naval captain in his sixties, not at all pleased to be given an electronic bun in the oven.

The inflexible, absurd Gilbertian logic of faulty computers is a blessing to our comfortless age. An incorrect bank balance, five hundred tons of steel delivered inexplicably at the vicarage, a warehouseful of eggs going bad in the docks—the fault is not in ourselves but in our tapes. Once, men blamed the weather for their induced misfortunes. Now the hilariously inaccurate long range weather forecasts are blamed on the Met Office computer. A company could ascribe the loss of a contract, a government the loss of an election or a war on the shortcomings of their computer, which can never answer back and only blow a fuse in exasperation. Which makes them earn their keep handsomely, in a century when man's inventiveness has outrun his idocy.

#### TAX-INDEXING: THE REAL TAX REFORM

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1975

Mr. CRANE. Mr. Speaker. The income tax system provides government with a windfall benefit as a result of inflation. If the inflation rate is 12 percent a year, and your salary is fortunate enough to increase at the same rate of 12 percent a year, you will not even remain at the same place—but will suffer a dramatic decline in real, after-tax income.

A 1974 income of \$25,000 would have to expand to \$168,188 in 20 years to keep pace with a 10 percent inflation rate. Even if it did, the taxpayer would be the loser. In 1974, such an individual would

have paid Federal income taxes of \$6,020—or 24 percent of his income. This left him with 76 percent for personal use. By 1994, with an inflation-swollen income of \$168,188, the tax bite would be \$89,148—a huge 53 percent of his income. In 1994, he would have only 47 percent of his income for personal use. Thus, such an individual would suffer a 38-percent drop in his living standard.

Inflation throws us into artificially higher tax brackets. Thus, Government has a vested interest in the current system of inflation. Individual citizens have a vested interest in changing it. A solution, which I have proposed in legislation, is what has been called "tax-indexing." This would provide an annual, automatic correction of the tax schedules for inflation.

Discussing this question on his radio program, former California Gov. Ronald Reagan gives this example:

The man who earned \$10,000 a year in 1966 earns (if he is the average) \$15,000 today. That \$5,000 increase is a little more than the increased cost of living. Actually \$3,800 of his raise is eaten up by inflation. Still he should be \$1,200 better off than he was in 1966—but not after taxes. At \$15,000 he is in a higher tax bracket. The government takes the \$1,200 plus \$159 more, making him \$159 worse off than he was in 1966.

#### Governor Reagan declares:

There is a solution, a very simple one . . . indexing the progressive tax brackets so as to reflect the lowered purchasing power of the dollar. In other words, you would move up to a higher tax bracket only to the extent that your increased income exceeded the cost of living.

Clearly, the time has come to enact this tax-indexing approach. Governor Reagan concludes:

Congress is very busy talking tax reform. Now's the time for you to start those cards and letters. If government suffered the same pain from inflation that you do, instead of making a profit on it, they'd do something about it.

I wish to share with my colleagues the text of Ronald Reagan's radio broadcast entitled "Inflation as Tax" and insert it into the RECORD at this time:

VIEWPOINT WITH RONALD REAGAN  
(Reprint of a radio program entitled  
"Inflation As Tax")

I know it's a cliché, and we've all heard it and said it ourselves, that inflation is the cruellest kind of tax—hitting hardest those who can least afford it. I wonder, though, if we really understand that inflation is in fact a tax increase—a way government can raise more revenue without raising the rates.

Take capital gains. This is the profit you make if something you bought awhile back has become more valuable and you sell it for more than you paid for it. This can be a farm, a home, a lot you were going to build on and didn't, that old car that suddenly became valuable to a collector, or stock you bought.

But what if your increased sale price is an increase in dollars that aren't worth as much as they were when you bought it? If you sell your home for twice what it cost, but all homes are now worth twice what they cost because the present dollar is worth only 50 cents, then you haven't made any profit. But the tax collector says you have. If you paid \$20,000 and sell for \$40,000, he says you've made \$20,000 upon which you must pay a tax even though \$40,000 today

will only buy what \$20,000 bought at the time of purchase.

The answer is very simple, but not too many politicians are going to suggest it. The sale price should be computed in constant dollars—meaning the dollars should be valued at their purchasing power now compared to their purchasing power when you first acquired the property.

Let's turn to your paycheck because here is where the government really profits from inflation. We have a "progressive" income tax. As your income increases, you find the government takes a higher percentage, say, of the second ten thousand dollars you earn than of the first. Let's say you get a raise simply to keep even with the increased cost of living to make you able to buy what you could before the raise, but you can't for that increase in the number of dollars put you into a higher tax bracket. The government takes a greater share of those new dollars and, suddenly, you find you haven't kept up with inflation. After taxes, you're worse off than you were before the raise. Nine times out of ten, though, you blame high prices, not your taxes.

Let's take an actual example—the man who earned \$10,000 a year in 1966 earns (if he is the average) \$15,000 today. That \$5,000 increase is a little more than the increased cost of living. Actually \$3,800 of his raise is eaten up by inflation. Still he should be \$1,200 better off than he was in 1966—but not after taxes. At \$15,000, he is in a higher tax bracket. The government takes the \$1,200 plus \$159 more, making him \$159 worse off than he was in 1966.

There is an answer—a very simple one, a proposal by Senator James Buckley of New York, which has been greeted with thunderous silence by his liberal colleagues. He proposes what is called indexing the progressive tax brackets so as to reflect the lowered purchasing power of the dollar. In other words, you would move up to a higher tax bracket only to the extent that your increased income exceeded the increase in the cost of living.

In the example I just gave, that \$10,000 a year man would stay in the same tax bracket for \$3,800 of his \$5,000 raise and would only pay an increased rate on the \$1,200 if that moved him into a new bracket.

Congress is very busy talking tax reform. Now's the time for you to start those cards and letters. If government suffered the same pain from inflation that you do, instead of making a profit on it they'd do something about it.

#### PLUTONIUM: A FEARSOME FUEL

HON. HAMILTON FISH, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1975

Mr. FISH. Mr. Speaker, perhaps no greater hazard exists as a result of our growing dependence on nuclear fission power than the increases of plutonium shipments in the United States. Plutonium, a byproduct of present nuclear reactor processes and fuel for the controversial liquid metal breeder reactor, is one of the most toxic substances known to man. It is also the material of which nuclear weapons are made. The concept of a "plutonium economy" is terrifying to say the least, and the following article from the Wall Street Journal clearly depicts the present and future hazards of shipping plutonium. I hope my colleagues will keep this article in mind when deliberating upon whether to increase this

country's use of nuclear fission power-plants.

The article follows:

**FEARSOME FUEL: NEW LAWS ARE STUDIED TO PROTECT SHIPMENTS OF DEADLY PLUTONIUM**  
(By Les Gapay)

One day early this summer a deadly cargo of several steel containers arrived by ship from Belgium at the docks at Elizabeth, N.J. But for all the security that was evident on board they might just as well have been a load of Volkswagens.

The containers were loaded onto a tractor-trailer, which then took off for Pittsburgh with the two armed drivers radioing in their location every two hours. About 12 hours later the drivers reported the rig had arrived safely.

This seemingly innocuous incident is likely to be repeated many times in the future. And the fear is being increasingly voiced that unless security is stepped up, one day a rig will be hijacked before it reaches its destination. Because inside those steel containers is the stuff of nuclear weapons: plutonium.

Nuclear materials such as plutonium which is a byproduct of the uranium "burned" in nuclear power plants, have been shipped within the U.S. without incident for several years now. This is partly due to the fact that there have been relatively few shipments to date and it may be partly due to sheer luck, given the minimal security precautions that federal law requires. But as nuclear power grows so will the shipment of nuclear materials—and so will the very real danger of hijacking by terrorists, extortionists or others bent on nuclear blackmail.

**WARNING OF "PIRACY"**

Before this happens, politicians and government officials want to see a considerable tightening of security not only around these shipments, but also around nuclear power stations, which many see as prime targets for sabotage. Democratic Sen. Stuart Symington of Missouri warns of "the possibility of piracy." And Victor Gilinsky, a member of the Nuclear Regulatory Commission, speaks of the ultimate peril of the "illicit manufacture of nuclear explosives."

The problem is that there are no easy answers to real security. Probably the simplest proposal is the creation of a federal police force to handle shipments and protect plants and the requiring of all nuclear industry workers to submit to security checks. But many Americans would no doubt see this as leading to infringements on civil liberties. Consumer advocate Ralph Nader asks if "someone found carrying a paperback in his lunchbox criticizing nuclear power (would) be looked upon as a security risk?" And even Mr. Gilinsky admits that "these measures have a potential for abuse."

Another proposal has come in the House, where 29 Congressmen are cosponsoring legislation that would continue the present ban on the use of plutonium instead of uranium to fire nuclear plants until the risks have been thoroughly studied. But this angers the nuclear industry, which is anxious to use the plutonium (which is essentially "free" fuel for the utilities, whose plants produced it in the first place) and thereby save on uranium fuel costs.

**NEW YORK BANS SHIPMENTS**

There is a further, much longer range proposal that nuclear stations and plants for plutonium processing be located together in massive nuclear parks, which would eliminate the risks involved in transportation. But this is certain to meet with opposition from environmental groups, as well as residents close to the proposed parks.

In the absence of federal action, one city at least has taken action on its own. New York City is trying to stop shipment through

the city's streets of such radioactive materials as plutonium. And the city is proposing to amend its health code to make the ban permanent.

The nuclear materials causing the most concern are plutonium and bomb-grade uranium. Most nuclear plants are fueled with uranium in which the atoms capable of fissioning to produce heat, called uranium-235 atoms, have been increased about five fold (in natural uranium these atoms are so rare that only one out of every 140 atoms in the metal is a uranium-235 atom.)

However, when this so-called slightly enriched uranium is "burned" in nuclear plants plutonium is produced as a side product. Although utilities would like to "recycle" this plutonium by burning it instead of uranium, a far more important future role for plutonium would be in the proposed—and controversial—new generation of nuclear power plant called the fast breeder reactor. This reactor would be able to "burn" the large amounts of discarded uranium that can't be used in present power plants. In the process it would also spew out large amounts of plutonium.

**A GREATER RISK OF THEFT**

If the breeder does become a commercial reality, then shipments of plutonium between reactors and processing plants would become a daily routine, vastly increasing the risk of theft.

The amount of nuclear material in national transit each year will be enough to make 20,000 nuclear bombs. "New international institutions will be needed to prevent criminal diversion from the flow of nuclear materials," says Fred C. Ikle, director of the U.S. Arms Control and Disarmament Agency.

At present these shipments are limited mainly by the fact that at present there aren't any commercial plants in the U.S. to extract plutonium from nuclear stations' used fuel rods. According to hard-to-get government figures, recently revealed in a court affidavit, last year there were 1,532 separate shipments totaling about 50,000 pounds of highly enriched uranium and 372 shipments of about 4,600 pounds of plutonium (most of which was produced by private contractors under government supervision). Just about all of this material was being used for research.

The plutonium that arrived in Elizabeth, N.J., this summer had begun life inside the used uranium fuel rods from an Italian nuclear station. The rods were sent to a Belgian plant where the plutonium was extracted and processed into plutonium oxide powder. From there the powder was being sent to a Westinghouse Electric plant near Pittsburgh to be turned into fuel for the Italian station.

The shipment of 93.7 pounds of plutonium was enough to make a number of small nuclear weapons. Officials don't like to say how much is needed to make a bomb. But a report by the General Accounting Office urging stricter security says a crude nuclear weapon can be made from 17 kilograms of highly enriched uranium or six kilograms of plutonium (a kilogram is about 2.2 pounds).

Even so, under existing federal law, no guards were required on board ship and only two armed company drivers were necessary for the journey by road. Federal law also leaves the security at nuclear plants to private guards together with such conventional protection as fences and alarms (at present there are only 55 nuclear stations in operation, but a further 150 are being built or are planned).

The government has found fault with this security. Recently the Energy Research and Development Administration (which, like the Nuclear Regulatory Commission, was formed from the old Atomic Energy Commission) received a study from its Sandia Laboratories that said that "a determined group with a high degree of technical com-

petence could probably perform acts of sabotage which can endanger the public" at nuclear plants.

Nuclear reactors, of course, can't blow up. But if the fuel core melts it's possible that radioactive materials could be released into the atmosphere. Thus ERDA warned that a determined group of saboteurs with equipment and explosives could "disable critical plant systems and possibly cause a radioactive release."

To help thwart both sabotage and theft the NRC is to report to Congress in January on the feasibility of having the federal government take over all or part of the nuclear industry's security. One possibility is the creation of a government agency to guard all fuel-making plants and shipments of plutonium and bomb-grade uranium. Another is the creation of a special force within the NRC or the Federal Bureau of Investigation. (Actually, the NRC already has proposed beefing up security, including the mandatory use of armed guards for air or sea shipment.)

But industry executives don't like much of what the NRC has in mind. Bill Teer, vice president of Transnuclear Inc., of White Plains, N.Y., a major hauler of nuclear materials, worries that airlines might refuse shipments if armed guards are required. And Arthur E. Lundvall Jr., vice president of Baltimore Gas & Electric, says such measures as armed guards and TV cameras are adequate. "A determined insurgent group is going to get into anything unless we have the U.S. Army in there," he says.

One way to protect materials such as plutonium is to make them so tricky to handle that thieves will have great difficulty in turning them into bombs. Right now, many experts believe, it's relatively simple to make a crude bomb from plutonium or highly enriched uranium, requiring about the level of knowledge of a college physics student.

Crude it may be, but says Theodore B. Taylor, a nuclear consultant who once designed nuclear weapons for the government, such a bomb could kill tens of thousands of people if detonated in a crowded area. Plutonium also could be fashioned into a so-called radiological weapon, which wouldn't explode but would spew out dangerous radioactive gases.

Thus the NRC is considering a proposal to require all plutonium to be "spiked" before it's shipped. Spiking essentially means increasing the level of radioactivity to make the material more dangerous to handle.

Of course, it would be possible for the government to eliminate the transportation of dangerous fuels altogether by requiring the building of nuclear parks. Such a site could well be massive, including 10 to 40 reactors, a plant for processing plutonium and another for turning it into fuel.

But such energy centers would require massive amounts of land and water and would generate so much heat that some experts believe they could change local weather patterns by increasing rainfall and perhaps causing permanent cloudiness. "The public reaction to possibly large, persistent, visible plumes, extending for many miles has not been evaluated," says an NRC report.

**BAN ON HANDGUN—NO. 11**

**HON. JONATHAN B. BINGHAM**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1975

Mr. BINGHAM. Mr. Speaker, one reason why handgun control is such an emotional and controversial issue is simply that the American public is largely un-

informed about the dangers of private handgun possession. The gun lobbies would have us all believe that handguns are "the law-abiding citizen's first line of defense," and that strict handgun control legislation would violate the second amendment right of the people "to keep and bear arms." Both of these contentions are simply untrue. It is a tragic fact that the armed private citizen is far more likely to use his handgun against a family member, friend or acquaintance than to defend himself against a criminal, and the U.S. Supreme Court has repeatedly ruled that the second amendment pertains to the right of States to maintain a militia, not to a right of individual possession. It is the task of handgun-control advocates to inform the public of the menace of private handgun possession, and the duty of the Congress to protect our society from that menace by enacting legislation that will ban handguns.

I commend to the attention of my colleagues two recent articles that illuminate the bare facts about handgun ownership and the attitudes of the Nation's law-enforcement agencies toward handgun control. The first is an interview with Nelson T. Shields, executive director of the National Coalition to Control Handguns, which appeared in the October 20 issue of *People* magazine. The second is an editorial from the October 16 issue of the *Washington Post* that deals with the testimony of law-enforcement officials before the Senate Government Operations Committee. Both of these articles help to clear the record on several myths concerning handgun possession:

#### IN HIS OWN WORDS

(Recent assassination attempts against President Ford, combined with increasing street crime, have brought a new urgency to handgun control. One convert is Du Pont Co. executive Nelson Turner Shields III, who admits he was only mildly concerned with the problem until last year when his 23-year-old son, Nicky, eldest of his four children, was senselessly gunned down in one of San Francisco's notorious "Zebra" killings. Then, a few weeks later, the elder Shields was driving to his home in Wilmington, Del. when he cut off another motorist. The driver pulled alongside Shields, pointed a snub-nosed revolver in his face and shouted, "Move your ass over or I'll blow your head off." Shields says: "I don't even remember the man's face. When you're staring down the barrel of a gun, that is all you see." Now on leave from Du Pont Co. to head up the Washington, D.C.-based National Council to Control Handguns, Shields discussed the firing range called America with Christopher P. Andersen of *People*.)

*Just how many handguns are there in the U.S. today?*

Almost one for every family. Of the 135 million firearms, at least 40 million are handguns. And the traffic in handguns is staggering: 2.5 million guns are manufactured or imported each year into this country.

*What is the toll taken by the handguns?*

Each year handguns are involved in at least 300,000 violent crimes, including 11,000 murders, 175,000 armed robberies, 100,000 aggravated assaults, 4,000 suicides and 3,000 accidental deaths. To show you what this means, during the peak years of the Vietnam war 42,300 Americans were killed in combat. During those same years 103,000 civilians were murdered in the United States.

Of those murders, at least 80 percent involved handguns.

*What about rifles?*

Long guns—rifles and shotguns—are generally used legitimately by the estimated 20 million hunters in the U.S. They account for less than 12 percent of all homicides. By contrast, about 96 percent of all armed robberies are committed with handguns.

*Why do handguns play such a large role in crime?*

Handguns are for one thing—shooting people. No one goes out hunting game with a pistol.

*What kind of person is more apt to commit a violent crime with a gun?*

Stanford psychiatrist Donald Lunde recently attempted to find the answer to that. He gathered data on education, age, race, income, sex, demographics, but failed to come up with any real common denominator. Then he went one step further and took into account where the people who committed the crimes were born. It turned out that a vastly disproportionate number of them were born in the South. This included whites who moved West and blacks who moved North to the urban slums.

*Why is this so?*

Perhaps it's the frontier mentality, but there is no place in the country where the possession of firearms is more cherished. Atlanta, for instance, heads the list of homicides among American cities.

*Do your friends sometimes question your concern?*

Yes. At a dinner party in Texas the hostess leaned over to my wife and said, "Please don't mention your husband's interest in gun control. I don't want to lose all my friends." A close family friend who lives in Arizona begged me never to ask him to join the movement for gun control. He said it would be social suicide for him to do so.

*What laws govern handguns?*

There are 20,000 state and municipal statutes governing handguns, but they just don't work. Only four states—New York, Hawaii, New Jersey and Massachusetts—have reasonably restrictive gun laws. In Texas it's illegal to carry a concealed, loaded gun, except on business. Now how in the hell do you define "business"?

*What about federal laws that are already on the books?*

This is the only major country without effective national laws controlling handguns. In Europe, only a few are allowed to carry a handgun. In the U.S., only a few aren't. Our 1968 federal law is riddled with loopholes. For example, importation of guns from outside the country is outlawed, but not the importation of parts. So the parts are simply made in Germany and Italy and Spain and shipped here for assembly.

*What are current restrictions on retail sales of handguns?*

A dealer is required to keep records of all sales and is prohibited from selling to known felons, drug addicts and mental defectives. But nobody ever comes to look at those records, and there is no way for a dealer to find out about a prospective buyer's background. The dealer should definitely have more guidance, more access to government records on known undesirables.

*Are the existing laws being enforced?*

Not really. Not many officials like to cross the National Rifle Association, one of the most powerful lobbies in the country.

*But aren't most Americans in favor of gun control?*

Polls taken since the late 1930s consistently show that around 70 percent favor stricter gun controls. More than 40 percent actually favor banning handguns altogether, except for use by the police.

*Why then have no stronger laws been enacted?*

There is fear and confusion in the minds

of many, particularly among those in rural areas. They think that the law-abiding citizen will be left with no means to defend himself against criminals. There is also the erroneous fear that effective handgun controls are the first step toward a ban on rifles—and hunting. They see gun-control advocates as a bunch of raving leftists. One NRA executive told me that his organization would be "the last line of defense when the Red Chinese invade."

*What about the argument that stronger regulations would abridge the Second Amendment right "of the people to keep and bear arms"?*

The Supreme Court has ruled five times that the Second Amendment pertains to the states' right to maintain a militia. It is a collective right, not an individual one.

*How do you respond to the gun lobby slogan: "If guns are outlawed only outlaws will have guns"?*

The grim fact is that handguns used in the commission of a crime are often stolen from law-abiding people to be used against law-abiding people.

*If only one out of twenty hunters in this country belongs to the National Rifle Association, why is the gun lobby such a powerful force in Washington?*

Even though 70 percent of the American people favor stronger gun controls, the issue itself is not No. 1 on the public's list of priorities. The economy, for example, is far more pressing. But for those who oppose control, it is the single most important issue—and they will go to the wall on it. That's why a liberal like Sen. Frank Church always votes against gun controls. Most elections in this country are decided by less than 10 percent of the electorate, and no politician wants to risk alienating that deciding vote.

*What impact do you think the two attempted presidential assassinations will have on Congress?*

I don't think these incidents have changed anybody's mind in Congress, and unfortunately the public's memory is awfully short. But before the furor subsides, I hope we will have succeeded in establishing the National Council to Control Handguns as a lobby strong enough to battle the NRA.

*What do you think of the Administration bill now before Congress?*

The Ford Administration wants to crack down on so-called "Saturday night specials"—the cheap, six-inch long handguns used in street crime. But if the law defines the Saturday night specials as six inches or shorter, criminals will start packing seven-inch guns. It would affect less than half the guns used in street crime, but it's a step in the right direction.

*What legislation would you like to see put into effect?*

A ban on the manufacture, sale and importation of all handguns and handgun ammunition. To reduce the 40 million handguns already in circulation, we might institute a buy-back program whereby gun owners would be reimbursed for turning their guns over to the government. Of course, it will take time for the supply to dry up. But in five years or so I think we would see the beginning of the end of wholesale terror on the streets.

#### GUNS AND THE POLICE CHIEF

According to surveys, over 70 per cent of the American people support legislation that would control the ownership of handguns. This has been true for many years, despite the outcry of the gunlobby whenever the subject is raised. But many people who are concerned about crime and crime-control have been confused as to where law enforcement leaders stand. The impression has been cultivated by the gun-promoters that serious-minded law enforcement officials oppose the control of handguns. That impression has been augmented by the gun lobby lectures of Los Angeles Police Chief Edward Davis.

Well, law enforcement came to Washington the other day, and by the time a handful of chiefs of police from some of the nation's largest cities finished telling the Senate Government Operations Committee where they stood, a compelling case against permissive handgun policies had been made. In fact, some of the senators were taken aback by the forthrightness with which they spoke on the subject. Chief Hubert Williams, Newark, N.J.: "Dealing with crime at the local level is dependent to a great degree on whether or not strict federal controls on handguns will be introduced. The fact of the matter is that local efforts to control handguns cannot succeed without strong national controls."

Los Angeles County Sheriff Peter Pitchess called the nation's gun mania a "plague" and underscored the need for congressional action by reminding the committee of recent news events. "It is a national disgrace," he said, "when we must fear for our President's life every time he is within shooting range of the public." And the director of the Secret Service told the committee that "handguns have to rank near the top" of his organization's worries when trying to protect the President.

Police chiefs from Atlanta, San Antonio and Boston added their voices to the demand that Congress move swiftly to enact a comprehensive gun control law. They do not represent all the police chiefs in the country. They represent the big cities—and the nation's largest county—where the message is clear that crowded urban civilization and handguns do not mix well.

Now the question is whether Congress can act on that message. The majority—by far—of the public has repeatedly said it wants action. Now the police chiefs have made it clear that they want action too. What stands between the desires of the people and the performance of their leaders? Mostly the gun lobby with its political intimidation and misleading slogans. The question is whether there is enough courage in Congress to say "no" to the gun lobby once and for all.

## OAHE: A POSITIVE ALTERNATIVE

### HON. LARRY PRESSLER

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1975

Mr. PRESSLER. Mr. Speaker, first, I include the following summary sheet:

#### I. SUMMARY SHEET

	Present Oahe project	Alongside-the-Missouri Pressler alternative
1. Cost per acre.	\$1,766	\$500.
2. Time for completion after project development begins.	12 to 20 yr.	3 to 5 yr.
3. Amount of farmland destroyed by project features.	90,000 acres.	Almost none if pipe used. Very small amount if ditches used.
4. Project planning.	Bureau of Reclamation.	Individual farmers or groups of farmers if they so choose.
5. Relocation.	50 farm families and 120 cottages.	None.
6. Land acquisition.	110,000 acres.	Very little, if any.
7. Environmental impacts.	Stream channelization and several thousand acres of wetlands destroyed.	No stream channelization and very few wetland acres sacrificed, if any.

	Present Oahe project	Alongside-the-Missouri Pressler alternative
8. Water pollution.	Severe.	Slight.
9. James River Impact.	Channelize the James.	None.
10. Total potential irrigation.	200,000 to 500,000.	Well over 1,000,000 acres.

#### II. BACKGROUND

Mr. Speaker, on May 7, 1975, I became the first member of the South Dakota delegation to ever raise any questions about the Oahe project before a congressional committee. On that date I asked for a moratorium in construction funding. Later, on the floor of the House of Representatives, during debate on general appropriations I read a letter from the Environmental Protection Agency stating that Agency's objections to approving the Oahe irrigation plan as presently proposed. Since that time there have been many editorial criticisms of my actions—particularly in the Huron and Aberdeen newspapers. Indeed, attached to this proposal is one such critical editorial which illustrates the height of feeling that has arisen on this issue.

I support a referendum on the Oahe irrigation project. However, since my days of working on irrigation projects in the U.S. Army as an assistant to David Lilienthal—one time Chairman of the Tennessee Valley Authority—I have become convinced that irrigation is futile if it does not have grassroots support. If our State legislature does have a referendum on the project, and if that referendum indicates the people do not want the project, it does not mean that South Dakota must lose the basic authorization for the project.

The nearly \$400 million that have been authorized can be preserved without a new authorization and appropriated on an annual basis to develop an irrigation project immediately adjacent to the Missouri River. I would not propose doing so unless the farmers and citizens in those areas indicated through referendum that they wanted irrigation. My point is that an end to the Oahe irrigation project does not mean that South Dakota necessarily must lose irrigation—indeed, by shifting the appropriations to projects closer to the Missouri we might have irrigation from 3 to 5 years while the Oahe project will require between 12 to 15 years at the optimum.

#### IF AN ALTERNATIVE IS ADOPTED, WILL OAHE FUNDS BE LOST FOREVER

The Oahe irrigation project, like its sister—the Garrison Diversion Unit, may be in serious trouble with environmentalists, farmers, legislators, taxpayers, and youth. Some signs are quite ominous—increasing opposition within the U.S. Government itself through the Environmental Protection Agency and the President's Environmental Quality Council; growing farmer opposition has led to the formation of the United Family Farmers, comprised of a combination of dry-land farmers, large operators, environmentally concerned farm operators, and older farmers resistant to change; increasing farmer opposition in the representation

on the Oahe Conservancy Board as evidenced in last November's election; the break in solid citizen support which was recently shown by the action of the League of Women Voters and the South Dakota Farmers Bureau in endorsing a moratorium on construction; and the legislative impasse on Oahe resolutions at the 1975 session calling for a moratorium. I might add that as a Republican candidate for Congress in 1974 and committed to a moratorium on construction funding, I received my largest majority in Brown County—one of the Oahe counties—and normally a heavily Democratic stronghold.

These developments which have literally exploded overnight have raised the specter that the Oahe unit may not be built—or drastically changed from its original plan. Therefore, I believe that consideration of alternatives is necessary if South Dakota is to assure itself of the beneficial use of waters impounded in the Missouri River reservoirs.

If the State legislature schedules a referendum on Oahe for next spring, and if that referendum results in a negative vote, I contend that we should preserve the congressional authorization of nearly \$400 million and seek annual appropriations from this ongoing, existing authorization for alongside-the-Missouri irrigation. Similar project changes have been made in numerous States on numerous projects. The basic authorization need not be lost: it could be converted in June of 1976 to appropriations for other projects in South Dakota.

#### POSSIBLE AREAS OF IRRIGATION

The concept of alongside Missouri River irrigation is hardly new. Some preliminary studies have been made of these areas, but these have never been given the major attention accorded Oahe. This was understandable in the past when the Oahe project was sailing along full steam. But now that there are problems—we must examine other alternatives more comprehensively. Private irrigation development along the Missouri River is already on the move. The State Department of Natural Resources was recently reported to have issued permits for irrigating 123,587 acres directly out of the Missouri. Permits for some 27,000 acres were issued in 1975, giving evidence of the rapidly developing interest. Thirty new permits were issued for river irrigation in Union County this year.

Also, in recent conversations with a representative of an irrigation equipment firm in Ft. Pierre, we were advised that many more farmers are looking into sprinkler irrigation systems with pumping directly from the Missouri. This movement is proceeding without direct Federal investments although, of course, there has been a great deal of State and Federal technical assistance. The piecemeal private development of alongside river irrigation illustrates graphically that irrigation is indeed feasible today with new technology in sprinkler irrigation. I daresay that studies made 10 years or more ago can hardly be up to date.

I envision the development of a series of Missouri River irrigation districts operating alongside-the-Missouri River and extending away from the Missouri River

with central water supplies provided primarily by pipelines or smaller canals. I understand that there is new technology being developed that promises a dozen to 100 center-pivot rigs can be served from a single system.

Certainly, if we can develop alongside river irrigation privately on 125,000 acres, as we have already done, or are in the process of doing, it would be possible to expand this figure to 1 million acres if we make a concerted effort. Indeed future use permits have been issued for over 1,500,000 acres of land that might be irrigated directly from the Missouri River. We know that stretching along the 300-plus-mile stretch of the river there have been numerous proposals including Shamrock, Pollock-Herreid, and the BCD project in the Ft. Randall Conservancy Subdistrict.

Others are in the talking stage. Many of these should go forward—and in addition on the Missouri River slope in central South Dakota, there is a potential for one or more projects. I will work for speedy congressional appropriations of these new projects where there is a favorable cost-benefit ratio, and a referendum that people want them. However, in many cases, the lengthy congressional approval procedures should be bypassed and State-local-private funds used to carry out development. The industrial bond concept should be extended to water development projects.

#### COSTS

It seems to me that it is elementary that the closer we can irrigate to the river, the lower the cost. I am advised that in one instance a farmer operator near Pierre will make an investment of over \$350,000 to irrigate nearly 1,000 acres and the irrigation consultant believes this would be increased to \$500,000 if maximum utilization were sought. This is a cost factor of approximately \$500 per acre inclusive of pumps, pipeline, and center-pivot sprinklers. While this may be considered low due to the proximity to the river, advantages of scale coming with a large central pump and distribution system would probably offset disadvantages of distance up to a reasonable point.

Compare this with the costs of the Oahe unit where public investments, according to a fact sheet issued earlier this year, are placed at \$1,766 per acre and this only brings the water to the farmers' land. The farmer will still need to invest in the sprinkler and water distribution system on his own land. A complete financial analysis would undoubtedly see this disparity narrowed as certain sunk costs in the reservoir and main pumping units would need to be redistributed if the Oahe project were not developed as originally planned. But it does give me some basis to believe that the ranges suggest that the alongside river plans would have favorable C/B ratios and merit more serious developmental efforts.

Last, would these projects meet the critical environmental test? Tests lead me to believe that the soils in these areas are sandy loams which are much less conducive to salt and water build-ups. Return flows could be accommodated by the Missouri River itself without serious

degradation problems. As of this time, I know of no serious environmental problems that would be encountered.

#### III. PROPOSAL

Irrigating adjacent to the Missouri River—a plan for a possible alternative to the Oahe irrigation plan or a possible supplement to the Oahe irrigation plan. The plan would involve irrigating with the use of pumps and pipes in an area 50 to 100 miles immediately adjacent to the Missouri River on either side and in particular in those counties where irrigation permits have already been issued and where there is a growing amount of private irrigation. The counties that have land that is irrigable, and in many cases more irrigable than the land in the Oahe area include: Campbell—particularly the Pollock-Herreid proposed area; Walworth—particularly the proposed Shamrock irrigation project; Dewey; Potter; Sully; Hughes; Buffalo; Lyman; Brule; Gregory; Charles Mix; Douglas—the proposed Ft. Randall conservancy subdistrict BCD project; Bon Homme; Yankton; Clay; and Union.

The idea of irrigating immediately adjacent to the Missouri River is not new—but for some reason the Bureau of Reclamation has designed it to carry water nearly 180 miles to begin irrigation while much irrigable land immediately adjacent to the Missouri is being ignored. The problem of runoff waters in the James River would not exist because most of the runoff waters could be channeled back into the Missouri. Private irrigators along the Missouri utilize pumps and pipes as opposed to digging canals. As the summary on page one indicates, irrigating adjacent to the Missouri River first would result in virtually no land being destroyed while the present Oahe plan calls for destruction of between 90,000 and 110,000 acres.

Congress has made a basic authorization for irrigation in South Dakota—if the plan should be changed that authorization could be retained and the specific annual appropriations changed to supplement and support irrigation immediately adjacent to the Missouri River. Irrigation could be achieved more quickly close to the Missouri River—private irrigators have shown that substantial amounts of land can be irrigated from 1 to 5 years. The present Oahe plan envisages from 12 to 15 years of preparations before it is operational.

The basic costs of irrigating close to the Missouri are much less. According to the Bureau of Reclamation's own figures, the costs per acre for the Oahe irrigation project will be at least \$1,766—while private irrigators adjacent to the Missouri are accomplishing their task for less than \$500 per acre.

Also, more land could be irrigated adjacent to the Missouri River than under the present Oahe project.

Indeed, future use permits have already been issued for 1,500,000 acres of land that one day might be irrigated directly from the Missouri River. These permits included for over 1,000,000 acres issued to the Lower James and Ft. Randall Conservancy subdistricts; one for the Pollock-Herreid project in Campbell County; one for the Shamrock project in

Walworth County; and three for the Oahe subdistricts close to the Missouri River. The Oahe project envisages somewhere between 200,000 and 400,000 acres.

#### IV. CONCLUSION

On balance, I believe that this proposal should be considered as not only a reasonable alternative to Oahe, but as a possible add-on if that project survives. With the water available, and we should never forfeit it, we need to expand our vision beyond considering the Alongside-the-Missouri River irrigation as an afterthought and consider it as a top priority. That is what I hope my proposal will do. However, this is not a grand plan for the bureaucrats, but rather one which the people are evolving slowly for themselves as evidenced by the growth in irrigation along the river. As a public policymaker, I think we have an obligation to assist in providing leadership to encourage these piecemeal efforts and to develop the means by which this movement can expand.

The late Senator Francis Case and other early supporters were not for Oahe irrigation alone, but saw the bigger picture of Missouri River development. I hope to help in that great effort. I welcome your comments and suggestions to this proposal. Whatever is done in the future should be with grassroots inputs and with referendum by the people involved. It is possible that the people of our State will decide against irrigation in many instances. This is a question of values, but such a value judgment should rest with the people.

#### V. ATTACHMENT—A CRITICAL EDITORIAL

The attached editorial contains a good deal of critical analysis of an Alongside-the-Missouri alternative plan. Although the editorial is highly critical of me, I include it because the statistics it cites shed a good deal of light on the irrigation controversy in South Dakota. I would contend that the facts cited strongly support Alongside-the-Missouri irrigation as a possible alternative. The editorial was run in two major South Dakota daily newspapers—in the Huron Daily Plainsman on September 21, 1975, and in the Aberdeen American News on September 23, 1975.

The editorial follows:

#### PRESSLER—NAIVE OR?

Proponents of water development in South Dakota should be happy to learn that First District Congressman Larry Pressler has finally conceded that irrigation will work in South Dakota even though this revelation is couched in strange and naive terms.

Pressler said Wednesday that he has come up with a reasonable alternative plan for the Oahe Irrigation project. He thinks that the Bureau of Reclamation has overlooked natural irrigation possibilities along the Missouri River. And he suggests that around a million acres of land along the Missouri River could be found that is suitable for irrigation, a project that could be developed in two or three years as an alternative to Oahe.

What Pressler himself has overlooked is all of the research, planning and work that has been going on over the past 15 or 16 years in the state he is attempting to represent.

The Bureau of Reclamation did conduct an exhaustive survey of the Missouri River perimeter which was completed in 1959. At that time there were several feasible projects that showed promise but later were put on the

shelf, either because of lack of local interest or lack of economic feasibility. The Oahe project had and has both, another fact that Rep. Pressler chooses to ignore.

However, the state of South Dakota and the conservancy subdistricts (the locally elected entities of government responsible for water resource development that Pressler refuses to listen to) have not been idle.

According to the Department of Natural Resources in Pierre, the office responsible for this sort of thing, permits for irrigating directly out of the Missouri have been issued for 123,587 acres of land. This is nearly one-fourth of all of the acreage (537,200 acres) for which irrigation permits have been issued in the entire state.

In addition, future use permits (excluding Oahe) have been issued for 1,500,840 acres of land that might one day be irrigated directly from the Missouri River. These permits include one for 1,150,000 acres issued to the Lower James and Ft. Randall conservancy subdistricts; and three for the Oahe subdistrict; one for 305,000 over and above the Oahe project, one for Pollock-Herreid in Campbell County for 25,200 acres and one for the Shamrock project in Walworth County for 20,640 acres.

This comes out to a considerably larger acreage than Pressler had in mind, but the subdistricts and the state have done a great deal more research in this area than the congressman has. And none of this has ever been considered an alternative to Oahe.

As for developing all or a major part of this in two or three years, it is difficult to believe that a freshman congressman could be so naive. Pollock-Herreid has been in the planning stages for a dozen years and the local support has been very enthusiastic. Even though the project is economically feasible the Congress has failed to authorize it. This is the way federal projects work, and a congressman should know this.

Efforts have been made, unsuccessfully, to have the Shamrock project funded with state funds. Efforts to steer state funds into irrigation development are being revived again in Pierre, but even if they are successful these funds will be limited, and large scale progress will be slow.

South Dakota needs the million plus acres of irrigation that can and will be developed directly out of the Missouri River. It also needs the Oahe project. Neither can be considered an alternative for the other.

Congressman Pressler would serve his state better if he would spend a little more time researching his ideas and a little less time putting out uninformed press releases that make him appear either naive or stupid. And he might begin by talking with some of the people in the conservancy subdistricts and state government who have been doing the things he is beginning to dream about.

**OUR NATION SALUTES THE HONORABLE RICHARD ZUIDEMA OF PROSPECT PARK, N.J., UPON THE CELEBRATION OF THE CENTENNIAL YEAR OF HIS BIRTH**

**HON. ROBERT A. ROE**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1975

Mr. ROE. Mr. Speaker, as our Nation's Bicentennial Celebration moves forward and America places its house in order to receive visitors throughout the world to relate the history of our United States, it is indeed my privilege and honor to point with pride to a leading citizen of our community who has seen the won-

ders of our country's maturity and involvement during this past century and activity participated in the vast communion of effort among our people that has achieved the highest preeminence and esteem as a representative democracy among all nations throughout the world. I ask you and our colleagues here in the Congress to join with me in extending our warmest greetings and felicitations to my good friend and great American, the Honorable Richard Zuidema of Prospect Park, N.J., in observance of the 100th year of his birth.

Since coming to the United States from the Netherlands in 1890, Mr. Zuidema has earned the fullest confidence and respect of his fellowman. The quality of his leadership, his standards of excellence, and sincerity of purpose are mirrored in the success of his achievements, the richness of his wisdom, the warmth of his friendship, the strength of his doctrines, affection, and respect among his family members, and the refreshment of his musical artistry.

With your permission, Mr. Speaker, I would like to insert at this point in our historical journal of Congress a news article that appeared in the September 19 issue of the Paterson Evening News, one of New Jersey's most prestigious newspapers, under the byline of the highly respected news correspondent, Bert Nawyn, which presents a centennial profile of Richard Zuidema, the councilman, the financier, the educator, the organist, the religious man, the man next door, the family man, the lovable senior citizen of our Eighth Congressional District, State of New Jersey. The news article is as follows:

[From the Evening News, Sept. 19, 1975]  
RICHARD ZUIDEMA AT 100: "GOD HAS BEEN GOOD TO ME"

(By Bert Nawyn)

PROSPECT PARK.—Richard Zuidema of 208 Fairview Ave. is 100 years old today. Open house, to afford his many friends an opportunity for a short visit, will be from 2 to 5 and 7 to 9 p.m.

Mr. Zuidema, who during his business career was also known as Richard Southman, has probably lived in Prospect Park longer than any other resident. He moved into the borough before it broke away from Manchester Township, 85 years ago, during the presidency of Grover Cleveland.

This pioneer of the community has led an active life. He has never shunned work or responsibility. He is one of the founders of the Prospect Park National Bank and still serves as director emeritus.

He was a founder of the Prospect Park Savings and Loan Association and served for years on the board of directors of that institution. Until a few years ago, he attended meetings of the board of directors of both financial institutions and was a bank appraiser.

SERVED ON COUNCIL

Mr. Zuidema also served as a councilman of the borough. For years he was president of the Board of Directors of the North Fourth Street Christian School before that school consolidated with five other Christian schools to form the Eastern Christian School Association.

In the Second Christian Reformed Church of the borough, he served as organist for 55 years, director of the choir for almost an equal number of years, and as an elder in the consistory of the church.

How does it feel to be 100 years old?

Mr. Zuidema will tell you, "I'm not as spry as I was a few years ago. My eyesight is dimmed. I've got a hearing aid, my legs are not as strong as they used to be. Otherwise I'm fine."

A deeply religious man, he says, "Life has been good to me simply because God has been good to me. Without faith in God there is no fulfillment in life here or after this life."

"ETERNAL LIFE"

"My faith in God gives me assurance of eternal life. My days on this earth are numbered, but there's a glorious future waiting for me in Heaven."

The Zuidema home has a large pipe organ which this old gentleman still plays. Wednesday night, with his children gathered around him, he played his favorite hymn while they sang the words.

Old age has never hampered his activities. Just a few weeks ago he attended Sunday night worship services in the church he attends. Last fall he went away for a three day motor trip with two of his children to the Poconos, and last December he attended a dinner at the Wayne Manor.

Mr. Zuidema's last plane ride was at the age of 95 years when he traveled to Grand Rapids, Mich., to be present at the college graduation ceremonies of his youngest granddaughter.

It's a pleasure to hear this old gentleman talk about the past. He recalls, "When President Teddy Roosevelt was running for president in 1904, he campaigned in Paterson. He decided to pay a visit to Mrs. Garret Hobart, the vice-president's widow. President Roosevelt came up Haledon Avenue, which then was just a dirt road, in a horse-drawn buggy and stopped at the corner of North 11th Street and Haledon Avenue to make a campaign speech. I was standing on the front porch of the house on the corner and listened to him talk."

Mr. Zuidema later bought that house, which in the late 1920s was moved about 30 feet to make way for the corner building now housing Wilkins Formal Wear.

UP TO DATE

Although age has dimmed his eyesight, he has been able to keep up with world events by listening to tapes he receives from various publications, including the Reader's Digest.

A staunch Republican, he admits to voting for only one Democrat. At the age of 97 years he voted for Rep. Robert A. Roe.

Mr. Zuidema was born in The Netherlands and, with his parents and brothers and sisters, came to this country in 1890. His father died aboard ship and was buried at sea, leaving his mother to care for a large family in a strange land. Very shortly after coming to the United States, the family settled in Prospect Park, which was to become a borough 11 years later.

As soon as he arrived in this country, Mr. Zuidema established himself in the construction business and was for years a well-known builder of homes and commercial buildings.

Mr. Zuidema has been a reader of The News since the year it began publishing.

His children who are celebrating his birthday with him are William Zuidema of Bloomingdale, Miss Grace Zuidema, Mrs. Ethel Van Dyke, Mrs. Dorothy Roukema and Nicholas Zuidema, all of Prospect Park, and Mrs. Carrie Vroom of Florida. Also, numerous grandchildren, great-grandchildren, and great-great-grandchildren.

Mrs. Zuidemas, the former Gertrude Udes, died 23 years ago.

Mr. Speaker, Mr. Zuidema is 100 years young and I am especially proud to seek this national recognition of his contribution to our society. He is a great American whose pursuit of happiness in our country has richly endowed the cultural, recreational and educational en-

deavors of our community and truly personifies the quality of life in our United States of America. We do indeed salute the Honorable Richard Zuidema of Prospect Park, N.J.

#### TORTURE IN BRAZIL—PART II

### HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1975

Mr. HARRINGTON. Mr. Speaker, in yesterday's RECORD I inserted the first of a two-part account, appearing recently in Harper's, of the degrading circumstances surrounding the arrest, late last year, of an American citizen in Brazil. I am inserting the second part of the text for the benefit of my colleagues:

#### IN THE PRESENCE OF MINE ENEMIES—PART II (By Fred B. Morris)

I was unstrapped, handcuffed, and then dragged off, again to be hung on the cell door. I was to pass the rest of the night standing up, my hands shackled to the door directly in front of my eyes. My left wrist was quite swollen by now, and the handcuff was cutting into the flesh, cutting off the circulation. My body was aching all over, my head was throbbing, I was thirsty and very tired, but I had a strange feeling of exhilaration. I had made it through the day. They had done everything at least once, and I had survived. I didn't have any idea what Tuesday would bring, except probably more of the same, but I had made it through this day, I could make it through the next. For some reason, I remembered the AA dictum that one should stay sober one day at a time. Can one survive torture the same way, one day at a time?

Now I began fantasizing that they would release me. I knew that prisoners were often dumped on the street at night when the army was through with them, and, though I did not really believe their promise to let me go after getting Luis's address, they might do it. I desperately wanted to believe they might. I began to think about what I would do. I conjured up the image of myself arriving at my fiancée's house, the embrace we would have, the joy I would have in reassuring her that I had survived. It was an image I was to nourish often during the days ahead.

I knelt to relieve my aching legs. Often, at intervals, I took advantage of the symbolic position and prayed. I didn't pray for deliverance; my idea of God does not include the Lone Ranger. But I gave thanks for having survived so far and prayed for strength.

A couple of hours after daylight, they came again. I was ordered to replace my hood, the door was opened, the handcuffs were removed and refastened behind my back, and I was led off for more questioning. Again I found myself affirming the Psalm: "The Lord is my shepherd. . ."

After about an hour of torture, I was returned to my cell and left hanging on the door again. I could still hear Luis. His screams were more varied now, mostly weaker, and occasionally he burst forth with a series of barkings. I couldn't imagine what horror they were practicing on him; nothing they had done to me had produced that kind of noise.

Sometime Tuesday morning I was taken to another room and seated in the armchair again, my arms and legs strapped as before. But this time no wires were attached to me. Now a new voice began, saying quietly, "Fred, how are you feeling?"

I immediately thought to myself, this must be the "good guy" of the team. I felt like laughing at the transparency of their technique, yet it was bliss to hear a pleasant voice. I had nothing to hide from them; they could get no more out of me by kindness than by force. I decided to enjoy the respite. It lasted an hour or so. The next session was with the "bad guy," as were all subsequent ones that Tuesday.

Sometime in the evening, while hung on the cell door, I was surprised by the turnkey opening the peephole and wordlessly offering me a piece of bread and a glass of water. As I had had no food or water at all since my breakfast Monday morning, I was nearly overwhelmed by the unexpected humanity of the gesture, especially as his clandestine manner suggested he was acting on his own. The jailer asked me if it was true that I was a pastor and I said it was. He shook his head in obvious confusion and closed the peephole again.

I was taken back for another hour or so of questioning and then returned to the cell, with a bathroom stop on the way. Now, however, for the first time, I was not hung on the door, but simply shoved into the cell, the handcuffs removed. There was no bedding at all, not even a blanket. I was still wearing only my shorts, but I was so tired that I'm not sure I even missed the amenities as I took off the hood and folded it for a pillow and lay down on the bare concrete and fell asleep. Once or twice during the night I awoke as someone opened the peephole to look in at me, but I was otherwise allowed to sleep through till morning.

At about 6:30 the jailer woke me by opening the peephole to ask if I wanted some bread and coffee. I did, and afterward I started off to the first of the day's encounters, affirming once again the Shepherd's Psalm. I felt much rested from the night's sleep and was hopeful that maybe we were reaching an end.

In the chamber, my hopes were dashed. Instead of being strapped to the chair, I was hung by the handcuffs from a hook high over my head and close to the wall.

My chief tormentor began by saying that they were tired of my lying and that today I was going to confess my sins one way or another. He started by asking when I had introduced Luis to Dom Helder, and, when I said never, he struck me in the middle of the back with his fist, then slapped me on the back of the head. Even though I was hooded, as always, the blow smarted and stunned me. These blows were followed by a rapid-fire series of questions and more beatings. I could hear them questioning Luis in the next room, since they apparently had left the door open. He sounded only semiconscious; his answers to their questions were only moans and grunts.

My inquisitor now produced a new (to me) gadget. He began rolling what must have been a spiked wheel over my back, scratching the skin. As I flinched he laughed and pushed down harder, closing some sort of electric circuit and giving me a shock. This was to be the procedure: the wheel was passed back and forth, and each time I refused to answer he pressed the device down into my naked back, closing the circuit.

After what seemed like forever, he stopped and walked away, leaving me semiconscious and dangling by the handcuffs on the wall. Suddenly I felt someone coming up to me again, and I braced myself for the pain. A piece of cold metal was placed on my chest and I flinched. A voice said, very quietly, "It's all right. I'm not going to hurt you." The cold metal moved to another spot and I perceived that it was a doctor's stethoscope. Apparently they wanted to check my heart to see how I was bearing up. Nothing more was said, but as soon as he

finished I was taken down and returned to my cell. The day passed, periods of questioning and torture alternating with fitful rest.

#### A CHANGE OF CHARGES

That evening I dozed off, only to be awakened when Major Maia, chief inquisitor of the Fourth Army, opened the peephole about an inch and said, "Fred, we're beginning to have second thoughts about you. We're beginning to think maybe you're connected to official organs." "Uh" was my only response. "Yes, we know you're guilty, or we wouldn't have brought you here," he said, "but we think now you might be working for the CIA. How about it?"

"No thank you," I said. "I've got enough trouble already." With that he shut the peephole and I lay there for a moment. Then I began to laugh to myself. They must really be confused by now, I thought. They bring me in for being a Communist and want to send me out as a CIA agent. I flirted with the idea of leading them along a bit on the CIA line, to see if I didn't fare better, but I soon decided it was too risky. Moreover, if I ever got out, I didn't want to have to answer questions from the American government about having pretended to be a CIA agent. With that I drifted off to sleep.

It must have been around midnight when they came for me again. I obediently put on my hood, still warm from having served as my pillow, the handcuffs were fastened behind my back, and once more I made the thirty-yard trip to the torture chamber to the accompaniment of the Twenty-third Psalm. There I was made to sit down and was greeted by the major and one of his colleagues. "Fred," began the major, "to be or not to be, zat is the question." Obviously he had been practicing that little bit in English for a while. He continued in English, "Are you a Communist, or are you a CIA agent?"

"Did it occur to you that I might not be either?" I replied, in Portuguese. "Can you imagine that I might be just what I am, a former missionary who is trying to make an honest living in business here in Recife and who happens to have some friends that you don't like?"

"Fred, we wouldn't have brought you here if we weren't sure you are guilty. Your case was discussed and discussed before we had you brought in. I can say that we suffered much more trying to decide if we should bring you in or not than you have suffered here."

"I doubt that very much," I answered. "But if you were so sure of my guilt, then why all the questions? If you have any real evidence, which you haven't mentioned yet, why not just take me to court, rather than torturing me?"

"Look, you are here to answer questions, not ask them." He then proceeded to rehearse the string of coincidences and circumstantial evidence that they had against me, most of it based on depositions made by people I had never met who had implicated me while being tortured. My friendship with Dom Helder and with Luis, which I had never denied, were the only concrete things on the whole list. We went round and round a few more times before I was taken back to my cell and hung on the door to spend the rest of the night standing up.

That night was the worst. I began thinking once again about what I would do when and if I finally got out. Would I be allowed to stay in Brazil? What would I do if I went back to the States? It was then that I resolved to tell my story to as many people as would hear me. Afraid that I might forget the details of these days before I could set them down, I rehearsed everything verbally, from Monday morning to that moment. I went over every session of torture, remembering every word said and every barbarity practiced. I recalled my own feelings, mo-

ment by moment, up to that hour. I decided to do that at least once a day until I got to a typewriter or tape recorder, even if it took months, or years. I knew that that was the only way to keep the story straight. After a couple of hours, I had told myself the whole thing. Then I started composing, in Portuguese, a poem of protest, dedicated to my fiancée. I had never before written a poem, but I found it diverting, and even exciting, trying to tell something of myself and my beliefs to my future wife. I would compose a strophe, repeat it a dozen times so as not to forget it, and go to work on another. I was to spend many hours in the next days on this project, composing, rearranging, polishing.

Dawn finally came, and a new jailer arrived with coffee and a piece of bread. After breakfast I was allowed to take a bath in the wretched bathroom next to my cell. This was a great relief since I was beginning to find my own smell one of the worst parts of the torture. Back in my cell I was permitted to lie down.

It must have been about 8:30 when they came again. One of my interrogators now explained that the reason I was always hooded was that I would then be unable to recognize them on the streets and so could not try to kill them. The questions continued much as they had the day before, with particular efforts being made to persuade me to confess to being a CIA agent. I was not beaten or shocked during the sessions on Thursday, and most of the time I was allowed to sit down. In the afternoon the major returned. "Fred, how do you feel? Everything okay?" he asked cheerfully. "Just great," I responded. "Never better." I don't know why I had the courage to be sarcastic, but his cheery friendliness provoked me.

"Well," he continued, "as you know, Brazil belongs to the community of nations. We have treaties with many countries, including the United States. One of those treaties gives you the right to see your consul, so of course we are going to let you do that. We are going to have you take a bath, shave, put on your clothes, and we will take you to see your consul. I just want you to remember that you are to speak only in Portuguese since we want to know what you are saying. Afterward you will be coming back here, so be careful not to exaggerate anything that has happened to you up to now."

I was standing in front of him, my head hooded, naked except for my shorts, my hands manacled behind my back. My wrists were cut and bruised, the left one sprained, I had no feeling in either hand, and my back was scratched and bruised, as were my buttocks. I had spent two of the past three nights standing up, had had only one meal of any sort in four days, had been threatened, beaten, cajoled, kicked, and shocked into unconsciousness. But at the end of his little speech I burst out laughing.

"What in hell are you laughing about? There's nothing funny about your situation."

"I'm sorry, but I just thought of a joke."

"Jesus Christ! How can you think of jokes? What is it?"

I told him I had remembered, while he was talking, the old story about President Eisenhower's visit to Moscow. The Russians, wanting to show that theirs is an open and free society in which everyone is happy, brought in a peasant from the interior, put him on TV, and told him he could say anything he wanted as the American President was there and people all over the world were watching him on TV. The peasant, thoroughly intimidated, remained silent. They insisted repeatedly that he should say anything he wanted, until finally he took courage, looked straight at the TV camera and said, "Help!"

The major was so taken aback that he had to laugh too, but immediately went on to warn me again not to say too much to

the consul, as I would be coming back to my cell.

As it happened, I told the consul everything, and he, for his part, offered me the strongest assurances that the highest authorities would see to it that I be tortured no longer. He could do nothing, however, about any charges that might be brought against me, and I would of course have to return to my cell. His very presence was a welcome reminder of a world of reason and predictability, and he also brought news that my fiancée's parents had hired a lawyer for me. This was very risky for them, and I was moved to tears by the gesture.

Once again in my cell, after the interview, I was required to give up my clothes and all other symbols of so-called civilized man. Once more I found myself sitting on the floor of my cell in my shorts, wondering if that interlude of quasireality had been only a hallucination.

It must have been about 7:30 when they sent for me again. Hooded and handcuffed, I was led off to the chamber where my principal torturer was waiting for me. In a most businesslike fashion, he told me that I was to make a formal statement about my ten-and-one-half years in Brazil, all that I had done, my relations with Dom Helder, Time, and Luis. He was going to take it all down, it would then be typed, and I would be asked to sign it the next day.

It must have taken three or four hours, but at least we were done. He called the jailer to escort me back to my cell, and then he decided to go along. As we came near my cell, he said, "So you turned us all in, huh?" With that he gave me a violent kick and walked away. I confess that it didn't hurt at all: I saw how frustrated he was and realized that I was, in fact, safe from real harm at his hands.

I awoke on Friday with the certainty that the worst was over, and with the hope that I would soon be released. My jailer said that all the little signals were that they were getting ready to let me go. I assumed, and he confirmed, that people were almost always released at night, so I waited impatiently for nightfall.

This was to become a pattern. Each day began with the promise that it would be my last one in prison. After my morning coffee, I would do some exercises in my cell—push-ups, sit-ups, running in place; then a bath, dressing (my clothes getting riper each day), off for a ride, head covered, through the streets of Recife for about fifteen minutes, only to return to Fourth Army Headquarters for a fifteen-minute encounter with the consul, Richard Brown, in Colonel Meziat's office. Mr. Brown would bring me news of Tereza and my friends and family, and tell me how things were going in general. He would inquire about my treatment in great detail, and through much insistence, gradually secured the return of some of the amenities of life. (After five days I was given a mattress; in a few more I began to get edible food.) He had no word ever about my possible release.

The questioning continued, but only sporadically. Sometimes I wasn't questioned for an entire day, then I would be grilled for five or six hours at a stretch, once even all night. But each day began with the hope that it would bring an end to the nightmare, and each night saw that hope fade into the darkness.

Twice I heard someone taking a shower in the bathroom next to my cell. Thinking it might be Luis, I began singing hymns in a loud voice so he would know I was all right. The jailer confirmed by motioning for me to be quiet. Then I heard Luis begin to sing softly a famous Brazilian protest song, "Disparada," and my heart truly leapt with joy.

On Tuesday afternoon, October 15, I was

officially informed that I was to be expelled from the country and was delivered over to the federal police. I was taken to my home to pack a suitcase and to sign a power of attorney over to my fiancée's father to handle my affairs in Brazil. Then I was taken to Federal Police Headquarters, where I spent the night on the floor of an office.

Arrangements had been made for me to meet with my future father-in-law again on Wednesday morning to go over my affairs. I was also to go to the bank and get some money, and was promised an hour with my fiancée for making our plans.

However, on Wednesday morning, at 8:10 I was informed that I should get ready, as I was taking the 9:00 a.m. plane to Rio. In ten minutes I found myself in a station wagon, racing with siren screaming toward the airport.

When I arrived, I saw Mr. Brown and four friends at the other end of the terminal, waiting for me. The police agents clearly didn't want me to seep to anyone, but I delayed, fussing about my suitcase until they caught up with me. Then, ignoring the mutterings and fussing of the police agents, I embraced my friends, one by one, thanking them by coming and tearfully receiving their good wishes. Then I was taken by the arm, and accompanied by Mr. Brown, was led to the waiting plane. Mr. Brown said my fiancée was on her way, but he didn't know if she would make it, as there had been an accident, and traffic was jammed up.

On the plane I was seated in the front row, with an armed guard by my side. Major Maia came on board to bid me farewell, and, after hesitations that I meant to be obvious, I shook his extended hand. I thanked Richard Brown profusely for all he had done for me, and he was escorted off the plane by the major.

At 8:55 I saw some commotion at the foot of the stairs leading up to the plane and saw Tereza, with Mr. Brown in tow, coming up the stairs. Without even thinking, I climbed over my startled guard and met her at the head of the stairs for what can only be described as a Hollywood embrace. With tears streaming down both our faces, we hugged and kissed for about ninety seconds while being pulled into the plane where the press wouldn't see us, until Tereza, having promised to follow me as soon as she could, was forcefully taken from me and off the plane. At nine o'clock, we took off for Rio, where I was to pass the day in a jail cell before being placed on a Varig flight to New York, by armed guard, at 11:00 P.M. that evening.

I was to discover later that Tereza, arriving late, had actually jumped over the wall separating visitors from the apron and had run out to the plane, with no authorization from anyone. When Mr. Brown saw her he ran to meet her and insisted that she be allowed to say goodbye to me.)\*

As the plane arrived at Kennedy Airport in New York at about 8:00 A.M. on Thursday, October 17, the man seated next to me looked up from the Rio English-language paper he was reading, pointed to a headline saying that I was about to be expelled from the country, and said: "I wonder where that poor son of a bitch is now?" I replied: "That poor son of a bitch is me." He was shocked into total silence and only recovered in time to say "Good luck" as we got off the plane.

As my passport had been given to the crew, I was escorted by a crew member straight to immigration. The immigration officer looked at my passport with the brand-new rubber stamp saying "EXPULSO" covering

\* Tereza was eventually allowed to leave Brazil. She and the author were married on December 28, 1974, and are now living in Virginia.

one whole page and said. "What did you do?" "I was too friendly with the archbishop," I replied. "Well," he said, "sometimes they do strange things down there. Welcome home."

#### THE PRESIDENT'S TAX AND SPENDING PROGRAM: SOUND POLICY

### HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1975

Mr. MICHEL. Mr. Speaker, the Wall Street Journal earlier this week provided an excellent analysis of the President's recently announced tax cut/spending cut program.

Their conclusion is that the program is sound policy, well conceived to bring about substantial economic benefits for the Nation. The editorial rebuts the concerns of some in the financial community, and places the issue squarely where it belongs: On the imperative that the Federal Government reduce the share of the gross national product which it is consuming.

That is the prescription for economic progress for the Nation, and it would be the result of the President's program. The program, for this reason, is sound, and deserves the support of the Congress.

For the benefit of my colleagues, I would like to have the editorial printed here in the RECORD:

[From the Wall Street Journal, Oct. 28, 1975]

#### A BUM RAP

While President Ford's tax-cut and spending-ceiling proposals have finessed and disconcerted his Democratic opponents in Congress, they have drawn a coolish reception from much of the President's natural constituency. In particular, sentiment runs strong in the business community that the program is purely political.

The reason for this reaction is not hard to see. As proposed by the President, the \$28 billion tax cut would take effect when withholding rates are set January 1, and the \$28 billion cut in projected spending would take effect with the fiscal year starting October 1. That is, taxes would be reduced and the economy stimulated well before the election, but the unpopular cuts would come so close to the election their effects might not be felt by November.

In the intervening nine months, also, the program would increase the federal deficit and government borrowing demands. Henry Kaufman of Salomon Brothers estimates the federal borrowing needs in the first half of 1976 will be \$29 billion if the 1975 tax cuts are allowed to expire, \$35 billion if the cuts are extended and \$40 billion if the President's program is enacted. Presumably the higher borrowing will drive up interest rates and exacerbate the problem of government borrowing crowding out private investment.

This is perfectly straight-forward logic with which we fundamentally agree. But to the extent the President's program is judged by analysis going no further than this, it is getting a bum rap. For the expenditure limitations were ever enacted, they would have a profoundly beneficial economic effect. If Congress does not enact them, at least the President is forcing the right issue, acting politically not in the worst sense but in the best one, trying to find a political solution to a political problem.

In the first place, if the President's program were enacted even with the nine-month

lag, there are excellent reasons to believe the impending spending reductions would moderate the interest-rate effects of temporarily higher borrowing. Since the President's program includes corporate tax reduction, crowding out of investment would be further moderated by allowing corporations both more internal financing and more favorable access to the equity markets. To accept extension of the 1975 tax cuts but balk at the President's program, as many of his congressional critics do, is to swallow an elephant and strain at a gnat.

More profoundly, it helps to review the crowding out debate held last spring. The whole point was that the government does not get a free lunch by covering its spending by borrowing instead of taxing. Since this notion is so ingrained, the focus naturally was on the distortions caused by borrowing. But we are aware of no proponent of the thesis who turned the proposition on its head, saying the government gets a free lunch by covering its spending wholly by taxes.

In either case the government takes the money away from private citizens, and in either case it directs the subsequent spending toward consumption rather than savings. With lower saving and less incentive to invest and produce, there is lower private investment and lower economic growth. The way to avoid this is to leave the resources in the private sector to begin with; that is, to reduce government spending.

We can see from Great Britain what happens when the government takes an ever-increasing share of national production. In Great Britain that share is now about 60%, which is far above the U.S. level, but stands as a warning that past a certain point a vicious spiral takes hold. In the U.S. government took about 25% of the Gross National Product in 1955, climbing up to around 27% in the early 1960s. The Great Society boosted the plateau to about 32%. The current recession is taking it higher, to 37% in the second quarter this year. It remains to be seen if this new figure goes down with economic recovery.

The President deserves great credit, it seems to us, for devising a program to deal with this problem, or at least focus national attention on it. He probably ought to send up spending cuts that take place January 1, if only to further clarify the political issue. But if he is willing to abide by this pledge to veto tax cuts unaccompanied by spending reductions, we do not see how he can be faulted on the grounds of either crowding out or political courage.

It seems to us that the President's natural constituency should be telling him not that his program is political, but that he had better make sure he does have the courage to carry out the veto threats.

#### SMALL TOWN BANKER PROVIDES ABA LEADERSHIP

### HON. KEITH G. SEBELIUS

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1975

Mr. SEBELIUS. Mr. Speaker, for the first time in the history of the American Bankers Association, the President of the ABA is a small town banker. Earlier this month J. Rex Duwe, President of the Farmers State Bank of Lucas, Kans., was installed as president of the American Bankers Association in New York City.

I think it is especially appropriate that during a time when the citizens of our Nation are confronted by very serious economic problems, as personified by the fiscal problems of our Nation's largest city, the American Bankers Association selected as their leader a man whose background and record stresses community involvement and the positive accomplishments of the private enterprise system.

Rex Duwe's election and installation is a significant milestone in banking. His election is a tribute to small community banks throughout our Nation—financial institutions that truly are involved in their communities and synonymous with progress.

Mr. Speaker, at a time when some question the ability of our financial institutions to provide stability and the necessary leadership so essential to the successful future of our country, let me say I believe the leadership of the American Bankers Association is in good and capable hands.

I commend to the attention of my colleagues the following newspaper article from the Lucas-Sylvan News. The article sums up very well the contribution Rex and Winnie Duwe have made to their home community, their State, and the leadership Rex has and will provide to the American Bankers Association and this Nation:

J. Rex Duwe, president of the Farmers State Bank of Lucas, was installed as president of the American Bankers Association in New York City on October 8. The president and chairman of the board of The Farmers State Bank of Lucas and The Traders State Bank of Glen Elder and director of The Sylvan State Bank has served the past year as president-elect of the national organization.

Duwe is the second Kansan ever to be elected president of the ABA. P. W. Goebel, Kansas City banker, served in 1916-17.

His election and installation is a significant milestone in banking, a significant step for a Kansas banker from Lucas who will carry the colors of small community banks throughout the nation.

Duwe, and his wife, Winnie, travel constantly throughout the United States and Kansas.

Despite all his travels outside the state, Duwe finds time to fill engagements in Kansas. He spoke at the Kansas Bankers Association Convention in Topeka and conferred diplomas to bankers attending the Kansas School of Agricultural Banking in Manhattan.

During September he spent considerable time in conference with ABA officials in preparation for the convention in New York City. The format of the convention was designed to maximize banker participation in the ABA's educational activities and increase banker awareness of the historical significance of the industry and its contributions to the U.S. economic development.

Duwe is strong in belief that today's banker must practice what he preaches about community involvement. His favorite speech before banker groups is "The community banker must get involved".

The civic leader has been active on a national scope with ABA the past few years. He has served as chairman of the ABA's Special Task Force on Regulation Y—the Federal Reserve Board's regulation concerning bank holding companies. He has been a member of the association's Government Relations Council and the ABA's Administrative Committee.

Closer to home, he has served as vice-chairman and executive committee member of the Kansas Development Credit Corporation and chairman of the Wichita District Advisory Council for the Small Business Administration. He is a past head of the Kansas Council on Economic Education.

At Lucas, he has been mayor, treasurer of the Wesley Methodist Church, director of

the Lucas board of education and city council chairman.

Among his hobbies is planning and taking cruises on cargo ships.

Duwe often speaks on the free enterprise system; many of the talks have been published and widely circulated.

A surprise visitor to the ABA convention in New York was Shelby Smith, Lt. Governor

of Kansas, who made an appearance at Radio City Music Hall, site of the convention, to present Mr. Duwe with a proclamation from Kansas Governor Robert F. Bennett proclaiming Wednesday, October 8, 1975, as J. Rex Duwe Day in Kansas, and to congratulate him on behalf of the people of Kansas for his many accomplishments and his newest honor.

## HOUSE OF REPRESENTATIVES—Monday, November 3, 1975

The House met at 12 o'clock noon.

Rabbi Mendel L. Abrams, Beth Torah Synagogue, West Hyattsville, Md., offered the following prayer:

It once happened that a famous mountain climber was being interviewed by a journalist. "Why do you climb mountains?" asked the reporter. "To get to the top," was the reply. "Why do you want to get to the top?" "In order to see other mountains," answered the climber.

On this day, November 3, You, O God, have given us another opportunity to scale the heights; to lift ourselves nearer to Thee.

May those of us blessed with the opportunity of serving our fellow men, utilize our inner strength and commitment to help lift others toward the heights. Help us, O God, to draw ever nearer to Thee. 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 PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Marks, one of his secretaries.

### MESSAGE FROM THE SENATE

A message from the Senate by Mr. Sparrow, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 1699. An act for the relief of Mrs. Hope Namgyal.

### CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the Consent Calendar.

### PROVIDING FOR DISPOSITION OF FUNDS APPROPRIATED TO PAY JUDGMENT IN FAVOR OF COWLITZ INDIANS

The Clerk called the bill (H.R. 5090) to provide for the disposition of funds appropriated to pay a judgment in favor of the Cowlitz Tribe of Indians in Indian Claims Commission docket number 218 and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. McKAY. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Utah?

There was no objection.

### AMENDING SECTIONS 2734a(a) AND 2734b(a) OF TITLE 10, UNITED STATES CODE, TO PROVIDE FOR SETTLEMENT, UNDER INTERNATIONAL AGREEMENTS, OF CERTAIN CLAIMS INCIDENT TO NONCOMBAT ACTIVITIES OF THE ARMED FORCES

The Clerk called the bill (H.R. 7896) to amend sections 2734a(a) and 2734b(a) of title 10, United States Code, to provide for settlement, under international agreements, of certain claims incident to the noncombat activities of the armed forces, and for other purposes.

There being no objection, the Clerk read the bill as follows:

H.R. 7896

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title 10, United States Code, is amended—*

(1) by amending section 2734a(a) to read as follows:

"(a) When the United States is a party to an international agreement which provides for the settlement or adjudication and cost sharing of claims against the United States arising out of the acts or omissions of a member or civilian employee of an armed force of the United States done in the performance of official duty, or arising out of any other act, omission, or occurrence for which an armed force of the United States is legally responsible under the law of another party to the international agreement, and causing damage in the territory of such party, the Secretary of Defense or the Secretary of Transportation or their designees may—

"(1) reimburse the party to the agreement for the agreed pro rata share of amounts, including any authorized arbitration costs, paid by that party in satisfying awards or judgments on claims, in accordance with the agreement; or

"(2) pay the party to the agreement the agreed pro rata share of any claim, including any authorized arbitration costs, for damage to property owned by it, in accordance with the agreement."; and

(2) by amending section 2734b(a) to read as follows:

"(a) When the United States is a party to an international agreement which provides for the settlement or adjudication by the United States under its laws and regulations, and subject to agreed pro rata reimbursement, of claims against another party to the agreement arising out of the acts or

omissions of a member or civilian employee of an armed force of that party done in the performance of official duty, or arising out of any other act, omission, or occurrence for which that armed force is legally responsible under applicable United States law, and causing damage in the United States, or a territory, Commonwealth, or possession thereof; those claims may be prosecuted against the United States, or settled by the United States, in accordance with the agreement, as if the acts or omissions upon which they are based were the acts or omissions of a member or a civilian employee of an armed force of the United States."

Mr. DANIELSON. Mr. Speaker, the bill, H.R. 7896, was introduced in accordance with the recommendations of an executive communication from the Department of the Air Force in behalf of the Department of Defense which recommends its enactment.

The Status of Forces Agreements typified by those entered into by the United States under the North Atlantic Treaty provide for the reimbursement or payment to the other country for claims which are settled or adjudicated under such Status of Forces Agreement. These agreements provide that the receiving state shall investigate, settle, adjudicate, and make final awards direct to claimants when the claim arises out of the acts or omissions of members of a force or a civilian component of the sending state done in the performance of official duty and claims arising out of other acts, omissions, or occurrences for which a force or civilian component is legally responsible under local law. The usual reimbursement under the agreements is made on a pro rata basis of 75 percent of the amount paid by the receiving state. Section 2734a provides the authority for the reimbursement of other countries for claims settled and paid under a status of forces agreement and the parallel language of section 2734b provides the authority for the United States to settle, pay, and seek reimbursement for claims settled under such an agreement which arise in the United States as the result of property loss, personal injury, or death as the results of military activity of foreign forces which may be present in the United States subject to a status of forces agreement. As presently written, sections 2734a(a) and 2734b(a) do not clearly fully implement the agreements because the language does not specifically refer to claims for which an armed force of the United States is legally responsible as provided in the status of forces agreements.

The basic principle for claims settlements under status of forces agreements is that the claims will be settled by the receiving state; that is, the state in which the United States has forces, as if