

EXTENSIONS OF REMARKS

FRANK J. LUCAS HONORED

HON. GLADYS NOON SPELLMAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1975

Mrs. SPELLMAN. Mr. Speaker, it was my pleasure to attend a testimonial dinner on April 12, 1975, given by the Steamfitters local 603 of the United Association of Journeymen and Apprentices of the Plumbing and Pipefitting Industry of the United States and Canada in honor of Mr. Frank J. Lucas who has recently retired from his position as director of trade jurisdiction of the union after nearly a half century of work, beginning as a steamfitter helper. In 1933, Mr. Lucas was awarded his journeyman card, serving as a teacher of the trade and setting the example as a hard-working and dedicated craftsman. From 1939 to 1945, he served as a member of the examining board and executive board until, at the age of 36, he was elected business manager of local 603. Under his good direction, local 603 doubled its membership and improved medical and pension programs, the welfare plan, the helper program, the apprenticeship program—all having evidence of his skillful hand branded upon them.

Back in February 1955, the president of the United Association, Martin Durkin, asked Mr. Lucas to join his staff as a special representative. His first assignment was to serve the States of Virginia and West Virginia. Working hard to gain the respect of the members throughout his district, he learned quickly the laws that were directed toward the unions during the mid-fifties. In 1956, President Peter Schoemann assigned Mr. Lucas to the industrial heart of mid-America, the States of Indiana and Illinois. For 11 years, he provided the United Association with leadership necessary to conduct the mission. No other period of time saw such economic growth, technology change or tightening of laws which govern labor unions, and because of his unique leadership qualities, he gained the respect of all locals and the United Association.

In 1967, the home office called Mr. Lucas to the headquarters to work on problems of trade jurisdiction. Two years later he was named director of that department by President Peter Schoemann. Those years of hard work and loyalty to the organization proved his ability to serve the area with knowledge and integrity—needed commodities in an experienced arbitrator. He served as chairman of the carpenter committee from 1964 to 1974.

During his entire career in the union, Mr. Lucas has adhered to the policy that the well-being of his union brethren is paramount and that all gains achieved in improved working conditions, hours and pay scales are directly related to the success of their employers. His

guiding principle has been that steady employment with good pay and benefits can only be realized when the employing contractors are able to complete their contracts profitably, within specifications and in a timely manner.

Mr. Lucas has been married for 43 years. He and his wife, the beautiful Eleanora, have one son, Francis Michael, and two daughters, Mary Louise and Ellen Gertrude, and they are blessed with five grandchildren. For all of his life, Mr. Lucas has lived in the Washington area. As a young man he grew up in the shadow of this Capitol building, playing baseball for the Warrick Athletic Club, playing the trumpet in Merton Collins Washingtonian Band and riding around town in his 1930 Reo. The Lucas family is a union family. His father was president of local 602 for 25 years and his son, Mickey, is assistant business manager of local 602. His brothers, Albert, Bernie and Everett (deceased) became journeymen steamfitters.

His thoughtfulness and concern for the welfare of his fellow workers acting in a spirit of true brotherhood has been recognized by all of his associates. This, together with his cooperative spirit, has served to elevate him to the responsible positions that he has filled so superbly over the years. It was a heartwarming experience to join with the approximately 700 labor leaders and representatives of government and industry who gathered to pay homage to this fine gentleman. Mr. Speaker, I salute Mr. Frank Lucas and wish him well in his deserved retirement.

THE BLOOMING OF BROOKLYN

HON. FREDERICK W. RICHMOND

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1975

Mr. RICHMOND. Mr. Speaker, I would like to submit this article to the CONGRESSIONAL RECORD:

THE BLOOMING OF BROOKLYN

This is the year of Brooklyn, but you'd never know it in New York. The season's top theatrical event—the visit of England Royal Shakespeare Company—took place in Brooklyn, at the handsomely restored Brooklyn Academy of Music. Generally, it is easier to get New Yorkers to cross the Atlantic to London than to cross the East River.

Politically, as well as culturally, it is the year of Brooklyn, with a Brooklyn man in City Hall and a Brooklyn man in the State Capitol at Albany, which gives Brooklyn both clout and cachet. And with Manhattan marking time in an atmosphere of recession and gloom, most of what is happening in New York is going on quietly across the river.

Actually, the blooming of downtown Brooklyn should not really take New Yorkers so very much by surprise. It wouldn't if they didn't keep looking the other way. A walk across the Brooklyn Bridge on a magical early spring day or evening reveals more than its

accustomed romantic beauty. (How spoiled we New Yorkers are, but this is part of our dubious charm.) Downtown Brooklyn has no easy answer and is still fraught with real and continuing problems, but there is enough visible accomplishment in terms of design, development and the creation and reinforcement of community and amenity for a dozen other cities.

Brooklyn's lessons in architecture and urbanism—which largely involve informed efforts to turn around an area decimated by a residential and commercial flight to the suburbs of the 1950's and 1960's—are heartening. And so are the role and achievements of the city agency in charge, the Office of Downtown Brooklyn Development, now under the direction of Richard M. Rosan, working in collaboration with exceptionally strong and dedicated local groups. This is one of those on-the-spot Mayor's planning offices that have done more for New York in terms of positive development policy than any single idea or action initiated by city government in the last decade. And at the moment, when the more glamorous planning offices are in a bind or a stalemate, Brooklyn is paying off.

You don't have to be a closet Brooklynite to know about Brooklyn's brownstone revival, but the first thing that strikes the visitor is the startling dimensions of the residential renaissance. These neighborhoods go on literally for miles, ringing downtown Brooklyn. They have an incredible population of 275,000—at least as big as three medium-size cities. Beginning with Brooklyn Heights, the revival moved to Cobble Hill, Boerum Hill and Park Slope—four areas that have been declared historic districts. Still another, Fort Greene, is in the process of designation.

Almost all of these seemingly endless, superb streets of 19th-century row houses were once slated for the bulldozer brand of urban renewal. That figured, of course, since the easiest thing to demolish is a treasury of intimately scaled, rich architectural styles of exceptional craftsmanship and quality. The revival that took place instead was a spontaneous, snowballing, bootstrap operation of individual and collective gut faith, born of a dedication to the principle that New York is livable and made by a young, committed, urban middle class.

If you want to know the extent of such faith, it is worth noting that with the exception of a few local Brooklyn institutions, New York banks would give no loans or mortgages on any of these houses in any of these areas. Has anyone ever estimated the disastrous impact of such "sound banking policy" on cities, even when street wisdom was in the act of proving the bankers wrong? They have a lot to answer for. (They'll handle the buildings now, at quintuple markups in sound, marketable neighborhoods.)

This charm, comfort and beauty, from tree-lined streets and blooming back yards to Eastlake parlors and sun-filled kitchens, is within a stone's or a subway's throw of the big apple. Transportation facilities are excellent, although they need upgrading like the rest of New York's mass transit. Everything converges on downtown Brooklyn. And if the natives don't want to cross the river, they have an overwhelming concentration of their own cultural and educational institutions.

Again, if one stops to think about it, the score is stupefying. There are at least a dozen educational institutions, with 45,000 students enrolled in them, as compared to 26,288 students in Cambridge, Mass. Baruch College is now moving toward realization on 13 acres of the Atlantic Terminal renewal

site after 10 years of backing and filling. There is a small, steady, loyal stream to the dance programs (outstanding) and exhibitions (ditto) of the topflight Academy of Music and Brooklyn Museum. (One draw, even with Manhattan's easy riches, is dinner at Gage and Tollner's landmark restaurant, an island of authentic food and atmosphere in the expensive *ersatzschmier* of New York dining.)

And that's not all, as they say in booster-ville. Just beyond the bridge is Brooklyn's civic and commercial center. About 67,000 people, divided between the public and private sectors, work in its businesses, courts, government agencies, law and insurance offices and retail enterprises. And these are not just buildings—we are also talking about architecture. From the solid granite Romanesque Revival Post Office and the neo-classical Borough Hall to the nifty Art Deco of Corbett, Harrison and McMurray's 185 Montague Street (headquarters of the Office of Downtown Brooklyn Development), there is more substantial, stylish, top quality building in downtown Brooklyn than one can shake an architectural historian at. Block for block, it is some of the best, most underpublicized landmark territory in New York.

Most of the pivotal change and the concentrated redevelopment effort have taken place in this central business district, around Fulton Street. There has been commercial spillover beyond, from the brownstone neighborhoods, revitalizing Atlantic Avenue as well, with its older ethnic strengths and burgeoning antique and specialty shops. Atlantic Avenue is now surprisingly reminiscent of New Orleans's Magazine Street in both character and renewal. The development office has devised a special Atlantic Avenue zoning district to protect just those urban and architectural features that would be lost, without controls, in the regenerative process.

With the Downtown Brooklyn Development Association, the planners have made steady progress in the Fulton Street area, Abraham and Straus and May's have held on, while the famous movie houses died and traditional shopping turned into a redundancy of fancy shoes and wigs. But even with suburban defection and social change, this section still has the sixth largest sales volume of all U.S. central business districts, and one of the planner's proposals is a Fulton Street pedestrian mall. This seems about to go ahead. (Not the least problem is the repeated political, social and commercial mobilization needed, year after year, as every project inches forward one hearing at a time.)

A good deal less visible remedial action has also been under way. The Livingston-Bond garage that opened recently does more than provide parking space; it is a coordinating facility for off-street unloading, goods handling and new shops. Two handsome new, key buildings have been completed by the firm of Skidmore, Owings and Merrill—for Con Ed and the New York Telephone Company. Under careful planning persuasion, they feature such mandated urban assets as arcades and new subway entrances as well as far-above-speculative-quality design.

There have been disappointments. Dreams of large amounts of new office space have died with the real estate market. Housing plans have collapsed, brought on by the failure of UDC, and it is hoped that the city will pick up some of the housing pieces.

But nothing is too big or too small for the Brooklyn planning office. A clear indication of its eye and attitude is a series of tidy, tiny, "traffic island" parklets throughout the area—carefully repaved, with trees and benches. The strength of a local planning office is that, unlike a centralized agency, its attention is focused on every street corner. This is the only kind of planning that really works.

We have saved the best till last. Downtown Brooklyn not only has an unparalleled view of Manhattan, it has a wonderful waterfront. The development office's Fulton Ferry waterfront plan ranges from the building of a small park and ferry slip, almost completed, to a pair of imaginative schemes to use a fine "modernistic" factory for the Brooklyn Museum Art School and the city-owned Fire Boat House for a Brooklyn Bridge Museum. (One of New York's secret treasures is the set of Roebbling's inch-by-inch watercolor renderings of the bridge in the original wooden file cabinets in the base of the Brooklyn tower.)

Long range plans would link the area with the South Street Seaport on the Manhattan side. But it isn't necessary to wait for that to happen to explore the architectural marvels of the dramatic brick Empire Stores with their griffins and eagles and arched gates at the water's edge. Last one over the bridge this spring is a loser.

LET'S HEAR IT FOR FREE ENTERPRISE

HON. WILLIAM L. ARMSTRONG

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1975

Mr. ARMSTRONG. Mr. Speaker, a few days ago the Aurora Sun published an editorial that I hope every Member of the House will take a moment to read.

On April 10, the Sun reminded its readers of the need for responsible support of the American free enterprise system. I commend the Sun for its forceful and articulate comments and call attention of the Congress to this thought-provoking statement:

LET'S HEAR IT FOR FREE ENTERPRISE

Somewhere between the present generation and our generation, capitalism seems to have become a dirty word. Schools don't teach capitalism, they teach humanism. The no growth people and environmentalists now wear the white hats. The businessman wears black. Probably in mourning for Horatio Alger.

Congress seems to feel that the path back to Washington is lined with controls on business.

Business men and women feel just a little bit unclear if their enterprises prosper. We suspect that imagined guilt is behind the antipathy to new disclosure laws.

An amendment to Colorado House Bill No. 1069, which would have required Colorado schools to concern themselves with the teaching of the free enterprise system with the same vigor given to teaching about minority cultures, was defeated.

It's time the business community examined its attitudes on participation on councils, committees and boards. Too often business is not represented in public service and government.

The philosophy of free enterprise needs to be interjected into every endeavor.

The Aurora Chamber of Commerce has successfully placed some of its members on government boards. Recent decisions on the purchase of Camelot II for the city, and recognition of the impact of the loss of Fitzsimons can be credited to members of the business community.

The Chamber of Commerce can work for you, if you work for the Chamber of Commerce. A membership drive begins this week.

LEE HAMILTON'S WASHINGTON REPORT, "ENERGY"

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1975

Mr. HAMILTON. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following:

WASHINGTON REPORT, "ENERGY"

The development of an effective and equitable energy policy is one of the top priorities facing the 94th Congress.

There is basic agreement between the President and the Congress that the problem is how to cut back oil imports to reduce the growing control oil producing countries have over our economy and security. We now import about 40% of the oil we use, and at present rates of production and demand the percentage will rise to 50% by 1980. In 1970 we paid \$3 billion for imported oil. Last year we paid \$24 billion. That means, not only a massive outflow of dollars, but a loss of business and jobs. It also means that the United States becomes more vulnerable to pressure from the oil exporting nations.

Just about everyone in the Administration and the Congress has been involved in developing an energy plan. More than 500 energy bills have been introduced in Congress so far this year. The goal of all of the major energy proposals is to reduce energy consumption and to expand domestic production in order to lessen U.S. dependence on foreign sources. However, the timing and methods used to achieve these goals vary.

The President, whose plan basically is to reduce consumption by increasing the price of fuel, recommends an increase in oil import fees, a \$2 excise tax on domestic crude oil, and decontrol of domestic oil prices. He supports the deregulation of natural gas price, coupled with an excise tax on natural gas, and a windfall profits tax if domestic prices are decontrolled. He also recommends the development of the naval petroleum reserves, continuation of the leasing policy for outer continental shelf areas, conversion of electric power plants from oil to coal, enactment of a less-restrictive strip mining bill, a relaxation of clean air standards, and emergency standby authority.

Critics of the President's proposal complain that it would add to inflation, and the President's own economists admit that it would add two percentage points to the inflation rate. They also say that the President's plan is more than the economy can bear this year until it works its way out of the recession.

Ways and Means Committee Chairman Ullman has recommended import quotas on petroleum and a 7 cents per gallon retail gasoline tax beginning in 1976 and rising in stages to 37 cents by April 1980. He also proposes an income tax credit which would completely offset the tax on 9 gallons a week, and the creation of a ten-year energy trust fund created by revenue from the gasoline tax to finance energy research. He supports an excise tax on cars based on miles per gallon, and import licensing system using a sealed-bid public auction, and windfall profits tax on oil companies. He also recommends incentives for conversion from petroleum and natural gas to coal and other energy sources. The President thinks that the plan proposed by Congressman Ullman would not cut imports of oil sharply enough, and that his plan concentrates too heavily on reducing gasoline consumption rather than the consumption of all fuels.

One group of Congressmen wants government controls retained and prices rolled back, rather than having prices rise. They

would curb oil imports directly by fixing quotas which would cut the amount of fuel available in the country. The problem is how to adjust to reduced supply and how to handle the government intervention in the economy it entails.

The major controversy about energy policy centers around the suggested increase in the retail gasoline tax, but there are plenty of other areas of disagreement, including whether or not to impose oil import quotas, the extent to which the President should have broad emergency standby power to deal with future energy shortages, how tough to be on the automobile industry to improve fuel efficiency in new cars, and to what extent we should deregulate the federal interstate price controls on natural gas.

In developing an energy policy, the Congress has no easy choices. Everyone wants to save energy, but everyone wants someone else to do the saving. I agree that in order to reduce national vulnerability to economic disruption, dependence on foreign oil must be reduced. I support the enactment of a comprehensive energy program to curb energy waste and reduce its consumption in a manner which will not make worse either inflation or recession. The energy program should take effect only gradually, allowing persons, families, and businesses time to adjust. Emphasis must be placed on conservation now, and every effort must be made to expand domestic supply of energy.

I would hope to be able to avoid rationing by a program designed to decrease the amount of foreign oil at the approximate rate that conservation, conversion, and alternate supply programs result in decreased consumption of foreign oil. Special consideration would have to be made for farming and other essential pursuits. I do not consider it desirable to increase the cost of the basic amount of gasoline that drivers need. I do consider it necessary to make automobiles more efficient in use of gasoline and to make buildings less wasteful of energy, and to educate the public on the need for, and the means of achieving, energy conservation.

HOW TO LOWER YOUR TAXES: BECOME A BANK HOLDING COMPANY

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1975

Mr. VANIK. Mr. Speaker, the 1974 Annual Reports of America's major corporations are now being released. These reports are a gold mine of information on how corporations combine various provisions of the tax code to reduce their Federal corporate tax payments to an absolute minimum. Of course, to combine different sections of the code, you usually have to be a large and diversified corporation. In other words, I have found over the years that the Federal tax code all too often helps the rich company get richer and keeps the small company locked out of new enterprises.

During the past several years, I have commented on the extraordinarily low effective tax rate paid by many of America's major banks—even those banks which are making extraordinary profits. One of the easiest ways for banks to lower their tax rates is to diversify into businesses which are eligible for the

investment tax credit, foreign tax credits, etc.

For example, the First National Holding Corp. based in Atlanta, Ga., has just released its 1974 annual report. The corporation had \$9.3 million in net income, down 15.3 percent from 1973. But cash dividends declared were \$4.7 million, up 16.7 percent from 1973. This income was obtained from the "holding corporation's" control of mortgage, consumer finance, and equipment leasing companies. Following is the tax notes section of the corporation's annual report:

NOTE 10.—INCOME TAXES

(The provision for income taxes is summarized below in thousands of dollars)

	1974	1973
Current:		
Federal (net of investment tax credit of \$1,036 and \$400, respectively).....	\$259	\$2,646
State.....	-200	56
	59	2,702
Deferred—resulting from timing differences in:		
Investment tax credit—deferred method.....	346	-----
Depreciation, including leasing operations.....	253	1,221
Accretion of bond discount.....	148	91
Provision for possible credit losses.....	-539	121
Insurance commission income.....	-178	-456
Loan acquisition costs.....	-17	249
Other.....	-71	449
	-58	1,675
	1	4,377

Differences between the U.S. Federal income tax rate of 48 percent for corporations and the effective tax rates of the Company:

	Per- cent	Per- cent
U.S. Federal income tax rate.....	48.0	48.0
Increase (decrease) resulting from:		
Tax exempt income.....	-34.2	-18.2
Investment tax credit.....	-10.3	-2.5
Other.....	-3.5	.4
Effective tax rate.....	0	27.7

From this tax note, it appears that the company paid \$1,000 to the Federal Government in taxes on \$9.3 million in profit.

Mr. Speaker, this annual report is another testament to the need for tax reform.

TRIBUTE TO JULIAN BECK

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1975

Mr. ANDERSON of California. Mr. Speaker, on April 30 a man of high integrity, astute political philosophies, and a longtime friend will retire from the bench of the Los Angeles Superior Court.

The Honorable Julian Beck will step down from public life following 32 years of distinguished service, both as a judge and as a member of the California State Legislature.

Julian has lived most of his life in California, the State he loves so much, and served so well. Born in Philadelphia,

Pa., where he received his early education, Julian continued his academic career in California where he received his bachelor's degree in economics from the University of California, Los Angeles. He then proceeded to obtain a master's degree in history from the University of Southern California in 1935. That same year he earned his law degree from Loyola University in Los Angeles.

Before entering private law practice, Julian held a variety of positions including being a conductor for Pacific Electric Railway, a Metro-Goldwyn-Mayer stenographer, a court bailiff, and a high school instructor.

In 1943 Julian was elected to the California State Assembly where I had the pleasure to serve with him for the next 8 years. From 1948 to 1952 Julian was the assembly's Democratic floor leader.

Julian began his judicial career in 1953 when the late Chief Justice Earl Warren, then Governor of California, appointed him to the Los Angeles Municipal Court.

In 1959, after serving as legislative secretary to Gov. Edmund G. Brown, Sr., Julian was appointed to the superior court seat he will soon leave.

Mr. Speaker, my wife, Lee, and I, congratulate Julian Beck on his brilliant career and wish him continued success and happiness in his private life. I am sure his wife, Maude, and his daughters, Julie and Judith, are as proud of him as we are for his countless contributions to our society for the common good.

ON THE 27TH ANNIVERSARY OF ESTABLISHMENT OF ISRAEL

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1975

Mr. BIAGGI. Mr. Speaker, this year marks the 27th anniversary of the creation of the sovereign State of Israel. While the actual celebration is not until May 7, millions of Jews both here and in the home country have held events commemorating this historic day.

Israel has had a tumultuous history. From the very outset, her claim to existence was challenged and is up to this very day. She has been forced to fight two major wars on her soil with her Arab adversaries and her people have lived much of their lives in fear and apprehension of war. Yet the fact that she remains a sovereign state is a glowing testimonial to the resolve of her people to remain free.

Unfortunately this year as in so many past years, peace for Israel does not appear on the horizon. An additional problem for them are their concerns of dwindling American support. They look as I do for the leadership of our Government to renew their commitment to the preservation of the Israeli state, and the expansion of our efforts to bring peace to the explosive Middle Eastern sector of the world.

Despite more than a quarter century of adversities, Israel remains through a

sense of solidarity and perseverance among her people, a strong and vibrant nation. There are many whose genius and dedication have contributed to the present day State of Israel. I wish to salute two individuals in particular, the late David Ben-Gurion, founder of the State of Israel, whose death a little over 1 year ago plunged the entire nation of Israel into a prolonged period of mourning. The other individual is former Prime Minister Golda Meier, who led the people of Israel with distinction during her most challenging days and continues to provide inspirational leadership.

The first generation of Israelis worked long and hard toward the common goal of developing their nation into a respectable world power. They are weary of the bloodshed and anguish which has tormented them throughout these years. Israel's second generation of citizens have begun to assert themselves toward achieving similar goals. Let us fervently hope that theirs can be a generation of peace. There is no greater international challenge before us today.

TRIBUTE TO GEORGE H. THOMPSON, JR.

HON. THOMAS M. REES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1975

Mr. REES. Mr. Speaker, on May 14 a most dedicated and tireless individual will retire after 20 years of service at the Beverly Hills YMCA. Over the years Mr. George H. Thompson, Jr., has endeared himself to the members of the community, and has been highly instrumental in the growth of thousands of young men. As the Congressman from California's 23d Congressional District, in which the Beverly Hills YMCA is located, I would like to heartily commend Mr. Thompson.

George Thompson was born near New Orleans, La., on November 16, 1914. Upon his arrival in Los Angeles as a young man, Mr. Thompson first worked part-time for the department of recreation. Later, he received an employment opportunity at the Beverly Hills YMCA where he served as pool attendant in the mornings and game supervisor in the afternoons. There he met Mr. Arthur Mohs, director of the Beverly Hills YMCA, who promoted him to the position of associated director of the boys department. His excellence and fortitude later earned him the position of camp director, as well as boys program director.

Mr. Thompson has collected an infinite number of memories and has many accomplishments to his credit. At Alabama State Teachers College in Montgomery, Ala., he lettered in basketball, football, track, and baseball. But most of all, he is a man who cherishes his experiences and programs at the Beverly Hills YMCA. There were the fun clubs, river trips, and his organization of the Y Indian guides with the first father and son participant being Mr. Herb Young, now president of Gibraltar Savings &

Loan. His famous group of junior supervisors offering service to the YMCA shall never be forgotten. Many of these boys became "Boy of the Year" and every one became dedicated to the YMCA. Even today, they all come back to visit the YMCA and above all to see George. Just as they are not forgotten, so they have never forgotten George's leadership.

George H. Thompson, Jr., is also a member of the Alpha Phi Alpha Fraternity, a master member of the Elks organization, and has received honors from the Beverly Hills Rotary Club, as well as being given a life membership in the PTA of Beverly Hills.

I know my colleagues will join with me in thanking and commending Mr. Thompson on his many contributions to the YMCA, the growth of young men, the community of Beverly Hills, and the United States.

George is a rich man, he says—not in money—but in the friends he has made along the way. How wonderful to keep them in his fond memories.

ALL FOR PEACE—BUT NOT AT PRICE OF ANOTHER WAR

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1975

Mr. WOLFF. Mr. Speaker, with the ongoing reassessment of U.S. policy toward the Middle East, I think it is important for us to know the deep feelings within Israel over the reasons for the breakdown of Secretary of State Kissinger's shuttle talks.

A letter recently appeared in the Jerusalem Post. The author's words clearly reflect the Israeli concern and I commend it to my colleagues. The letter follows:

ALL FOR PEACE—BUT NOT AT PRICE OF ANOTHER WAR

To the Editor of the Jerusalem Post:

Sir.—As a bereaved Israeli mother I believe that Dr. Kissinger is trying to make peace in the Middle East, but have grave doubts concerning the efficacy of his methods and his real motives.

We, the people of Israel, are asked to return to the Arabs the Golan Heights, for which so many of our sons fell. They did not fall trying to conquer new lands; they fell in order to save us from the Arab hordes descending upon our northern towns and villages. We are asked to return Sinai, the Mitla and Gidi Passes and Abu Rudels. We did not take these deliberately from the Arabs. How many parents are still weeping for sons who fell holding these places so that other Arab hordes would not attack Beer-sheba, Tel Aviv and Jerusalem?

I am all for peace, but not at the price of another war at Mr. Sadat's convenience.

Israel would be giving up everything in exchange for Sadat's "word". What is the "word" of Arab leaders worth? Attacking a small hotel and cinema in Tel Aviv? Murdering simple people in Maalot, Beit Shean and Nabariya? Should we sit down with murdering gangsters, give them all they ask and accept their words of "non-belligerence" as a fair exchange, in the hope for peace?

When one lives in Israel, feels with Israel

and fights for Israel, then one can decide what to offer in exchange for peace. With all the goodwill in the world, I don't think that Mr. Kissinger can judge what is beneficial for us in the long run. I would not like to see more of our sons falling nearer home, from less defensible positions, because we have given in to the persuasion of the big power interests.

DORIS V. MOUSHINE.

CHILD-CARE EXPENSES SHOULD BE A BUSINESS DEDUCTION

HON. WILLIAM L. ARMSTRONG

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1975

Mr. ARMSTRONG. Mr. Speaker, today I am introducing legislation to permit working parents to deduct cost of child care as a business expense in computing income for Federal income tax.

The Internal Revenue Code already allows child-care expenses to be treated as an itemized deduction, if the parents work and the children are under 15. But the very fact that such costs must be treated as itemized deductions, rather than as business expense, restricts the usefulness and fairness of the deduction.

Under present tax treatment, only about 12 percent of the over 10 million families with working parents can use such a deduction. Less than 5 percent of all poor families can afford to itemize deductions, and only 30 percent of those families with incomes between \$5,000 and \$10,000 itemize deductions.

With the recent liberalization of the standard deduction, this problem is likely to get worse, rather than better. Yet it is the poor and moderate income families who need the benefit of child-care deductions the most.

Much has been said about the need to help less fortunate Americans help themselves—yet the present tax laws actually discourage such self-help.

In addition, my proposal would eliminate the restrictive ceiling of \$400 per month on child-care expense deductions. While \$400 a month sounds large, that amount will not even cover the wages of a full-time babysitter, particularly since babysitters are now covered by the minimum wage, let alone any additional child-care expenses.

Past history indicates that the child-care deduction is not subject to abuse, and that most working parents do not even use the full deduction. Most families only deduct about \$800 a year, a sixth of the maximum limit. But for those individuals who do require extensive child care, the limit is too low.

The estimated additional cost of this legislation, according to studies published by the Federal Reserve Bank of Boston, might reach \$500 million—but that is less than one-half of 1 percent of individual income tax collections.

Right now, one set of working parents is favored over another by the tax law—simply on the basis of income. That is bad economics and dubious law.

We do not deny personal exemptions

to some Americans because they make more or less money. We do not limit interest charge deductions to one group of people.

Child-care expenses are legitimate business expenses—and should be treated as such, rather than being limited by restrictions not applying to other business expenses. That is why I am proposing child-care expenses be classified as a business deduction.

It is time to get rid of restrictive regulations, particularly ones such as these, which discriminate against hard-working Americans.

OUR GUILT IN VIETNAM

HON. CHARLES W. WHALEN, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1975

Mr. WHALEN. Mr. Speaker, in light of our deliberations concerning South Vietnam, I thought my colleagues in the House might wish to read the attached article which appeared in the Catholic Standard on Thursday, April 17, 1975.

OUR GUILT IN VIETNAM

(By Father John B. Sheerin, C.S.P.)

In his news conference April 4, President Ford insinuated that unless Congress approves the military aid requested for South Vietnam, it will have to bear the blame for the loss of America's credibility and for invalidation of the sacrifices of the 50,000 Americans killed in Vietnam. The approaching end of the Vietnam debacle will start a hunt for scapegoats. John F. Kennedy will come in for blame, also Lyndon Johnson and Richard Nixon. Witch hunts of this kind are inevitable after a great disaster. So President Ford's insinuation that Congress may be blamed for the loss of South Vietnam is not surprising.

What is surprising, however, is that the President still supports the American policy that brought us to the present tragic situation in Vietnam. That policy, in brief, was that international Communism must be fought and conquered everywhere in the world from Cuba to the Congo to Cam Ranh Bay. The infamous thing must be destroyed wherever it rears its ugly head! The policy sounded very noble and humanitarian especially when John F. Kennedy proclaimed, "... we shall pay any price, bear any burden, meet any hardship, support any friend or oppose any foe to assure the survival and success of liberty." But it proved to be better oratory than national policy.

Soviet Communism and Chinese Communism are based on false philosophies but there is a radical difference between a false philosophy and a movement that derives from the false philosophy. One is abstract error and the other is a living movement embodying living persons; the error does not change but the movement can change and when it changes sufficiently, we can do business with it in spite of its underlying philosophy.

Pope John was one of the first to point this out, in his "Pacem In Terris" and he was roundly condemned for it at the time. He drew a distinction between the false philosophical ideas on which movements are initially based and the movements as they eventually grow and develop in the course of time. He asserted that "the movements precisely because they take place in the midst of changing conditions are readily susceptible even to profound change."

In other words, the philosophy of Marxism does not change but a Marxist-inspired movement can change and when it changes, you can safely do business with it and perhaps help the cause of peace and community welfare in the bargain. Surprisingly, it was a rabid anti-Communist, Richard Nixon, who utilized this distinction successfully when he arranged the detente with Russia and with China.

Thrown into the crusade against international Communism in the 1960s, we got involved in Vietnam. We had no business in getting into another nation's civil war. (Lincoln had warned the British to stay out of our American Civil War.) But we felt resolved to stop the advance of Communism come hell or high water in Indochina and we found ourselves mired in the Asian morass.

It is now said that the South Vietnamese people lost their will to fight the North Vietnamese and all manner of explanations are being offered as to why they lost "their fighting spirit." From my reading, I would say that these peasants in the South never had any real urge to fight for the corrupt regimes of South Vietnam. They were not interested in ideologies, Marxist or anti-Marxist, and they wanted only to be let alone to grow their rice in the paddies, to live on the fruits of the soil and bring up their children in peace. But we didn't let them do so. Our policy was to protect them and stop Communism by dropping more bombs on their country than the U.S. dropped on all Europe and Japan during World War II.

We could have talked things over with Hanoi 10 years ago but ... Vatican II said it well, "While rejecting atheism, root and branch, the Church sincerely proposes that all men, believers and unbelievers alike, ought to work for the rightful betterment of the world ... Such an ideal cannot be realized, however, apart from sincere and profound dialogue."

BLIND VENDING-STAND PROGRAM

HON. GLADYS NOON SPELLMAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1975

Mrs. SPELLMAN. Mr. Speaker, it is my pleasure to inform the House of the forthcoming publication of a book entitled "Light at the Tunnel End," by Leonard A. Robinson. In this volume, Mr. Robinson, who is blind, has presented his firsthand account of the legislative and administrative history of the blind vending-stand program in the United States which had its inception in the Randolph-Sheppard Act of 1936. This legislation was brought up to date by amendments passed last December by the 93d Congress. The text of the amendments has been blended into the original legislation and appears as an appendix to Mr. Robinson's book.

The fact that more than 3,600 blind persons are currently employed in the operation of vending stands and machines in the Federal-State program is indisputable testimony to the success of the original idea and to the good sense of many Americans who have made the program a useful and necessary part of our economic life.

Upon retirement from the Government, which he served with distinction, Mr. Robinson activated his dream of

telling the Randolph-Sheppard story, and threw himself into several voluntary pursuits in the field of blindness and the handicapped. Always the activist, he is well aware that "much more remains to be done" and, pragmatist that he is—a pragmatist being a successful dreamer—he reminds us all at the tunnel's end that—

In whatever endeavor the handicapped person finds himself, he is out to prove that ability, not disability, is what counts.

And, thanks to the staying power of folks like Leonard Robinson, the confidence of the American people in the abilities of the handicapped has never been higher.

EMERGENCY FARM BILL

HON. DAWSON MATHIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1975

Mr. MATHIS. Mr. Speaker, today we are considering the conference report on the emergency farm bill. The distinguished chairman and ranking minority member of the Agriculture Committee have done an outstanding job in providing leadership on this legislation.

They have brought a bill out of conference which, with a few small exceptions, incorporates the same provisions as passed by the House originally. This is not a far-reaching agricultural subsidy program as some in the press would lead us to believe. This program is not going to cost the American Taxpayer \$500 million as some in the Department of Agriculture are advocating. This bill is a simple 1-year emergency bill designed to give American farmers some relief from the high production costs they have incurred. If the administration had not been so adamant when the farm bill was considered in 1973 in refusing to support an escalator clause beginning with the first year, this legislation probably would not even be necessary. This body compromised at that time to avoid a Presidential veto but neither we nor the President visualized the dramatic price increase in fertilizer, fuel, labor, land evaluation, and every other material necessary for the production of food and fiber in this country.

The general farm bill passed in 1973 gave the administration what they wanted—unlimited production based on a target price concept. The American farmers went all out to meet these goals of unlimited production and they did a wonderful job. I think this administration would be the first ones to admit that agricultural exports have been a lifesaver with regard to our balance of trade deficits. Now the President has said that he plans to veto this legislation because of the costs to the taxpayer and consumer. What he is really saying is that these farmers who put themselves in a financial straitjacket to meet the demands of increased production cannot expect to receive any assistance in recovering their increased production costs. I am not saying increased profits—

because in the last 12 months—while the processed food products went up almost 20 percent in the supermarkets—the net return on raw agricultural products to the farmer went down almost 10 percent.

This bill is no different from any emergency legislation this House will consider or has considered. We gave the Penn Central Railway funds through emergency type legislation. We have increased social security benefits with built-in costs of living increases. We have passed emergency job legislation, emergency housing legislation—increased welfare benefits—higher education appropriations based on increased costs. Why cannot the American farmer receive the same courtesy and understanding?

They are not asking for a Government handout—all they want is to know that the government will support them as they strive to meet the goals of supplying the food and fiber for the American people. This legislation is critical—the American farmers are planning their 1975 crops right now and they need to have the assurance that they will be able to make a reasonable profit to continue their operation for the following year.

There are some in this body and in the Department who will say that this bill will encourage farmers to over-produce in certain areas such as cotton because of the high target price, and thus cost the Government millions of dollars.

What these people are saying in reality is that there will no longer be a strong world demand for our agricultural products and that huge Government surpluses will be built at the expense of the American taxpayer. I do not believe this for a minute. American farmers produce the highest quality farm products in the world. This administration has committed itself to helping the world hunger problem. We passed the trade bill last year to give the President more flexibility in trading with other countries of the world. The Department of Agriculture has already submitted lists to the Tariff Commission which will place unrestricted import and export duties on agricultural products to further our export commitments.

It appears to me that this administration has realized the absolute necessity to encourage agricultural exports to lessen our other financial obligations. Why can they not in turn support the American farmer in this 1 year so they can have some idea what to expect at the marketplace?

I urge my colleagues to support this report.

GOV. JOHN A. BURNS

HON. MORRIS K. UDALL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1975

Mr. UDALL. Mr. Speaker, I had the great privilege and pleasure to know John Burns and join with all of his many friends in the Congress in lamenting his untimely death.

He played a key role in achieving statehood for Hawaii and will always be remembered for this long-overdue achievement for his own people and for his country.

John Burns was an exceptional, dedicated public servant, who had vision and compassion. The favorable impact of his life will long be felt, not only in Hawaii but in the entire country as well.

HATCH ACT REVISION SUPPORTED

HON. HERBERT E. HARRIS II

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1975

Mr. HARRIS. Mr. Speaker, at the April 14 hearing on H.R. 3000, the bill to revise the Hatch Act, one of my constituents, Mr. Gerard Coan, described his "politically futile" efforts to form a non-partisan organization of Federal employees to become involved in politics. He explains that the organization is now defunct because of apathy "partly due to the impotence imposed by the Hatch Act." I would like to share his excellent statement with my colleagues in the Congress:

Mr. Chairman and Members of the Subcommittee, I appreciate having this opportunity tonight to present my experiences and views on the Hatch Act and the proposed legislation to reform it. I am a GS-13 Community Planner in the New Communities Administration of HUD, where I have been employed since July 1971. I had two years previous experience in the Civil Service from 1965 to 1967. With me this evening is Ms. Natalie Reatig, who has been in the Civil Service for 10 years and is presently a GS-11 Social Science Analyst with the Division of Extra-Mural Research Programs of the National Institute of Mental Health. In 1972 Ms. Reatig and I, as well as several other concerned federal employees, formed the League of Federal Voters, which is now defunct. I have asked Ms. Reatig to accompany me in order to help answer any questions regarding the League of Federal Voters since she was the spokesperson of the organization.

I would like to say that Ms. Reatig and I cautiously support the proposed legislation and I think I can say the same for all those civil servants who formed the League of Federal Voters. We formed that organization out of a total sense of frustration of our inability to participate in a partisan manner in the 1972 campaign, because of the Hatch Act. As Federal employees we were acutely aware of the gross abuses of the incumbent administration—much more aware of what was happening than the electorate as a whole. Our consciences dictated that we try to do something about it. Because of the Hatch Act and the potential penalties for its violation we opted to form the League of Federal Voters as a legal way to become involved in the election. Its announced purpose was to act as a "non-partisan educational committee" which would "help arrange balanced presentations of opposing political views and . . . provide a general election information center for federal employees."

Essentially, this was a non-partisan grass roots employee's organization which attempted to get employees to wake up to what was happening in their government and to exercise their legal right to speak out against what they didn't like. We hoped to do this by sponsoring a series of lunch hour forums

at different agencies in which prominent representatives of the presidential candidates would come and present their candidate's views followed by a half hour of informal discussions and questions from the audience. We had three fairly successful forums of this kind at which the representatives listened to the views of civil servants and attempted to give their candidate's positions on the various issues raised. We also got representatives from the Boards of Elections of Maryland, Virginia, and D.C. to come to agencies and set up registration tables. This was very successful.

Although this effort was politically futile, it certainly was enlightening. We discovered that most federal workers are shockingly apolitical. For the most part they didn't seem to care about the integrity or the policies of the government they were working for. There is no doubt in my mind that this apathy is partly due to the impotence imposed by the Hatch Act. The Hatch Act has given many federal workers an excuse for copping out. I think this is regrettable because federal employees know what is happening in the government better than any section of the electorate. And therefore, their political beliefs and activities should be on a well-founded basis. Yet, because of the Hatch Act, they are excluded from most political activities and they are rendered relatively powerless in the political arena.

What are the consequences of this? First, I would guess that the civil service is deprived of many of society's more dynamic and sensitive members who could not stand the frustration of not being able to work against policies and practices which are disagreeable to them, and yet they must experience daily. Because of the Hatch Act, most people of this quality leave federal service the first chance they get, or they stay clear of it.

A second consequence of the Hatch Act is that our political system is deprived of a potential corrective force to help combat abusive and pernicious activities in an incumbent administration. As civil servants we can be very aware when a mockery is being made of an Act of Congress that we are supposed to be implementing. And suppose we were to discover that many of our fellow civil servants were working in the same atmosphere and see a pattern that suggests a wholesale abuse of the public trust. What could we do? We haven't the resources to gather enough facts about widespread abuses to prove malicious intent. We would have to organize to do that anyway and that would entail a high risk of retribution. The logical thing to do in this kind of situation would be to discreetly offer our services to the opposition candidate in our off-hours, presuming he offered a better alternative. But under the Hatch Act that would mean risking our jobs—a risk which few of us can afford to take.

Without the Hatch Act restrictions on political activity that option would be legally open to us. We could work for the defeat of an administration which we find from first-hand experience to be antithetical to the principles upon which this country was founded. As we have seen the government of, for and by the people can quickly become a government of, for and by special interests. The professional civil service could help "keep 'em honest" if only our hands weren't so tied.

Mr. Chairman, I would also like to speak to the other side of this question. That is, whether it would be wise to preserve all or part of the Hatch Act in order to keep the Civil Servants themselves honest, so to speak. I do have some reservations and suggestions that I would like to share with you. But, first I would like to comment on the testimony given to this subcommittee several weeks ago by Chairman Hampton of the U.S. Civil Service Commission in which Mr. Hampton totally opposes the proposed leg-

islation to modify the Hatch Act. I would beg the Congress to reject most of Mr. Hampton's arguments as I think he has confused the issue by vastly overstating the case for preserving the Hatch Act. Some of the civil service abuses Mr. Hampton warns would occur if this bill were passed are actually in widespread practice right now in spite of the Hatch Act. These are abuses which are irrelevant to the Hatch Act and should be constrained by other laws and regulations. Other abuses mentioned by Mr. Hampton are virtually impossible to legislate against. A third category he warns about would be prohibited by H.R. 3000 anyway. And yet a fourth category of abuses occurred in the distant past when the nation and the government were smaller and more compact and therefore, more susceptible to political manipulation by virtue of manpower alone. I would also include in this category abuses from a more recent past when a much larger proportion of the government work force was in the Excepted Service than at present.

Let me give some examples of the first two categories. The third category is so obvious by reading the bill that I won't bother. And the fourth is an unmistakable anachronism. On page 2 of his testimony, and indeed throughout, Mr. Hampton claims that the Hatch Act assures that employees will not feel compelled to engage in unwarranted partisan political activities in order to "enhance their prospects for continued employment or for advancement." Yet there are numerous cases in HUD where career employees have switched their party registration and were subsequently promoted. It is generally known by people acquainted with these cases that this was a *quid pro quo*. The Hatch Act certainly did not prevent this from happening—there was no violation of that Act though undoubtedly there was a violation of Civil Service regulations involved. But the point is that employees don't have to do overt campaign work in order to compromise their beliefs for selfish gain.

On page 3 Mr. Hampton argues that "the Hatch Act reduces the likelihood that the employee will allow partisan political views to interfere with the impartial execution of the Government's business in accordance with the policies mandated by Congress." I'm sure you are all familiar with Book 19 of the Senate Watergate Committee which outlines the so-called "Responsiveness Program." The documents in there provide chilling details of how an organized but secret campaign was conducted to layer the civil service with politically responsive employees. And also how a politically motivated system of disbursing Federal largesse was set up starting in 1971 with an eye toward the 1972 election. These may have involved violations of the Pendleton Act and other statutes but I don't see where they violated the Hatch Act. Yet they certainly did "interfere with the impartial execution of the Government's business" to quote Mr. Hampton again.

Also on page 3, Mr. Hampton claims that the "Act makes it impossible for the party in power to turn the Federal work force into an organized instrument for affecting the outcome of elections." But does it? I don't think it does. As an example let me cite a memorandum from John D. Ehrlichman to HUD Secretary George Romney, subject: National Growth Policy. The memo was dated May 31, 1972 and required a response, to a list of questions regarding national growth policy, by July 30, 1972. These dates are significant. Congress only requires a National Growth Report in February of even-numbered years so the next one wasn't due until 1974, a year and three quarters later. On the other hand, July 30, 1972, the response due date, was just prior to the Republican Convention. Perfect

timing to use the output of the government's best urban experts to help prepare campaign platform policy.

Certainly that amounted to using the Federal work force as an instrument in the election. The party in power has untold opportunities to use the massive resources of the bureaucracy and yet it would be difficult in most cases to call it a violation of the Hatch Act. This is the kind of thing that cannot be effectively legislated against anyway so we should stop fooling ourselves. But, by the same token, as a federal employee I resent not being able to choose to work for the other side if I so desire. I would still be at a disadvantage since I would have to do it in my off-hours.

As to the whole question of whether the proposed legislation to weaken the Hatch Act would be a boon to the party in power vs. the opposition, I think it depends on whether a majority of civil servants agree with the President's policies. In other words, they are going to exercise their political rights just like every other American is entitled to—in line with their political beliefs. Certainly that shouldn't be a crime. However, I still think we should be on guard against the party in power stacking the bureaucracy with its own loyalists. This has the effect of making another criterion as, or more, important than merit. The result can be seen today where there are now many "loyal" but unqualified employees in career positions where they could theoretically stay for the rest of their working years. This is a very serious problem but it is not one that can be solved by the Hatch Act, but rather by more vigorous enforcement of the Civil Service laws and regulations. If these abuses are not corrected then I'm not so sure it would be wise to weaken the Hatch Act.

My suggestions and reservations are as follows:

1. I think Section 7324 of the proposed legislation should state more explicitly that a federal employee may in no way coerce a subordinate to perform any political activity.

2. I would add to the purpose of the bill after "improper political solicitations" the words "and pressures."

3. The proposed bill should explicitly prohibit political activity while on duty, though not necessarily while on a lunchbreak.

4. Two permitted activities I would suggest adding to the list in Section 7324(c) are participation in a political fundraiser (provided there is no violation of Section 2(a)) and campaign policy development.

5. I think Congress should arrange for ongoing monitoring of the effect of the change, assuming it passes, and periodically review its decision on this bill—whether that decision is ultimately for or against. The problem of politically influenced hiring and promoting might well continue in spite of laws and regulations against it. It might be impossible to stop this abuse. In fact, without a strong Hatch Act there might be more incentive to stack the bureaucracy because then the Administration could use this corps of loyalists to help get re-elected. Therefore, I would urge you to write into this bill some effective mechanism to monitor personnel actions for political influence and an automatic reinstatement of the Hatch Act if such abuses can't be stopped. That is where the real problem lies and if it can't be solved then I think I would have to regrettably swallow the Hatch Act as it now stands. Hopefully it can be solved and that is why I am in favor of this legislation, though cautiously.

Thank you very much for the chance to present my views on H.R. 3000. Ms. Reatig and I will try to answer any questions.

H.R. 1287, HALTING THE IMPORTATION OF RHODESIAN CHROME

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1975

Mr. FRASER. Mr. Speaker, for the benefit of my colleagues who have not had an opportunity to see the revised version of H.R. 1287, I am today placing in the RECORD the complete text of the bill as amended March 18 by the International Relations International Organizations Subcommittee:

H.R. 1287

(Showing amendment approved by Subcommittee on International Organizations in italic.)

A bill to amend the United Nations Participation Act of 1945 to halt the importation of Rhodesian chrome

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5(a) of the United Nations Participation Act of 1945 (22 U.S.C. 287c(a)) is amended by adding at the end thereof the following new sentence: "Section 10 of the Strategic and Critical Materials Stock Piling Act (60 Stat. 596; 50 U.S.C. 98-98h) shall not apply to prohibitions or regulations established under the authority of this section."

Sec. 2. Section 5 of the United Nations Participation Act of 1945 (22 U.S.C. 287c) is amended by adding at the end thereof the following new subsection:

"(c) (1) During the period in which measures are applied against Southern Rhodesia under subsection (a) pursuant to Security Council Resolutions numbered 232 (adopted December 16, 1966) and numbered 253 (adopted May 29, 1968), a shipment of any steel mill product (as such product may be defined by the Secretary) containing chromium in any form may not be released from customs custody for entry into the United States if—

"(A) a certificate of origin with respect to such shipment has not been filed with the Secretary; or

"(B) in the case of a shipment with respect to which a certificate of origin has been filed with the Secretary, the Secretary determines that the information contained in such certificate does not adequately establish that the steel mill product in such shipment does not contain chromium in any form which is of Southern Rhodesian origin;

unless such release is authorized by the Secretary under paragraph (3) (B) or (C).

"(2) (A) The Secretary may, on his own initiative or upon a request by any interested person, conduct an investigation with respect to the adequacy of the information contained in any certificate of origin. Pending completion of such investigation, the steel mill product shipment with respect to which such certificate of origin was filed may be (i) retained under customs custody, or (ii) released under paragraph (3) (C).

"(B) For purposes of conducting an investigation under subparagraph (A), the Secretary may issue subpoenas requiring the attendance and testimony of witnesses and the production of any evidence that relates to the matter under investigation. Any such subpoena may, upon application by the Secretary, be enforced in a civil action in an appropriate United States district court.

"(C) Within ten days after the receipt of a request from any interested person that

an investigation be conducted with respect to the adequacy of the information contained in a certificate of origin with respect to any steel mill product shipment, the Secretary shall notify such person in writing whether an investigation will be conducted with respect to such certificate. Such notification shall include—

"(i) if an investigation is not going to be conducted, a statement of the reasons for the Secretary's decision not to conduct an investigation; or

"(ii) if an investigation is going to be conducted, a statement of what action the Secretary will take, pending completion of such investigation, with respect to such steel mill product shipment.

"(D) Upon completion of any investigation conducted under this paragraph, the Secretary shall publish in the Federal Register a statement of the results of the investigation and of any action taken by the Secretary with respect to the steel mill product shipment whose certificate of origin was the subject of such investigation. If such investigation was requested by any interested person, the Secretary shall also send a copy of such statement to such person.

"(3) (A) The Secretary shall prescribe regulations for carrying out the provisions of this subsection.

"(B) The Secretary may exempt from the certification requirements of this subsection any shipment of a steel mill product containing chromium in any form which is in transit to the United States on the date of enactment of this subsection.

"(C) The Secretary may release from customs custody for entry into the United States, under such bond as he may require, any shipment of a steel mill product containing chromium in any form (i) pending completion of an investigation under paragraph (2) with respect to the adequacy of the certificate of origin filed with respect to such shipment, or (ii) under such other circumstances as he deems appropriate.

"(4) As used in this subsection—

"(A) the term 'certificate of origin' means such certificate as the Secretary may require, with respect to a shipment of any steel mill product containing chromium in any form, issued by the government (or by a designee of such government if the Secretary is satisfied that such designee is the highest available certifying authority) of the country in which such steel mill product was produced certifying that the steel mill product in such shipment contains no chromium in any form which is of Southern Rhodesian origin; and

"(B) the term 'Secretary' means the Secretary of the Treasury."

EDWARD JOSEPH RYAN

HON. GOODLOE E. BYRON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1975

Mr. BYRON. Mr. Speaker, last week Edward Joseph Ryan, a distinguished citizen and prominent attorney of Allegany County, died. He was an unselfish community leader in the truest sense and gave of himself in numerous endeavors.

Mr. Ryan served as chairman of the Allegany County Board of Alcoholic Beverage Commissioners and was a past member of the Allegany County Board of Education. He was elected to the Allegany County Democratic State Central Committee and was also president of the Allegany County Bar Association. He was

a member of the Maryland Bar Association.

Mr. Ryan was a member and past commander of Farrady Post 24, American Legion, and a past exalted ruler of Frostburg Lodge 470, BPO Elks. He also belonged to Frostburg Aerie 1273, Fraternal Order of Eagles, and Frostburg Lodge 348, Loyal Order of Moose. Mr. Ryan was also a member of Chief Justice Taney General Assembly, Fourth Degree Knights of Columbus. He was an honorary member of the Frostburg Fire Department.

Edward Joseph Ryan will be missed and his deeds will long be remembered.

SKYROCKETING COST OF MALPRACTICE INSURANCE

HON. ROBERT J. CORNELL

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1975

Mr. CORNELL. Mr. Speaker, there are probably few words in the English language that are more overused than "crisis," but it appears that a genuine "crisis" is facing the medical profession due to the skyrocketing cost of malpractice insurance. The problem is particularly acute so far in 1975 because an alarming number of physicians are having their malpractice insurance canceled suddenly and are then unable to locate other forms of coverage. Since the United States does not have a surplus of doctors and medical practitioners, especially in rural areas, something must be done to alleviate this serious situation.

Last week more than three-fourths of the approximately 100 physicians who attended a meeting of the Brown County Medical Association in Green Bay, Wis., indicated that they would quit practice after July 1 of this year if adequate malpractice coverage is no available. Doctors who are approaching retirement age are choosing to end their practice early rather than pay spiraling insurance costs.

This has occurred in the case of Dr. Glen Denys of Green Bay who has notified his patients that he is quitting his practice on May 1 because of the cancellation of his coverage.

A number of physicians who wished to set up practice in Wisconsin have been unable to do so due to the lack of adequate insurance coverage. As an example, a local neurosurgeon reported that he was unable to get insurance for a fellow practitioner—who happened to be a Green Bay native—and even Lloyds of London refused him coverage.

These illustrations are only a few of the hundreds of similar incidents taking place across the country and I know my colleagues could cite equal examples from their own congressional districts.

The St. Paul Fire and Marine Insurance Co., which handles a substantial amount of malpractice insurance in my district and over 15 percent nationwide, reported that in 1974 it had one claim pending for every 10 doctors insured, whereas 5 years ago the ratio was one

in 23. As a consequence, rates have jumped an average of 258 percent.

In an attempt to focus attention on the entire malpractice problem and to solicit suggestions, I sent summaries of two malpractice insurance bills that had been introduced in the Senate earlier this year to all physicians in my congressional district—almost 400 of them. Their responses clearly and overwhelmingly indicated the immediacy and magnitude of the problem. As one response pointed out:

The extremely high malpractice insurance premiums are a burden which the American public cannot possibly afford to pay.

The many physicians who responded to my letter were by no means united on one solution to the malpractice insurance crisis. But they all agreed that something must be done and soon.

Therefore, I am today offering yet another alternative to the many legislative proposals already introduced in the House in the hope that out of these various plans, a solution to this most serious problem can be reached this year.

This bill was introduced in the Senate by GAYLORD NELSON of Wisconsin and is a revised and expanded version of his earlier malpractice bill, S. 188 which was introduced in the House (H.R. 3938) on February 27, 1975.

The changes from the original bill are that:

It provides for a medical malpractice reinsurance pool, to be administered by the Department of HEW, patterned after the riot reinsurance law, in which primary insurance companies voluntarily pay into a pool that covers losses above a certain figure. Initially, the bill provides for payment of losses over \$25,000, which figure would be adjusted based on actuarial experience;

It makes such reinsurance available to companies only in States which have established programs for initial arbitration of medical malpractice claims. Such arbitration would not be binding. However, the decision of an arbitration panel would be admissible as evidence in any court proceeding;

It requires that each State establish uniform rates of malpractice insurance so that all licensed physicians or other providers of health care pay the same fee, regardless of type or speciality of practice in which they are engaged. This would eliminate ratemaking within each State. The proposal is patterned after the system of malpractice premiums in Canada and Great Britain, where we are advised that physicians pay approximately \$50 a year for malpractice insurance, regardless of speciality; and

It requires each State to establish by law or court rule a schedule of maximum contingent fee rates which may be charged or accepted by attorneys for services performed in connection with an arbitration or civil action arising from a claim for damages on account of alleged medical malpractice. The fee rates would be expressed as a percentage of the net amount recovered in a successful settlement or prosecution of such actions, decreasing as the amount of recovery increases.

These new provisions are added to the

earlier bill which would establish a National Medical Malpractice Development Fund, patterned after the Federal riot and flood reinsurance programs, to protect primary insurance companies against catastrophic malpractice claims losses. The fund would pay all claims above \$25,000 and would be financed by voluntary payments by insurers. The Secretary of HEW would also be required to assess the primary medical malpractice insurance market and to conduct certain studies in malpractice.

In concluding my remarks, I want to again quote one of the physicians from my district who wrote to me on the malpractice dilemma. "An impending crisis can be foreseen in the very near future if some legislative effort on a State or national level is not undertaken immediately."

Thank you.

THE CIVIL LIBERTIES FIGHT IN NEW YORK

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1975

Mr. RANGEL. Mr. Speaker, only if the rights of every person in this country are protected can any of us be assured of our liberty. Constant vigilance on behalf of individual rights is required. In New York, the New York Civil Liberties Union is in the vanguard of the fight for civil rights and civil liberties.

As a legislator, first in the State assembly and now in the House of Representatives, I have found the New York Civil Liberties Union to be an invaluable resource in my legislative efforts. For example, during the recent impeachment controversy, the Civil Liberties Union organized committees of concerned citizens in each congressional district to make sure that the will of the people was made clear to their elected Representatives, as well as to educate the public about the massive abuses of power which earmarked the Nixon administration. In the 19th Congressional District of New York, the New York Civil Liberties Union gathered literally thousands of letters to be presented to the Judiciary Committee on the issue of impeachment.

In the courts, in the legislature, and before administrative agencies, the New York Civil Liberties has made its views known. Some battles have been lost, but the struggle continues.

At this time I am pleased to include in the RECORD a report by Executive Director Ira Glasser which appeared in the March-April 1975 issue of "New York Civil Liberties":

DIRECTOR'S REPORT: "A SENSE THAT MOST OF THE ICEBERG REMAINS HIDDEN"

During most of last year, the campaign to impeach President Nixon focused attention on the phenomenon of official lawlessness. Now, more than six months after the certainty of impeachment drove Richard Nixon from office, and over a year since the impeachment campaign began, new revelations about the official abuse of power are appearing in news media.

This time the revelations are about the Central Intelligence Agency and the Federal Bureau of Investigation. Both agencies seem to have functioned as independent political police forces, opening private mail, listening in on private telephone conversations, burglarizing for political purposes, engaging in widespread attempts, through agents provocateurs, to destroy the civil rights movement in the South, and perhaps even assassination.

We are now at the stage where Watergate was about two years ago: sensational news leaks, occasional revelations by key insiders, the beginning of several official investigations, fervent denials by those in responsible positions, and the growing feeling that a massive cover-up is underway.

For all the revelations, we begin to sense that most of the iceberg remains hidden, and that the worst is yet to come. Will we finally find out the truth about the secret government which knows no limit on its power? That is hard to say.

But we should not comfort ourselves by supposing that the lawlessness of Richard Nixon, the C.I.A. and the F.B.I. are aberrations. They are, rather, the extreme pathological symptoms of an endemic institutional disease. For anyone who reads these pages regularly knows that official lawlessness is a central feature of all governments, and American government—at every level—is no exception.

What is police misconduct if not an abuse of official power? When a cop beats someone on the street, or searches someone illegally, or covers his misconduct by fabricating false charges against his victim, how does that differ from what Richard Nixon did, or from the illegal operations of the C.I.A. or F.B.I.—except perhaps in degree? All break the law because they believe that the goal they seek is so important that legal limits on their power could be ignored. And cops are not alone.

What about school principals who suspend students illegally—often as punishment for political activity—and then defiantly say: "I don't care about the law, I run my school the way I see fit." And what about Boards of Education that choose to look aside at such abuses of power, and refuse to enforce their own rules and regulations against such principals?

What about officials in the Department of Mental Hygiene, who allow the degradations of Willowbrook to continue? What about public officials who allow neglected children to be kept in solitary confinement in state training schools? Or prison officials who punish prisoners for subscribing to the wrong magazines, or criticizing the prison administration in their diaries? Or welfare officials who illegally deny benefits? Or housing authority officials who illegally evict tenants? Or the state legislature and the Governor, who pass legislation by jamming it through before any legislator can read it, in clear violation of the constitutional requirement that at least three days pass between the time legislation is introduced and the time it is voted upon.

And what about judges, who sometimes respect public officials so much that they are willing to look aside at their abuses, and who create elaborate judicial rationales to justify their inaction? Perhaps the leading example of official lawlessness in America, is the resistance to school desegregation: twenty years after the U.S. Supreme Court declared school segregation illegal, the schools of New York are more segregated than most Southern school systems.

We have, perhaps, in the two hundred years since our revolution, become too respectful of power, too willing to assume its benevolence, too faithful to see its excesses, too trusting to perceive its corrosive effects upon our freedoms.

We have allowed Presidents too much pow-

er (in the name of national security); we have allowed the police too much power (in the name of safety); we have allowed school officials too much power (in the name of education); we have allowed psychiatrists too much power (in the name of mental health). Discretionary public power—unfettered by strict legal limits—is always and necessarily at war with the liberties and rights of people.

As we approach the Bicentennial, we might do well to re-examine the connections between all the "little" excesses of public power we tolerate daily, and rationalize away, and the pathological excesses that result in Watergate.

THE IMMORALITY OF REDISTRIBUTING INCOME

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1975

Mr. CRANE. Mr. Speaker, there are many in the American society who argue that all men and women, regardless of their ability, hard work, and productivity, should receive the same material rewards. Those who work should be paid no more than those who do not. Those who spend long years educating themselves in specialized skills should be paid no more than those who have done nothing to advance themselves. This, the advocates of such a policy tell us, is the kind of egalitarianism toward which we should be moving.

The fact is that such a policy is itself immoral. The false dichotomy between "human" rights and "property" rights which those who wish to implement such a policy expound is clearly false. They stand or fall together.

The framers of our Constitution were careful readers of the philosopher John Locke. In his "Essay Concerning the True, Original, Extent of Civil Government," Locke declared:

Every man has a property in his own person. This nobody has any right to but himself. The labour of his body and the work of his hands, we may say, are properly his. Whatsoever, then, he removed out of the state that nature hath provided and left it in, he hath mixed his labour with it, and joined it to something that is his own, and thereby makes it his property . . . For this labour being the unquestioned property of the labourer, no man but he can have a right to what that is once joined to.

Clearly, one of the reasons for the American Revolution itself was the colonists' feeling that their property rights were endangered by the arbitrary actions of the British Government.

In a recent column Anthony Harrigan quotes from an essay published by the U.S. Industrial Council entitled, "On Redistributing Income," by Peter J. Rusthoven, one of the editors of the Harvard Law Review. The end result of a political redistribution of income, Mr. Rusthoven explains, would be the breakdown of liberty.

He writes:

Quite simply, the fact is that any such attempt would entail the virtual destruction of economic freedom as we know it. It is perfectly apparent, for example, that the theory

of a free market economy is inconsistent with the attempt to render each man the material equal of his brethren.

Inherent in the current tax legislation approved by the Congress, Mr. Harrigan notes—

is far worse than anything that can be described in terms of deficit spending. The threat, insofar as income redistribution is concerned, is the undermining of the moral basis of a society in which respectable, working citizens are rewarded.

I wish to share with my colleagues the column, "Economic Immorality," by Anthony J. Harrigan, issued for release on April 17, 1975, and insert it into the RECORD at this time:

ECONOMIC IMMORALITY

(By Anthony Harrigan)

In a recent syndicated column, Tom Wicker, New York Times associate editor and liberal political activist, hailed the new federal tax bill as "the beginning of a new and long overdue course for American liberalism—toward a policy of redistributing income."

Mr. Wicker's candid comment should make Americans realize that political redistribution of income—socialism, in other words—is at hand.

Sen. George McGovern proposed redistribution of wealth in his famous \$1,000 per person handout proposal during the 1972 presidential election—a proposal that helped cost him the election. Now, redistribution of income is to be accomplished by a backdoor method—by the new tax legislation, that is.

What is the morality—or immorality—of redistributing income? This is a question thoughtful citizens should ask themselves.

Fortunately, this question has been carefully studied—and answered—in a brilliant essay "On Redistributing Income" by Peter J. Rusthoven, one of the editors of the Harvard Law Review.

In a special report issued by the United States Industrial Council Educational Foundation, Mr. Rusthoven points out that "there is a growing push in leftwing academic and political circles for the idea that substantive equality is a virtual prerequisite for the moral legitimacy of American society." He notes that the American idea that a man should be rewarded according to his worth "is coming in for increasingly bitter attack."

Thoughtful citizens, steeped in American values undoubtedly are shocked at the notion that our country's wealth be divided without regard to the merit or contribution of the individual.

At the core of the position held by the redistribution advocates, says Mr. Rusthoven, "lies the belief that there are no differences in human behavior for which the individual human being is really responsible."

He goes on to say that "in other words, the advocates of income distribution base their arguments, ultimately, on a rejection of the notions of individual responsibility. It follows that they must reject as well any meaningful notion of individual morality."

This is a very powerful argument. It makes clear that a radically equal society, in which income is redistributed from the frugal and energetic to the irresponsible and lazy, must be an immoral society. It must be a society devoid of a moral scheme in rewards.

We see the outlines of such an immoral society in the welfarism of our era which has created a huge, sullen, dependent under class that lives off the work and savings of energetic, self-reliant citizens.

The end result of political redistribution of income, Mr. Rusthoven convincingly explains, would be the breakdown of liberty. "Quite simply," he writes, "the fact is that

any such attempt would entail the virtual destruction of economic freedom as we know it. It is perfectly apparent, for example, that the theory of a free market economy is inconsistent with the attempt to render each man the material equal of his brethren."

Thus the threat posed by the new tax bill is far worse than anything that can be described in terms of deficit spending. The threat, insofar as income redistribution is concerned, is the undermining of the moral basis of a society in which respectable, working citizens are rewarded.

The authors of the new tax legislation, like Sen. McGovern in 1972, are striking at the system of incentives in our society. These incentives have a foundation in morality.

RED TERROR

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1975

Mr. McDONALD of Georgia. Mr. Speaker, as we engage in our leisurely discussions of belated aid to Vietnam, it is not too late to learn more about the Communist *modus operandi*. In 1970, a reformed editor of the New York Times, Herman Dinsmore, summarized for us the blood price of "peace" on Communist terms, in the article below which appeared in the Review of the News, July 29, 1970:

THE COMMUNISTS AND PLANNED TERROR

(By Herman H. Dinsmore)

Senator Claiborne Pell, Democrat of Rhode Island, advocated on June thirtieth that the United States "get out completely" and stop "maintaining the division of Vietnam into two countries." Mr. Pell said: "I submit that our national interest would best be served by a unified Vietnam even if under communist rule..." He claimed he does not believe a bloodbath would occur if North Vietnam takes control of the South.

This view flies in the face of all experience with the Communists. Wherever they have taken control mass murder has followed. Douglas Pike has established that the North Vietnamese Communists have already planned a "night of the long knives" for the end of the war, when literally millions of South Vietnamese are scheduled for liquidation. Mr. Pike is an outstanding student of the Vietcong. In a newly written work, *The Viet Cong Strategy of Terror*, he reports that under the Communists' plan for South Vietnam "all political opposition, actual or potential, would be systematically eliminated." He quotes Colonel Tran Van Duc, a North Vietnamese defector, as revealing that 3 million South Vietnamese are on the Communists' "blood debt list."

The early Russian Communists quaintly referred to such liquidation as "the highest measure of social punishment." They accomplished it, usually, by shooting. The North Vietnamese are not so coldly unconcerned as to the manner in which their victims die. They consider terror—and terror is the carburetor of the Communist engine—as a means of inducing subjugation and reducing inefficiency or uncooperativeness. Hence the North Vietnamese Communists go to considerable pains to inflict the most grotesque tortures upon their victims, including live burial and the severing of ears, arms, and noses. U.S. News & World Report for January 16, 1967, listed the official account of 96,500 separate acts of terrorism committed by the Vietcong between 1962 and 1966; and during the same period the number of

civilians assassinated, wounded, and kidnapped totalled 68,361. In the four years since, the totals have escalated. The Vietcong systematically killed 5,800 civilians in the city of Hue during the Tet offensive of 1968. In the last decade they have methodically assassinated some twenty thousand local officials as a part of their terror strategy. Murder on a vast scale with whole sections of the population selected to die—that is the technique of the Communists everywhere.

Let us review the product of that apparatus—the system of terror which Senator Pell says will serve our national interests if forced on South Vietnam.

Bulgaria: Here is a good example of the fact that the road to hell is paved with the sort of Coalition Governments with the Communists which Secretary Rogers has proposed for South Vietnam. The "coalescence" of Bulgaria's democrats and Communists in 1944 was ordered by agreement between Roosevelt and Stalin at Yalta. Following the time-dishonored fashion of the Soviets, their Bulgarian stooges in 1947 outlawed all opposition parties, arrested their representatives in Parliament, and executed the chief opposition leader, Nikola Petkov, along with about 10,000 others. Thus the way was cleared for full communization of the country. Some 16,000 Bulgarians escaped the bloodbath and live in exile.

Czecho-Slovakia: The story of Czecho-Slovakia is a thrice-told tale, but the full brutality of it is hardly known to the average American. The bloodbath simply cannot be reduced to numbers. Scores of thousands died, and among them many thousands of Communists whom Stalin wanted eliminated for fear they might seek to rule the country independently of the Russians. The liquidations continue to this very moment.

There are more than 100,000 Czecho-Slovaks who have been driven into exile, with no likelihood that the others will ever stop seeking or hoping for refuge or rescue.

Estonia: Here is the northernmost of the three Baltic countries seized by the Soviet Russians under the Hitler-Stalin pact. This even though Moscow in 1939 signed mutual assistance pacts that "guaranteed" non-interference in their internal affairs. Estonia's experience merely proved for the nth time the worthlessness of treaties with the Communists. If the United States should ever abandon South Vietnam by signing a "peace" treaty as demanded by the arrogant North Vietnamese "negotiators" in Paris, no American should ever be in the slightest doubt about what will happen. The Communists have declared as much in documents captured on the battlefield in Vietnam. As U.S. News & World Report noted on May 15, 1967:

One document gives the minutes of a meeting of the Viet Cong Supreme Headquarters in April, 1966. "Whether or not the war will resume after the conclusion of agreements," General Vinh stated, "depends upon the comparative balance of forces. If we are capable of dominating the adversary the war will not break out again, and conversely." In other words, unless the Communists are left in complete control of the situation, fighting will start up again.

Estonia, a pamphlet by Alexander Kuett issued by the Assembly of Captive European Nations, details some basic facts that should be remembered by all those who, like Senator Pell, are willing to abandon the Free World piecemeal:

"It is one matter to defeat a nation by military force, to pillage its wealth, and to keep it under control, as, for instance, the Nazis did during their occupation (of Estonia among other countries). Yet it is another matter to extend brutalities over a period of many years.

"The answer is rather simple. Methodical brutality seeks to demoralize all opposition—to bring an entire nation to its knees. Its

aim is to destroy that group of Estonians who are the mainstay of national independence and to make the people malleable to ensuing sovietization.

"Accordingly, after Estonia had been brought to its 'knees' through terror, there remained the task of remodeling the country along Soviet lines.

"One of the most heavy-handed methods used to accomplish this task is reflected in Estonia's population statistics. According to a census conducted by the independent Estonian Government the population of the country in 1934 was 1,126,413. In January, 1959, the latest Soviet census gave the population of Estonia as 1,197,000 (in full thousands). Broken down into national origin figures the statistics are as follows:

"Estonians:

1934, 992,370 (88.1 percent).
1959, 873,000 (73.0 percent).

Russians:

1934, 92,656 (8.2 percent).
1959, 260,000 (21.7 percent).

Others:

1934, 41,397 (3.7 percent).
1959, 63,000 (5.3 percent).

"The number of Estonians has thus decreased by nearly 120,000 people in the 25-year interval between the two censuses. The reason for this population drop is clear: purges, deportations, murders, refugees.

"At the same time, the number of Russians in Estonia has increased by 167,000. This figure does not include White Russians or Ukrainians. All told, over 240,000 people from the Soviet Union have 'migrated' into Estonia.

Hungary: The total number of Hungarians killed in the Communist bloodbath there is estimated at 100,000, but this is only an estimate, and it is surely a conservative one. Hungarians in exile say that 50,000 youths were shipped to Siberia immediately after the Communist-provoked revolt of 1956, in which perhaps 30,000 others died.

The ravishing of Hungary by the Soviets, not once but several times and continuously, is a steady reminder that the predator nations, expanding under the banners of Communism, are not guided in their manifest destiny by the doves of Washington. Some 500,000 Hungarians have been driven into exile in the Free World.

Latvia: The fate of Latvia has been exactly like that of Estonia. The Russians have colonized the country, so that the percentage of Latvians has fallen to 62 from 76 percent, while the Russian fraction has jumped from 12 to 26.6 percent. Virtually no news comes directly to the outside world from this captive nation. Many thousands of its people have been seized and deported to Arctic camps in Russia and Siberia. The Communist Russians, bound by no morality before God or man, in the United Nations or elsewhere, have given no accounting of their stewardship as required by the Trusteeship Council because the Russians have simply annexed Latvia. About 120,000 Latvians have been able to escape into exile.

Lithuania: is the largest of the three Baltic States annexed by the Soviets. It has a population of 2,711,000, of whom 79.3 percent are Lithuanians. About 8.5 percent are Russians and Poles, many of whom are "colonists." The Assembly of Captive European Nations reports of this oppressed victim of Communist imperialism:

"According to the Soviet census of January 15, 1969, Lithuania had a population of 2,711,000, of which as many as 211,000 were Soviet colonists. Yet before World War II, the autochthonous population in this same area was 3,200,000. Since the average annual birth rate of Lithuania's population has been 11 per 1,000, under normal conditions the population of Lithuania should have grown

to at least 3,900,000 by 1959. The shocking decline in Lithuania's population between 1939 and 1959 is mainly the result of Soviet and Nazi genocide.

K.V. Taurus, author of *Guerrilla Warfare On The Amber Coast*, published by Lithuanian Research Institute, 1962, concludes:

"As the periphery of the free world is eroded by incessant Soviet and Communist Chinese manoeuvres, it would be well to remember that the West does not possess an endless supply of small nations, the sacrifice of which some may unrealistically hope, will indefinitely postpone a confrontation between the free world and a dehumanized totalitarianism which, in its gratuitous and senseless power mania, can be called insane."

Poland: Here, it may be recalled, is the country in behalf of which World War II was started in 1939 when Stalin and Hitler divided it among themselves. In 1945 it was effectively relinquished to Stalin in its entirety by the Allies, led by the United States....

The Peasant Party leader Stanislaw Mikolajczyk was lucky to escape with his life in 1947. He fled to England, leaving the Polish regime in the hands of the quisling Communists who have ever since ruled as obedient tools of the Soviets. It is reported that 205,000 Poles have been killed by the Communists, but such a figure in a country of nearly 30 million misses the essential point that millions have been acutely deprived in a land now run as an imperial colony for the benefit of another nation. The harassment of the people has been a nightmare, resulting in a veritably infinite loss of forward motion in all fields of life, including the right freely to worship God. The 1943 killing of 8,000 to 10,000 Polish Army officers in Katyn Forest—by the Russian Army on orders of Stalin—was but a preview of Moscow's plans for Poland.

Romania: Whatever the Nixon Administration may think about the "semi-independence" of Romania, the people of that country do not consider themselves liberated. The number of Romanians who lost their lives in the Communist takeover, which was followed by the usual Red terror, has been put at 150,000. An unknown number of Romanians were sent to Russia to work in mines and fields as slave laborers. Many died there.

The country's economy is securely hitched to the Soviet milking machine, as are the economies of all the other Eastern European captive nations.

The U.S.S.R.: Strangely, here in the Union of Soviet Socialist Republics, the home of the hunter, the statistics on the bloodbath of Communism are so staggering as to make the mind reel.

For instance, Point-Blank put the "total kill-count" at more than 32 million, including 9 million White Russians, 7 million Ukrainians, 7 million Cossacks, 5 million Byelorussians, 1,022,000 Poles in the Soviet Union, 1,485,000 North Caucasians, 1,120,000 Turko-Tatars, and 500,000 Kalmuks.

While these figures seem astronomical, they do not vary greatly from data offered even by apologists for the Soviet regime. For instance, the figure of 6 million dead or exiled from the Ukraine during the collectivization drive of the 1930s was often cited by Walter Duranty, the New York Times correspondent in Moscow. A more recent student, Robert Conquest, believes 5.5 million died of the Soviet-created "famine" in the Ukraine, while 10 million were driven into exile in other areas of the country, chiefly Siberia. Others say 1.2 million members of the Soviet Communist Party were killed in the purges of 1936-1939, when 25,000 to 35,000 military officers were executed.

Communist China: Point-Blank puts the

number of victims of the Communist terror in Red China at 31 million to 1968. While huge and ghastly, the figure is not impossibly high. If memory serves, the New York Times published a figure of 14 million dead under the Chinese Communist scourge by the early 1950s, and the syndicated Alsops cited a figure of 25 million such liquidations over the same period. This was before the euphemistically term "excesses" of Chairman Mao's "cultural revolution."

Cuba: Communist Cuba has under Castro also projected itself into the arena of the giants among killers and exilers. Nearly one-tenth of the people of the island—760,000 out of 8 million—have been driven into exile, chiefly into the United States. This has been called the greatest mass migration in the history of the Western Hemisphere. By April of 1969, according to a foreign diplomat in Havana, 20,161 persons had been executed by the Castro regime, and 2,320 had died of torture. By now the total figure must be close to 25,000. Other thousands are imprisoned and under torture at this very moment only ninety miles from our shores.

The doves of America should know the vultures of the world have been feeding well on the corpses of countries abandoned to the Communists—or, more likely, countries deliberately handed to them. But, as the Lithuanian writer K. V. Taurus said, the world is running short of countries to sacrifice to the insatiable Moloch of Communism. Very short, Senator Pell. Very short, indeed.

JOHN SANTANGELO NAMED TO UNITED NATIONS DAY COMMITTEE

HON. RONALD A. SARASIN

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1975

Mr. SARASIN. Mr. Speaker, distinguished leaders of major industries and labor unions are chosen each year to serve on the National U.N. Day Committee. The objective of the committee is to maintain an effective continuing program of education and information about the United Nations and its goal of world peace and cooperation.

I was pleased to learn that Mr. John Scali, U.S. Representative to the United Nations, has invited Mr. John Santangelo to serve on the U.N. Day Committee. Mr. Santangelo is one of the leading citizens of the State of Connecticut and truly represents the ideals of success through the American system. As founder and president of Charlton Press which is New England's largest letter press printing plant, Mr. Santangelo exemplifies the promise of opportunity which brought our fathers to America.

Since his immigration to the United States more than 50 years ago, Mr. Santangelo, through rugged individualism and determination has built a thriving business.

It is a deserved honor that Mr. Santangelo will serve on the National United Nations Day Committee in this year of the 30th anniversary of the United Nations. He is a citizen of the world through his philanthropy to charities and causes as far as Cheiti, Italy. He represents the ideals of America and symbolizes the commitment of the United Nations to world peace and brotherhood.

POLL ON ENERGY

HON. WILLIAM J. HUGHES

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1975

Mr. HUGHES. Mr. Speaker, I would like to take this opportunity to share the results with you and fellow Members of the poll on energy conducted by the fourth grade students of Mr. Charles McCarty at Cape May City School.

These fourth graders decided in February that they would like to undertake a poll to determine what their friends, parents, and neighbors think about some of the pressing energy issues. For 9- and 10-year-olds, this was a very ambitious project which they conducted with a high degree of expertise in a very scientific manner. They even decided to go as far as breaking down by percentages the occupations of those individuals polled.

At this point, Mr. Speaker, I would like to add the results of their poll:

OPINION POLL

[In percent]

You are to ask 10 people their opinions (yes, no, undecided) on each of the 10 questions.

1. Should we use solar energy as a source of power?
Yes 83
No 8
Undecided 9
2. Do you want off-shore drilling for oil?
Yes 36
No 51
Undecided 13
3. Should old ships be sunk off shore of Cape May to aid in preventing beach erosion?
Yes 52
No 30
Undecided 18
4. Should oil companies pay for oil spills?
Yes 90
No 2
Undecided 8
5. Is the energy crisis real?
Yes 51

No 33

Undecided 16

6. Should trash be recycled for energy and natural resources?

Yes 85

No 6

Undecided 9

7. Should the world use atomic energy?

Yes 43

No 33

Undecided 24

8. Do you turn out lights when you are not in the room?

Yes 81

No 15

Undecided 4

9. Is the President of the United States doing a good job?

Yes 36

No 29

Undecided 35

10. Should we have an atomic power plant in or near Cape May?

Yes 21

No 60

Undecided 19

This is the actual poll used by the students.

BACKGROUND DATA

[Each person that you ask the 10 questions to, you should put down the following]

Years	Approximate age	Occupation (job)	Where they live—street, city, State	Male or female
0 to 9	1 percent	Civil employees, 3 percent	Cape May City, 85 percent	Female, 54 percent.
10 to 19	14 percent	Housewife, 27 percent	Cape May County (outside Cape May City), 11 percent.	Male, 46 percent.
20 to 29	18 percent	Businessman, 4 percent	New Jersey (outside Cape May County), 2 percent.	
30 to 39	27 percent	Students, 15 percent	Outside New Jersey, 2 percent.	
40 to 49	14 percent	Utilities and trades, 3 percent		
50 to 59	10 percent	Retired, 10 percent		
60 and up	16 percent	Military, 12 percent		
		Professional, 10 percent		
		Resort jobs, 8 percent		
		Secretary, 1 percent		
		Services (nonprofessional), 5 percent		
		Unemployed, 1 percent		
		Fishing and boating, 1 percent		

THE VIETNAM EVACUATION

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1975

Mr. JACOBS. Mr. Speaker, the term "deja vu" is not an American term. But American history will note it is not excessive to say that a dozen years ago this body was conned by the executive branch into a Tonkin resolution which produced an American tragedy. And then came perseverance to "peace with honor" which turned out to be peace with honorarium.

What is a 100-percent American term is that if they fool you once, it is their fault. But if they fool you twice, it is your fault.

There is one other 100 percent American term, and that is to put first things first, John Quincy Adams said it:

America does not go abroad in search of monsters to destroy. She is the vindicator and protector of her own people.

Mr. Speaker, some of her people are in danger now.

And the first thing for this American Government to do is deliver them from danger forthwith. When that first thing has been put first, then those to whom

there is secondary obligation should be attended to without further danger of death to our citizens, but by sensible use of international machinery where our own logistical machinery falls short. Mr. Speaker, first things first.

LEAVE NO AMERICAN BEHIND

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1975

Mr. TEAGUE. Mr. Speaker, I wish to express my support of the amendment to H.R. 6096 offered by Mr. MONTGOMERY. It is time this body expressed a positive concern for our missing in action in Southeast Asia. It is time for the return of the bodies of those American soldiers who gave the supreme sacrifice, yet have remained unhonored. It is time we strive to remove them from limbo.

H.R. 6096 shows our concern for the living. A nation's mettle is expressed by its show of concern for the living, but that same quality is just as vivid in its honoring of the dead.

The exodus from Vietnam is viewed differently throughout this Nation. Some consider it shameful, some consider it too

late, and some oppose our leaving. Let us leave the debate to historians because it is evident that the exodus is now necessary.

There are those who have expressed tremendous concern for the military hardware left behind by the retreating Army of the Republic of Vietnam, but have shown no concern for the remains of those brave Americans that we are leaving behind. I sincerely hope this body will agree to express its desire to leave no Americans behind. Our only shame regarding Vietnam will come when we give up our desire to ascertain the fate of the 1,700 Americans declared missing in action.

IN MEMORIAM: BERYL CLARISSA FRANCIS

HON. RON DE LUGO

OF THE VIRGIN ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1975

Mr. DE LUGO. Mr. Speaker, I was terribly saddened when I learned the other day of the sudden passing of Beryl Francis, a beloved and much respected educator and community leader from St. Croix. It is a deep personal loss that one who was so youthful, so vibrant, and

so dedicated to the lives of our young people could be so unexpectedly taken from us.

Beryl Clarissa Francis was a remarkable woman indeed. While a student at Christiansted Senior High School, Beryl gained local fame as an all-around athlete, excelling in track and field. Yet, her active involvement in outside activities and interests was only just beginning. Upon her graduation in 1943, Beryl began a 32-year career in education as an elementary school teacher in St. Croix.

Beryl left the islands briefly to continue her education at New York University, where she earned her bachelor of science degree in education in 1956 and her master of arts degree in early childhood education in 1961. She returned to the Virgin Islands in 1962, when she was appointed supervisor of kindergarten and primary education for St. Croix. At the time of her passing, she was completing work on a doctorate in education from NYU's extension program in San Juan.

Beryl was totally devoted to her community. Along with her considerable professional responsibilities, she was also active in the political life of the Virgin Islands. She served as the chairman of the St. Croix Board of Elections and as the vice chairman of the Virgin Islands Joint Board of Elections. She was also a member of the Caribbean Community School Board, the Lutheran Welfare Society's board of directors, the St. Patrick's Church Council, and the Community Chorus.

In her personal life, Beryl was equally devoted to her loving husband and her children. A pillar of strength to her family, she even found time to play the organ at St. Patrick's Catholic Church and the Holy Trinity Church every Sunday morning.

We are blessed when someone like Beryl Francis comes into our world, and we are that much poorer when she so unexpectedly leaves us. She remains, however, a shining light to all of us.

The following poem was written by Gerald E. Hodge, Sr., St. Thomas, U.S. Virgin Islands, in loving memory of the late Beryl C. Francis:

TO WHAT END

(By Gerald E. Hodge, Sr.)

Did someone say "a new beginning"?
And should it end in the first inning
For one so devoted, so loyal, so true
Who seemed always to know when and just
what to do;

One who arduously worked most unceasingly
For her beloved Virgin Islands community?

Did this slogan we heard represent a new era
That we were expected to toast with
champagne and madeira,

Then before we get down to the big task
ahead

Find indispensable loved ones, dispensable
and dead?

Sure there must be a reason we can't see
right now.

Let's praise God in his wisdom; He'll show
us somehow.

The challenge now greater, the task has
begun;

Without her assistance the job must be done.
We all can take pride in the roles she has
played,

As we recall knowingly the contributions
she's made.

The unending assignments which she
undertook
Have earned her a page in that great golden
book.

In tribute let's show courage; she would
wish us to be strong.

Let a better Virgin Islands be forever our
favorite song.

Beryl C. Francis we salute you with the
deepest sense of pride.

May God grant eternal rest to you in your
sojourn on his closer side.

Relatives, friends, mourners, well-wishers all
Remember, God plays a good hand when we
throw Him the ball.

MOTION FILED TO CREATE ESCROW ACCOUNT TO HOLD REVENUES FROM PORT AUTHORITY TOLL INCREASE

HON. PETER A. PEYSER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1975

Mr. PEYSER. Mr. Speaker, on April 16, 1975, I filed a complaint with the Federal Highway Administration, requesting that the Administrator disallow the 50-percent toll increase that the Port Authority of New York and New Jersey recently announced. Frankly, I was still hoping at that time that the respective Governors would veto this increase. It is now apparent that they will not.

Therefore, today I have filed a motion with the Administrator requesting that he order the creation of an escrow account for deposit of the moneys received from this rate increase, pending a final determination of my complaint on its merits.

I am enclosing a copy of this motion, and my reasons for filing it, for the benefit of my colleagues:

HOUSE OF REPRESENTATIVES,
Washington, D.C., April 23, 1975.

HON. NORBERT T. TIEMANN,
Administrator, Federal Highway Administration, Washington, D.C.

DEAR MR. TIEMANN: On April 16, 1975, I filed a complaint with you pursuant to the Bridge Act of 1906, as amended (33 USC 494), to determine that toll increases proposed by the Port Authority of New York and New Jersey are unreasonable and unjust, to prescribe what rates may be reasonable and just under the circumstances, and to order a compensatory repayment of any unjust rates which may be paid if the higher rates go into effect in the interim.

It is apparent that the rate increases will be implemented on May 5, before the complaint is decided on its merits. Accordingly, I am today requesting, pursuant to the attached motion, that you order the Port Authority of New York and New Jersey to create an escrow account for the deposit of revenue derived from the toll increase.

It is obvious to me that you have this authority by virtue of the Bridge Act of 1906, as amended, and I therefore urge you to act expeditiously to grant this motion.

Sincerely,

PETER A. PEYSER,
Member of Congress.

MOTION FOR THE CREATION OF AN ESCROW ACCOUNT

Peter A. Peyser, complainant in a complaint brought before the Administrator April 16, 1975, pursuant to Title 49, C.F.R., Part 310, requesting the Administrator to

determine certain tolls unjust and unreasonable, and to prescribe what rates would be just and reasonable, and to provide such equitable relief as may be necessary and just, now moves the Administrator to order the Port Authority of New York and New Jersey to create an escrow account for the receipt of revenue derived from the toll increases complainant has alleged are unjust and unreasonable, on the grounds that:

1. The creation of this account is the only method by which it can be assured that the relief prayed for by complainant can be equitable fashioned in the event that the tolls are determined to be unjust and unreasonable, because the rates complained of will become effective May 5, 1975, and there will not be a determination of the complaint on its merits until after that date;

2. Creation of this account will facilitate the orderly and fair distribution of any revenue derived from the collection of unjust tolls to the commuters that have paid the unjust rates;

3. Creation of this account will hasten the determination of this complainant on the merits, since the Port Authority of New York and New Jersey will not have the use of any revenue derived from unjust toll increases, and hence, will have an incentive to settle this complaint promptly;

4. Any interest gained on revenue deposited in this account could pay for any administrative costs which might be incurred in printing and/or distributing receipts for tolls paid at unjust rates;

5. Failure to create such an account will result in the unjust enrichment of the Port Authority of New York and New Jersey at the expense of commuters who pay the unjust rates;

6. Creation of this account will not alter the relative positions of the parties in the complaint;

7. The Administrator has the authority to order the creation of this account pursuant to his duties and obligations arising under the Bridge Act of 1906, as amended (33 U.S.C. 494) and his authority to grant relief pursuant to this statute.

This motion is made and based on the complaint filed with the Administrator on April 16, 1975.

PETER A. PEYSER.

April 23, 1975.

WHITE HOUSE CONFERENCE ON LIBRARY AND INFORMATION SERVICES

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1975

Mr. FRASER. Mr. Speaker, in December of 1974 President Ford signed into law Senate Joint Resolution 40. This resolution, now Public Law 93-568, authorizes the President to call a White House Conference on Library and Information Services not later than 1978. Although the conference would not be immediately convened, its success would be contingent upon a great deal of preparatory planning. I would urge the President to issue a call for the conference as soon as possible, for such a call would allow the planning process to begin and would be a major step toward the realization of the conference's potential benefits. I have written a letter to President Ford expressing these sentiments. This letter, along with two letters from Directors of Minnesota library centers, follows:

MINNEAPOLIS PUBLIC LIBRARY AND
INFORMATION CENTER,
Minneapolis, Minn., April 9, 1975.
Re: White House Conference on Library and
Information Services (PL 93-568).
Congressman DONALD M. FRASER,
U.S. House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN FRASER: The library community has been advised that the next step to be taken relating to this White House Conference is for the President to call the conference.

When he was serving as House Minority Leader in 1973, Gerald R. Ford was one of the sponsors of the conference resolution and as President he signed the measure into law in December 1974.

Obviously this conference is a minor concern of the President at this time so that we feel it is necessary to ask our congressmen to write to the President urging him to call the conference now. Even though the conference need not be held until 1978 the call must be made at once so that the intervening time can be used for planning.

Once again we express our appreciation for your concern and assistance relating to library matters.

Sincerely yours,

MARY L. DYAR,
Interim Director.

HENNEPIN COUNTY LIBRARY,
Edina, Minn., April 4, 1975.
Hon. DONALD M. FRASER,
Longworth Office Building,
Washington, D.C.

DEAR DON: Public Law 93-568 calls for a White House Conference on Library and Information Services. The conference of course cannot take place until President Ford has actually issued the call for such a conference. Although President Ford was one of the sponsors of the White House Conference resolution while he was still serving as the House minority leader in 1973, and while he did sign the measure into law last December, the call has not yet come for the Conference and therefore planning cannot begin.

I realize that the President is extremely involved with many very important issues of national security and economic problems, but would urge that a call for the White House Conference on Library and Information Services be issued so that the preliminary planning can begin. Without the call, we will be losing valuable planning time and no conference is actually anticipated until approximately 1978. I would ask your support in urging the White House to issue the call for the Conference so that the planning can begin.

Your long history of support for library development and the improvement of information services to the public is deeply appreciated and I would hope that your continuing interest in this area would warrant your making this request to the White House.

Sincerely yours,

ROBERT H. ROHLF, Director.

HOUSE OF REPRESENTATIVES,
Washington, D.C., April 22, 1975.
Hon. GERALD R. FORD,
President of the United States,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: It has come to my attention that planning for the White House Conference on Library and Information Services (as authorized by P.L. 93-568) cannot proceed without a Presidential call for the Conference. I strongly urge you to issue such a call.

To my knowledge, two arguments might be raised against calling a conference at this time. First, the state of the economy militates against the kind of expenditures the series of state conferences and the White House Conference would entail. Second, existing forums, particularly the National Com-

mission on Libraries and Information Science, could be used to examine the very same issues and problems the Conference would be charged to look into.

Both of these objections involve legitimate concerns. Both, however, fail to take into account the underlying needs which engendered the legislation.

If the expense of the conferences is weighed against the long-term benefits of the conferences, there seems to me to be very little question as to the desirability of convening them. An informed citizenry is the indispensable bedrock of democracy. Our society can ill-afford to proceed in ad hoc fashion as it attempts to assess the implications of new technologies and ever-proliferating information, to coordinate disparate planning processes, and to structure local and national priorities. The White House Conference would represent a critical first step away from ad hoc planning and toward a more systematic, forward-looking approach.

The Department of Health, Education, and Welfare has proposed that the Conference would duplicate both the responsibilities of the National Commission on Libraries and Information Science and the potential role of "existing channels in the field, i.e.: professional associations, meetings of civic groups, and governmental and legislative processes at all levels" (letter from Secretary Weinberger to Chairman Perkins, December 4, 1973). To adopt this line of reasoning is to overlook the limitations of existing forums. Dr. Frederick Burkhardt, Chairman of the National Commission on Libraries and Information Science, directly addressed this issue in testimony before the House Education and Labor Committee:

"The National Commission on Libraries and Information Science has listened with care to statements of organizations and agencies within the information and library community. These associations, groups, and organizations have given careful attention to the problems that beset them and the public they serve. However, a White House Conference . . . would go further and deeper into the problems by offering an ideal opportunity for the needs of all users of information to become known and understood. Other White House conferences have discovered that the 'grass roots' viewpoint can wipe away outmoded practices and substitute a fresh outlook, including entirely new ways of dealing with current needs."

Even though the Conference is not anticipated until 1978, essential groundwork must be laid in the interim. Only a call from your office will enable this process to begin. I encourage you to issue such a call as soon as possible.

Thank you for your consideration.

With best wishes.

Sincerely,

DONALD M. FRASER.

PROFIT-HUNGRY INDUSTRY WILL
EAT ANY NATURAL GAS PRICE
HIKE, JACOBSON WARNS

HON. WILLIAM J. HUGHES

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1975

Mr. HUGHES. Mr. Speaker, Public Utility Commissioner Joel R. Jacobson, a consumer watchdog in my State of New Jersey, recently discussed natural gas deregulation and its effect on utility prices in an interview with the Trenton bureau chief of the Atlantic City Press.

Commissioner Jacobson makes some timely comments in regard to corporate

profits and a less than enthusiastic inclination to invest them in exploration for and development of new gas supplies.

I insert reporter Frank Van Dusen's article at this point in full:

[From the Atlantic City Press, Apr. 18, 1975]

PROFIT-HUNGRY INDUSTRY WILL EAT ANY
NATURAL GAS PRICE HIKE, JACOBSON WARNS

(By Frank Van Dusen)

TRENTON.—Public Utility Commissioner Joel R. Jacobson has issued the Byrne Administration's sharpest attack to date on the oil-gas industry's involvement in the natural gas shortage.

Jacobson, a Byrne appointee, in a 22-page document came out strongly against a Ford Administration proposal to deregulate the price of natural gas so that higher gas prices would result in more funds for exploration.

He said that gas price raises in the past did not go to further exploration but rather towards diversification, as gas companies deliberately tried to restrict the flow of gas to shortage-plagued areas like South Jersey.

Jacobson said Transcontinental Gas Co., which supplies virtually all the natural gas to South Jersey Gas Co. has had rising profits despite the shortage and is investing its money into new industries rather than exploration for new gas.

"Activities of Transco subsidiaries hardly lend credence to the increased-supply effort argument either," Jacobson said. "One company has an interest in microwave communications system with IT&T; another is investigating the possibility of using existing pipelines to transport cargo such as mail and parcels."

"Just as surely as these ventures will swell Transco's profits, is the probability that the consumer will end up subsidizing these ventures through increased rates."

Although gas company officials charged that the price of natural gas is kept artificially low due to price regulation by the Federal Power Commission, Jacobson said Transco's profits have been going up even though the company has been suffering serious gas supply shortfalls during the winter months.

"Actually Transco is doing quite well without deregulation and without a higher ceiling price for natural gas. Bowen (Transco President and Chief Executive Officer) announced during his April 9 address that Transco's first quarter earnings this year were up 16 cents per share over the comparable 1974 period."

Jacobson also reiterated the familiar charge that the natural gas shortage is artificial, because drilling companies are not pumping all the gas available.

"Citgo operates six wells on Platform A-76 (in the Gulf of Mexico) that account for over 3 per cent of Transco's gas supply. Between September 1970 and Jan. 20, 1975, Citgo closed down this platform for the replacement of corroded pipes, causing Transco to increase its curtailments during the winter-peak season."

"What is disturbing about this development is the fact that Citgo had previous knowledge of the corrosion problem on A-76. On April 16, 1974, Cities Service formally told Transco of the impending 60-day summer shut-down to permit the wells to come back on line in the 1974-75 winter heating season."

However, Citgo delayed the repairs until mid-September 1974 the beginning of the peak demand season."

Jacobson added that there are 168 "shut-in" nonproducing, privately held leases in the Gulf of Mexico, according to a U.S. Geological Survey ordered during last winter's gas shortages.

"These were significant quantities when one realizes that the proved reserve alone

without including the probable reserves, amount to more than two-and-a-half times the entire estimated shortfall of the 1974-75 heating season.

"Of these 168 leases, 108 have been shut-in for more than five years," Jacobson said.

Jacobson charged that arguments that call for natural gas to be priced higher in order to be similar to prices for coal and oil are fallacious because oil companies were buying up coal, nuclear and even geothermal resources in order to artificially inflate profits, not to increase supply.

He explained that when the Federal Power Commission did allow gas price increase, the supply did not increase.

"Despite the FPC's granting of a greater than 150 per cent increase in the wellhead price of natural gas within a few years, the anticipated new supplies never arrived," Jacobson said.

The PUC Commissioner said that he was not against profits per se.

"I am not opposed to healthy and reasonable profit margins by corporations in a competitive environment," he said, but charged that a competitive environment was not what petroleum companies want.

Jacobson said deregulation was being promoted by the energy companies to further restrict competition.

"Deregulation is the vehicle by which the petroleum industry will amass, if permitted to, obscene profits and cause irreparable harm to our nation's consuming public and the nation's economy.

"We must realize that corporate interest and public welfare are not synonymous, and that it is essential to maintain some control over the insatiable corporate appetite for profit."

Jacobson outlined several measures at the national level to foster competition between energy companies and prevent artificial shortages:

Passage of proposed antitrust legislation forbidding energy companies to assemble vertical trust in several resources and forcing them to invest in only one resource like coal or oil or nuclear energy, not all three.

Leases of government owned land or ocean bottom should have restrictions forcing production on threat of cancellation of lease.

Extension of Federal Power Commission price regulation to the intrastate market where Jacobson charged energy companies sold gas from their drilling company subsidiaries to their oil refinery subsidiaries to inflate prices.

Natural gas should not be used for purposes like boiler fuel in electric plants where alternative energy resources like coal or oil are adequate.

FALL OF CAMBODIA STRESSES NEED TO REVISE U.S. POLICY

HON. DONALD W. RIEGLE, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1975

Mr. RIEGLE. Mr. Speaker, I wish to bring to the attention of my colleagues two items: One is a very thoughtful editorial from the Detroit Free Press of April 18—the second is an excellent column by Saul Friedman appearing in the Knight newspapers.

The material follows:

[From the Detroit Free Press, Apr. 18, 1974]
FALL OF CAMBODIA STRESSES NEED TO REVISE U.S. POLICY

And so, as was inevitable, Phnom Penh has fallen and Cambodia is in the hands of

the communists. Phnom Penh's future is still uncertain, but there is a sense of relief with the end of the fighting.

Marshal Lon Nol fled Phnom Penh before the end came, and as the insurgents were moving in, Sydney Schanberg of the New York Times, one of the few western newsmen to remain, reported on cable inquiries about \$1 million supposed to be paid to Lon Nol in sanctuary.

That small episode is but symptomatic of the fine madness of our policies toward Cambodia that have now helped bring about the tragic results.

Cambodia was a country of relative peace, great beauty, and considerable natural wealth before American foreign policy decreed in 1970 that we would use it in our struggle to prop up the South Vietnamese against the North Vietnamese.

What we did by our actions was to create a second civil war in Southeast Asia out of one we should not have been involved in to begin with.

Now we must face the fall of Phnom Penh more in sorrow than in anger, and understand the realities of our misguided actions and policies.

Short of creating a nuclear holocaust, we cannot work our will on all the peoples of the world. We will lose and others will suffer when we try to "use" people and countries as we did in Cambodia. For whatever the reasons, we have been woefully lacking in a rational understanding of the politics of Asia. Our illusions—now so shattered—date back to the era when American foreign policy supported Chiang Kai-shek at all costs; we were at any moment going to unleash him to reconquer mainland China.

With the war in neighboring Vietnam now going almost as equally against the Thieu regime as it did against Lon Nol, the United States must begin a sober and careful reassessment of American foreign policy.

That is what many expected President Ford to do prior to his State of the World address to Congress last week. The president, however, seems to continue to cling to the old illusions—just a few hundred more millions and there will be light at the end of the tunnel yet.

There is no light. There is not even a tunnel for our interests, expressed as we have expressed them, in Southeast Asia. There probably never was a chance that we could win a limited land war in Asia; a skillful, more humane and less demanding diplomacy might have changed the course of events.

Mr. Ford continues, however, to see phantoms: He suggested Wednesday that Saigon may fall because the Soviet Union and China had the will to win while we did not. That is too pat, too simplistic.

We have had decades of disastrous foreign policy toward Asia, and especially Southeast Asia. We need now, even as we react to the events unfolding in that troubled, wounded part of the world, to define new policies, new ways of dealing with the rest of the world that are both more realistic and more in keeping with the humane ideals of American democracy than we have shown in the policies that failed us and the cause of freedom so badly in Cambodia and Vietnam.

[From the Detroit Free Press, Apr. 19, 1975]

THE DECLINE OF KISSINGER'S WORLD PLAN
(By Saul Friedman)

WASHINGTON.—I was one of Henry Kissinger's admiring students in 1962-63 when he was teaching his popular Harvard seminar on defense and foreign policies. And perhaps a couple of personal recollections might help explain why the world of Henry Kissinger is suddenly falling apart.

Kissinger is still admired by the American people and respected by leaders of the Soviet Union, China and most of the Western World. He appears to have the continued

confidence of the president. And major figures among Democrats and Republicans who are critical of Kissinger seem to have no alternative to his basic foreign policies other than returning the U.S. to the days of the Cold War.

Yet the talk of Kissinger's resignation seems to be getting serious. White House sources leak suggestions that there may be an appointment of a new national security adviser to "balance" Kissinger's influence. And leading lawmakers are suddenly hostile to Kissinger.

The reasons for Kissinger's problems go beyond what's happening in Southeast Asia, which has been seen as inevitable for a long time, or the Middle East, where Kissinger made a valiant effort, the best attempt to date. The reasons go deeper and back at least as far as that course he taught.

He presided over the seminar with Morton Halperin, then a young assistant professor who was to become a top Kissinger aide on Richard Nixon's National Security Council. With Halperin playing the straight man, Kissinger talked, quietly, brilliantly and at length, with the same touches of insight, humor and teutonic arrogance for which he has since become famous.

And around that long table at Harvard's Littauer Building, the students, even those who deeply disagreed with him, listened with the same fascination that for a long time in Washington has captured presidents, lawmakers and the press.

SECRET OF SUCCESS

Kissinger had just left the Kennedy administration after a brief stint as a part-time consultant and was then acting as an adviser on foreign policy for his old friend, Nelson Rockefeller, who had an eye on the 1964 presidential election. Still Kissinger loved to ridicule the academics then catching the Boston-Washington shuttle for trying to wear two hats. And Kissinger was warning of the dangers in the deepening American involvement in Vietnam.

It was not that Kissinger opposed taking a stand against communism in Southeast Asia or anywhere else. Rather, he had a world view of how American power ought to be used—to combat communism for other purposes. This was the secret of his success, what separated him from other policy makers and his predecessors when he came to Washington. He had a concept of what the world should look like and where the U.S. should be going.

Kissinger had become popular among political scientists, defense specialists and within government as a result of his book, "Nuclear Weapons and Foreign Policy," which was a subtle and profound argument for using weaponry—nuclear and non-nuclear—rationally, in accordance with political and diplomatic policy. But a more obscure book, which formed the core of Henry Kissinger's thinking, was called "A World Restored," a description of the balance of power systems between 1814 and 1914.

A GENERATION OF PEACE

What Kissinger has sought ever since is a restoration of "A World Restored," a modern relationship among the five great power centers—the Soviet Union, Communist China, Japan and Western Europe—which would keep the peace for at least a generation if not for 100 years.

It sounds neat enough but in the 20th Century, such a balance of powers imposing peace would mean keeping the lid on the status quo, employing economic and military aid, palliative reforms, internal subversion, political and economic pressure, overt force or whatever may be necessary to keep the partners as well as upstart outsiders in line.

In response to a student's question, Kissinger once acknowledged, candidly and with a smile, that his concepts and his approach to foreign affairs would have been more appropriate in the 19th Century.

Kissinger has a background in the German

"Realpolitik" tradition, which sees the value of a strong state and a "central authority" (his phrase) in the conduct of foreign affairs. He is closer to Bismark than Jefferson, which is why he has an obsession for secrecy and one-man shows and considers Congress an intruder. These Kissinger characteristics, which are necessary for his policies, are among the real reasons he's in trouble.

More important Kissinger's view of the world is collapsing because he sought to put something together in this era which didn't really work that well in that other time. Kissinger's "World Restored" makes little mention of the European revolutionary movements of 1848, the rise of Marxism, the economic problems and all the elements that led to all the explosions we've been hearing since World War I.

Just after World War I, America was touched by the first small ripples in the tidal wave of the 20th Century nationalism and rebellion. One of Kissinger's predecessors heard from a young Indo-Chinese named Nguyen Ai Quoc, who wrote Secretary of State Robert Lansing, on June 18, 1919: "We count on your great kindness to honor our appeal by your support. Since the victory of the Allies, all subject peoples are frantic with hope at the prospect of an era of right and justice which should begin for them."

The letter writer, whose pleas were ignored until he turned to armed rebellion, eventually changed his name to Ho Chi Minh.

WE SURRENDERED HALF THE WORLD TO HORROR

HON. GENE SNYDER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1975

Mr. SNYDER. Mr. Speaker, we cannot hide from the world our continuing foreign policy failures. The loss of South Vietnam and Cambodia to the forces of the world Communist movement is not inconsistent. Our action, or inaction there, simply parallels what we did or did not do in relation to every other country that today groans under the heavy yoke of Communist control. Our former colleague, Dr. Walter H. Judd, summed up our disastrous policy years ago:

We have tried to make friends out of our enemies by making enemies out of our friends.

An editorial in the Presbyterian Journal for April 2, 1975 comments on our many losses to the Communist forces with an incisiveness comparable to that of Dr. Judd. I want to call to the attention of my colleagues this editorial entitled, "Half the World Going, Going, Gone."

The editorial follows:

HALF THE WORLD GOING . . . GOING . . . GONE

The last word on the disaster shaping up in Southeast Asia has not yet been written and will not be written for a long time yet. But as almost half the world comes under Communist domination (or imminent threat), it will become clearer to the rest of the world what the United States has done.

The defense of the whole world does not, of course, rest in the hands of the U.S. alone. It never has. But the nation which was once the most powerful on earth has been like the leader of a platoon in combat. While the leader does not do all the fighting (or necessarily any of it, for that matter), he certainly

is responsible for whatever is done by the platoon.

The fighting in Southeast Asia did not have to be the long, agonizing, slow death it became. Just as the fighting in Korea did not have to divide that country so tragically and with consequences that will most surely make that land the next scene of action.

Nor did the Cuba fiasco have to conclude with such local and long-range effects as have followed throughout all of Latin America in the years since we permitted Communism to gain a beachhead in the New World.

Nor was the Berlin Wall necessary. Nor Hungary.

We have avoided our responsibilities in lesser crises and these have led to larger crises in which we have found it progressively easier to avoid our responsibilities.

Now we stand at the threshold of the final test and there is no reason—absolutely no reason—to believe that we will have the will, the character or the courage to meet it.

In a single day, as this editorial was being written, the sentiment, "the killing must stop so the world can have peace," came across the editor's desk at least four times. This opinion was expressed in an editorial in the local paper, in a letter to the editor in the same paper, in a report of a meeting of the Presbytery of Norfolk (PCUS), and in a letter to the *Journal*. In the prevalence of that opinion, the success achieved by the enemies of freedom stands dramatically revealed.

To say, "the killing must stop so the world can have peace," is like saying, "those painful cobalt treatments against cancer must stop so you can get relief from the pain." Because we have been unwilling to recognize the contest against Communism as a fight to the finish between slavery and freedom, millions are even now reaching their finish in slavery. And we did it. We? That's not quite accurate, for some of us tried to stem the liberal tide.

Why have we contributed to misery and death for multiplied millions during the past two and a half decades? Because our opinion makers have been on the side of the enemy.

Those through whose hands the news has been permitted to filter; those whose voices on radio and TV have been heard for 25 years; those whose influence has been felt in the streets and in the violence that has disturbed our own peace; those who have guided the Churches and other representatives of the moral conscience of the people—all have stood at the side of our enemies.

After World War II it became the fashion to speak of the shame of the Churches for not having stood against the Nazi horror. We wonder if future historians will not record that the shame of America's Churches during the middle years of the 20th century makes that of German Christians pale into insignificance.

For we surrendered half the world to horror.

SOLIDARITY SUNDAY CELEBRATED IN NEW YORK CITY

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1975

Mr. BIAGGI. Mr. Speaker, Sunday, April 14, was the occasion of the third annual Solidarity Sunday, held on behalf of the Jews of the Soviet Union under the auspices of the Greater New York Conference on Soviet Jewry. New York City police estimated that over 100,000 people braved the cold to express their support

for the oppressed Jews of the Soviet Union.

The theme of solidarity was reinforced by the participation of a cross section of the religious community. Reading a message from Cardinal Cooke, Sister Anne Gillen, a member of the Interracial Task Force on Soviet Jewry, stated—

It is fitting we should join with our Jewish friends and neighbors on behalf of Soviet Jews and other persons who are denied their civil rights in the Soviet Union. Their struggle is our struggle.

The plight of Soviet Jews is not one which has just recently gained the public eye. It has been long known that the Soviet Union has carried out a deliberate policy to deprive Jews, and other religious groups, of their basic civil liberties. Attempts have been made to prevent parents from teaching their children the faiths of their fathers. Jews have, at varying times, found it impossible to print religious texts necessary to the observance of their faith.

Yet, when Jews, and others, have attempted to gain permission to leave the Soviet Union, they have found that official Soviet policy is to make it as difficult as humanly possible to leave; "secret agreements" notwithstanding. Jews who have applied for exit visas not only find themselves unable to secure those elusive documents, but often find themselves out of their jobs, as well.

Driven by these impossible circumstances to protest their plight, Soviet Jews find themselves caught in a trap as they are made political prisoners. And political prisoners in the Soviet Union soon discover that prison is a place to be avoided at almost any cost.

One such prisoner, Eduard Kuznetsov, a Jew, recently managed to smuggle a diary out of prison, at great risk to himself, since he is not only still in the Soviet Union, but still in prison. The diary, soon to be published in London under the title of "Prison Diaries," recounts Kuznetsov's experiences within the Soviet prison system. Below are several excerpts from the book, illustrating the type of justice that dissidents within the U.S.S.R. can expect. I commend these excerpts to my colleagues in the hope that they may become aware of just what kind of fruit détente can bear.

EXCERPTS

20TH JULY

According to a law passed in 1969, convicts who have served a third of their term, must be kept in normal (i.e. open) barracks, and not in cells. When Berger asked him, at work today why this law was being broken, Kolgatin said ours was a special regime camp, and we had our own laws. Rudenko¹ himself knew about it, he said, so everything was all right (!)

At my place of work in Riga I could not get the reference I needed: I hadn't been working there long enough, they told me. I went to Moscow, then to Strunino, as I thought I had surely worked there long enough by now to be eligible for this necessary bit of paper. When I told the chief personnel officer I had come all the way from Riga especially for this reference, he was dumbfounded and said they could easily have sent

¹ USSR Procurator-General. Was chief prosecutor at Nuremberg trials.

it to me by post. "The trouble is that the institution which is asking for a reference insists it should say on it, 'For emigration and permanent residence in Israel.'" (The reason for this incidentally is quite simple—the reference as such is not particularly difficult to obtain.) I shall not bother to describe the reaction of the personnel officer to this, only that I was ordered to appear the next day before the chairman of the factory committee, who, after asking me a whole series of stupid questions like, "Why are you going to Israel?" and, "What are you going to do when you get there?" suddenly caught me unawares when he asked me, "What would happen if tomorrow my son was sent to fight for the Arabs: what would you do—shoot him?" I felt there was nothing I could do but answer him in kind: "Oh, has your son come back from Czechoslovakia already?" I didn't get the reference, need I say.

27TH SEPTEMBER

The same but worse. I never expected to have to swallow any medicine. You can only get a diagnosis in the hospital (i.e. in camp 3) as there is no laboratory or x-ray machine or proper doctor here. People can cry out in pain for months before they're taken to the hospital, which isn't all that much help when you get to it. Tabakov said if the pains (at last he seems to believe I get them) don't stop, he'll (perhaps) send me to the hospital in February or March.

4TH OCTOBER

My patience is at an end. I've been sick all day, gritting my teeth from pain, and hardly able to wait for the working day to end, and for Tabakov to appear as though he were the magical liberator of all woes (such is the power of the white gown—when you're wracked with pain you forget who's in it!). He shoved three tablets into my extended palm, this time in a wrapping which read "enteroseptol". (No wonder we're forbidden to have medical or reference books.)

Had he not slammed shut the food-hatch in time, I would probably have slung some boiling water at him. I know enough about medicine to know that enteroseptol is prescribed for children's diarrhea, dyspepsia and similar complaints. And he prescribed it as a sedative! As from tomorrow I'm going to declare a hunger-strike.

NATIONAL MAGAZINE FALLS FOR RADICAL NAVAJO LINE

HON. SAM STEIGER

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1975

Mr. STEIGER of Arizona. Mr. Speaker, for years I have spoken out against irresponsible reporting in the mass media. I am especially perturbed by those editors who seem to print anything that comes over their desks, regardless of its value, and regardless of whether or not the facts have been thoroughly checked and are accurate.

An article on the "plight" of the Navajo Indian which appeared in the publication *Nation* is a case in point of irresponsible editing. The story of the Nation's blunder was brought to light in an article which appeared in the *Gallup New Mexico Independent*, and I believe it is worthwhile to bring this story, and the real situation on the Navajo reservation, to the attention of my colleagues. The *Independent* article follows:

NATIONAL MAGAZINE FALLS FOR RADICAL NAVAJO LINE

(By Mark Acuff)

For some time now we've had a residual admiration for the *Nation*, America's oldest weekly journal of opinion, founded in 1865.

But in recent years we've been irked more and more by the magazine's propensity for publication of ill-researched knee-jerk articles on the natural resource and downtrodden Indian problems of the west.

It has long been a truism among freelance writers in these parts that if you want to sell an article to the eastern press, find yourself a downtrodden Indian and you are home free. We're guilty of it ourselves. Sometimes you can sell the same downtrodden Indian yarn to several publications.

But the *Nation* has turned out to be more gullible than most, a point driven home recently by the arrival of their March 29 issue, containing a marvelously inventive piece by one Philip Reno, an alleged teacher of economics at Navajo Community College.

Reno is a blatant partisan of the radical Navajo viewpoint, a fact obvious to those of us in the vicinity, but to a New York editor all Indians look alike and only the radicals are heard from.

Reno's thesis is the same old stuff: the "high dry and penniless" Navajos are prostrate before the Monopolistic Corporations and the fangs of various bureaucrats who want to take away their water rights, mine out their energy resources, pay the Indians nothing and ruin their valuable culture while at it.

Reno takes the value of Navajo culture as revealed truth, apparently, including their alleged right to continue to decimate their reservation lands. A century of sheep grazing has reduced formerly productive land to desert. Yet this is supposed to have something to do with the sacred Navajo way of life.

We didn't know sheep were invented by the Navajos. For some reason, we've been laboring under the impression that this particular pest was imported from Europe. Likewise, blanket weaving and silversmithing, two crafts usually thought of as "Navajo" are in fact of European origin.

What real traditions and customs the Navajos have are descended from the original Athabaskan stock which divided into the various Apache and Navajo groups extant today. Some of the traditions, such as slavery, pillaging the Pueblos, and that sort of thing are not in vogue at the moment.

The Navajos are plagued by overpopulation, overgrazing and nutball political movements, such as the crazy stunt which drove 400 jobs off the reservation recently. Apparently nobody is interested in doing anything about these real impediments to solution of problems. Instead, the emphasis in the Reno-like outlook is on mythology and conspiracy theories.

It now appears that the coal gasification plants promising to bring about \$3 million in immediate new investment to the reservation are going to be scuttled, not for sound environmental reasons, but due to mythology and conspiracy theories.

"Survival for the Indian comes down to the relationship between life and land," says Reno. And that, of course, requires an adequate resource base to put the land to use and save the culture.

That's where the discussion launches off into flights of sheer fantasy. There is a popular theory among the new breed of Indian radicals that something called the "Winters Doctrine" gives each and every tribe of Indians the right to all the water they can ever use for anything they can dream up. Some Santo Domingos apparently claim the right to divert the entire Rio Grande because it crosses their land. The Jicarilla Apaches have filed suit claiming zillions of acre feet of

water rights for their irrigable land. The Jicarillas have never been farmers and the small amount of potentially irrigable land they have is near the bottom in seniority for water rights under New Mexico law.

Some Navajos apparently want to claim the entire flow of the San Juan, citing the Winters Doctrine. No court has ever agreed with such a fatuous notion. Reno quotes "noted water rights attorney William Veeder" to the effect that the entire Colorado drainage system is over appropriated, which everybody already knew. Veeder may be noted, indeed, but he is noted as stark raving crazy by nearly every other professional water lawyer in the West. Veeder may in fact have done more to damage Indian water rights than any man living, merely by screwing up litigation with nutball arguments and outlandish schemes. New Mexico's doctrine of prior appropriation in regard to establishment of water rights is highly beneficial to the Pueblos and Veeder wants to throw it out the window.

People like Reno apparently think water used for such things as the gasification plants is being stolen from the Indians. In fact, if the Navajos do not use the San Juan water allotted to them annually, it just goes down the river. They ought to get some benefit from it. Reno seems to think they can store it someplace and use it 10 years from now.

Then along come engaging people like Peter Montague, a professional meddler in local environmental questions who generally suffers from an inability to get the facts straight before launching new tirades.

This time he added up his sums and managed to invert the figures for diversion and consumptive use on the San Juan, coming up with a deficit so much larger than the actual allocation that the state engineer was heard to comment that the Navajos would have to import the deficit. The *Journal* actually reported this as news.

Reno and others of similar persuasion are fond of comparing the long delays in developing the Navajo Irrigation Project to the rapidity with which the San Juan-Chama Project came to be. It is true that the NIP has been long in developing, but that is partly because it has been something of a boondoggle all along. Clinton Anderson was never really convinced it was a reasonable scheme, and supported it only as tradeoff for other projects.

The San Juan-Chama was immediately feasible because the water is committed to existing users on already developed land. The NIP will irrigate all new land, which has to be cleared, leveled, and prepared for irrigation, at a cost of up to \$500 an acre. Some \$25 million a year actually is now being put into the NIP. And that's a pretty fair amount in these depressed times.

The Navajos in effect waived their Winters Doctrine rights in return for 110,000 acre feet of water rights without litigation. But Winters Doctrine rights have been held repeatedly by the courts to amount to what water the Indians can put to "practical use"—not a carte blanche for any wild scheme.

The Navajos, however, are unable to use all their water rights, and will remain unable to do so for some time at least until the NIP is farther along. In the meantime they can benefit to some extent by selling the unused water to coal gasification plants, which have a limited lifespan, or to anybody else willing to pay money for it.

That the coal gasification plants will destroy the "Indian way of life" is absurd. What remains of ancestral Navajo culture won't last much longer without a blade of grass left and zero prospects of economic development. Running sheep is an obsolete way of life, as is subsistence agriculture, and if the Navajos want to survive with anything intact they must find a way to come to terms with

the modern world, survive economically, and hang on to the aspects of their culture they value at the same time.

These "instant experts" on Indian affairs and water rights are not helping the situation.

DANGERS IN THAILAND

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1975

Mr. HARRINGTON. Mr. Speaker, while our collective attention is focused on the collapse of South Vietnam and Cambodia, I want to remind my colleagues of conditions and events in neighboring Thailand which may portend a catastrophe of a similar nature in that country. In doing so I do not intend to imply endorsement of the notorious domino theory. The mounting revolutionary fervor in Thailand stems not from infiltrations from Hanoi and Phnom Penh, but from ostentatious abuses of power by the Thai leadership.

If we seriously want to avoid in Thailand the mere exchange of rightwing for leftwing dictatorship we have seen elsewhere, I suggest that we encourage our Government to take what diplomatic steps it can at this point to promote a more responsible and democratic attitude on the part of our friends in Bangkok.

Lewis M. Simons, in an article appearing in today's edition of the Washington Post, has offered valuable background information on this subject. I insert his observations in the RECORD at this time:

THAIS FEAR THEY MAY BE NEXT DOMINO

(By Lewis M. Simons)

BANGKOK, April 22.—With Cambodia already under Communist control and South Vietnam on the verge, a question being asked with increasing frequency here in Thailand is, how much more does Hanoi want?

Some Thais are convinced that once Saigon falls, the North Vietnamese will swiftly turn their full military might on this country, "the next domino."

Others believe Hanoi will be satisfied with complete control of all Vietnam and friendly Communists or socialist governments in neighboring Laos and Cambodia.

But no knowledgeable Thai or foreign observer here doubts that the Hanoi regime will step up its support for the burgeoning Thai Communist insurgency in the north and northeast of the country and for the political unrest blossoming in Bangkok and other cities.

The most widely held judgment on Thailand's immediate future is that with increased North Vietnamese funding and fueling, and official inability or unwillingness to recognize and deal with the insurgency and its causes, it is about to become a major crisis.

Thailand is as ripe as a country can be for a full-fledged insurrection. With strikingly rare exceptions, top political, military and police officials are thoroughly corrupt. Their interests are totally focused on accumulating comfort and wealth in Bangkok while the problems of the countryside are ignored.

The government, patched together into a coalition from more than a dozen political parties, is unstable and may not last another six months.

With a population of 41 million growing at the extremely high rate of 3.3 percent a year,

demand for farm land is quickly outstripping availability.

Meanwhile, the insurgents, too, are building their numbers. Although the Thai insurgency has been nominally active for at least a decade, in the last few years intelligence sources have detected annual recruitment increases as high as 20 per cent.

The insurgents, known as the Thai People's Liberation Armed Forces, are thought to number about 8,500, with about three-quarters of their strength in the north and northeast. That part of the country is ideally suited for their activity. Income is lower than anywhere else in Thailand—about one-sixth of what it is in Bangkok. Alienation from the mainstream of Thai society is most keenly felt by the tribal hill people in the region.

From Bangkok, it is easy to dismiss the future of the uprising as just more of the "pop-gun affair" it has been so far, to use the words of one long-time Western observer. But the insurgents, or "CTs" (Communist terrorists, as the government and U.S. experts call them) have a different view.

From the outside looking in, Bangkok appears to be a decaying city growing more rotten each day. With its thousands of prostitutes, massage parlors, night clubs, glittering neon lights, expensive imported cars, horse racing and all the other superficial signs of Western-style wealth, it is an old-fashioned sin city.

About 10 per cent of Thailand's population lives in Bangkok. Each year, thousands of rural people drift to the city in the dry season to work as laborers to survive until the next planting.

What these people see—and cannot have—in Bangkok has the effect of priming them for the insurgents' appeal to turn against the government.

A number of Thai and foreign experts believe the Communist successes in Cambodia and South Vietnam will inspire not only the Thai rebels but large numbers of rural Thais as well.

Communist gains in Indochina have already taken their toll on the morale of Thailand's government, military and police leaders. This crumbling from within, even more than North Vietnamese assistance from without is likely to prove crucial to the Communist campaign.

One Western expert in anti-insurgency tactics who has worked in Southeast Asia for nearly 20 years said officers and men of the top-heavy Royal Thai Army have no will to meet the Communists on their own ground and when contact is unavoidable the government troops fight only if they have overwhelming numerical superiority.

"This army has been molded by the U.S. Army," he said, "and Vietnam has proven beyond all doubt that the Americans are not prepared to fight an Asian guerrilla force. Neither are the Thais."

Top army officers are far more interested in politics and increasing their stables of cars, race horses and women than in spending their time fighting what seems a remote and insignificant enemy.

Some observers believe that the generals (there are an extraordinary number—24—of four-star generals in an army of some 120,000) are concentrating their efforts right now on staging a coup to get back the dictatorial power they enjoyed for years.

Premier M. R. Kukrit Pramoj is widely believed to understand the inherent seriousness of the insurgency and to be committed to healing at least some of the root causes. Shortly after taking office five weeks ago, at the head of a shaky, diverse coalition, he proposed a plan which would partly reverse the one-way flow of resources into Bangkok.

But the program, which would send \$125 million into local government councils and otherwise decentralize Bangkok's administrative and development authority, is running into potent opposition from political

forces and from the corrupt and outmoded civil service, which has an enormous stake in keeping all power and money highly centralized in Bangkok.

A leading Foreign Ministry official, who subscribes to the belief that North Vietnam will soon turn against Thailand in force, said that neither religion nor crown would be sacrosanct when the pressure mounted.

Even those Thais who are most dovish about Hanoi's intentions in the rest of Southeast Asia, concede that the insurgency will blossom without a great deal of outside help simply if the government continues to ignore it.

"We're at the point now where we're going to have a revolution in Thailand, there's no question about that," said an agrarian reform specialist. "The only choice we have is whether the government will let the Communists run the show, in which case it will be as bloody as the revolutions in Indochina, or whether the government will conduct its own revolution, in which case it will be less bloody. It's not much of a choice."

CONCLUSION OF "FANTASIES OF FAMINE"

HON. PATRICIA SCHROEDER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1975

Mrs. SCHROEDER. Mr. Speaker, yesterday I inserted for the attention of my colleagues the first part of an article entitled "Fantasies of Famine," by Frances Moore Lappé, from the February 1975 Harper's magazine. Today I am inserting the conclusion of this article that speaks so well to the urgent need to make more efficient use and distribution of our Nation's agricultural resources. The conclusion of the article follows:

FANTASIES OF FAMINE—II

In his latest book, "The Food and People Dilemma," George Borgstrom presents statistics that demolish our assumptions about poor-world dependency and rich-world self-sufficiency.

Consider Japan and Western Europe, which together contain only about one-sixth as many people as the poor world. They import about 20 percent more grain than all the underdeveloped nations combined. Japan, with one-thirteenth the population of China and India, imports more food than they do together.

Per capita figures are even more dramatic. For each citizen of the United Kingdom, almost fifteen times more grain was imported yearly during the 1960s than for each Indian. The world's leading importers of plant protein are Denmark, Israel, the Netherlands, and Belgium—not Chad, Senegal, or Bangladesh. Per person, Denmark imports five times more plant protein than the total protein intake per person in much of the poor world.

Sometimes our food-related images of a country are terribly misleading. This is particularly true of the Netherlands, which evokes the image of a pigtailed dairy maid her milk pail filled to overflowing. Yet the Netherlands is in fact a leading importer of milk protein. During the mid-Sixties, the Netherlands annually took in more nonfat milk solids (mainly for raising veal) than did the entire poor world. The United States, known worldwide for its Texas roundups, is in reality the world's leading importer of beef. We are also a net importer of milk products.

Although much of the food imported by the rich countries comes from other rich

countries, much comes from the poor world. Borgstrom has concluded that the rich world imports more protein from the poor world than we export to it. Europe, for example, imports one-third of the African peanut crop to feed to its livestock. Much of the meat and seafood we import also comes from the poor world. Thus the facts do not support Senator Kennedy's statement that we all face acute "scarcities"—differing only in degree. It is our disproportionate use and waste of the world food supply that pushes the price of grain up beyond the reach of those in serious need and ensures that the real scarcities appear elsewhere.

The term "scarcity" itself has an absolute quality that to most people means there is simply not enough to go around. Recently a *New York Times* article flatly asserted that "world population has long since outstripped food supplies." The reader is left feeling helpless, that we have already lost the battle. The president of the Rockefeller Foundation, John Knowles, certainly seems to feel that we have lost. He has stated grimly, "Malthus has already been proved correct." Not so. If our agricultural resources were used rationally and distributed at all equitably, there would be enough to go around now.

What of the future? That we are all in the process of deciding. If we choose not to make the profound economic changes necessary to provide everyone with an adequate diet and thereby the fundamental security prerequisite to the slowing of rapid population growth, then our numbers will certainly soon overwhelm the absolute capacity of the Earth to support us. The population problem does not make finding the solution to the food problem hopeless; it makes it imperative.

Edwin Martin, the State Department leader of our delegation to the World Food Conference, stated that one of the main purposes of the conference was "improving the efficiency of the food systems in developing countries." Shouldn't he have said "food systems in the developed countries"? A first step in meeting the world food crisis is shifting American agriculture from a disposal system to a maximally efficient one.

As one move in this direction, Representative John Selberling of Ohio has introduced a bill that would provide funds for developing the completely untapped potential of presently discarded substances for livestock feed. Were we to use the Chinese maxim, "Waste is valuable," a concept well known in less-developed countries, our production of livestock feed would not use up agricultural land that could be feeding people directly. Cornstalks, pea vines, vegetable tops, even treated cow manure and newspapers can, it turns out, be appetizing to ruminants. Livestock could then once again become invaluable "protein factories."

Another legislative approach being considered is a mechanism to ensure that any reduction in per capita grain consumption (the result of lowering our meat intake or using ruminants more efficiently) would be linked to an increase in the world grain supply. Such an effect could be accomplished by leaving land in production and instituting well-thought-out export controls, along with increased food aid, to ensure that our food surplus goes to those with real need and not to livestock producers in Europe, Japan, or the U.S.S.R.

But this action would only be a first step; the second step must be a solution to the wealth problem, for without it there can be no solution to the food problem. The wealth problem is the enormous and widening gap between the rich minority and poor majority. In the Sixties, the global Gross International Product increased by more than \$1 trillion, but the cuts were hardly equitable: 80 percent of that increase went to the rich or relatively rich (with per capita annual in-

comes of over \$1,000), and 6 percent accrued to the poor (incomes of \$200 or less).

If any game of chance produced such consistently lopsided returns, we would have to conclude that the game was rigged. And so it is in the grand game of global economics. In order to sustain the level of inequities to which we have become accustomed, every aspect of the system—all of our trade, monetary aid, and military ties—must work in our favor.

Seventy-five percent of the poor world's foreign exchange—money for plows, schools, research—is earned by exports. Yet in the past two decades the share of the poor countries in world trade declined from nearly one-third to less than one-fifth. This is partly because barriers in the rich countries against imports from the poor are generally higher (in many cases almost twice as high) as those against the products of other rich countries. Because our trade barriers increase according to the level of product fabrication, they have the effect of keeping the poor world from the profitable business of processing their own raw materials—be it making chocolate candies or instant coffee.

The relative value of poor-world products has gone down, too, so that while the poor have increased their exports significantly, they still find themselves back almost at the starting gate. Between the Fifties and the early Seventies, the volume of exports by the poor world increased by one-third, yet their value increased by only 4 percent.

A popular notion is that many poor-world countries are now reaping a bonanza from recent raw-material commodity-price increases. The main beneficiaries, however, have been the developed countries. The increase in their export earnings attributable to primary products other than oil was \$29 billion in 1973—nearly three times as much as the \$11 billion increase in the commodity exports of the developing countries.

Add to these poor earnings the increased price the poor world must pay for oil, and you have a trade deficit for the poor world that deteriorated by \$5 billion to \$9 billion last year (compared to 1972) and will worsen by more than double that amount this year. How much food will they be able to buy then? Add this increasing deficit to the already existing debt of the poor world—a debt that currently exceeds \$80 billion and demands an interest payment to the rich so high as to approach the value of all the financial aid given.

Consider also that since 1971 the poor world has lost between \$1 billion and \$2 billion in the value of its reserves by the successive devaluations of the dollar, a process over which it had no control. (This was after it had been encouraged for twenty years to hold the dollar as a reserve currency!)

Finally, add the fact that official development assistance from the industrialized countries, which never met even the modest targets set during the Sixties, is now sinking even further. The U.S., leading the decline, now ranks next to last among the Western countries as aid donor in relation to gross national product.

While all assistance has declined, food aid has plummeted. Barely one-sixth as much food as ten years ago is now being shipped abroad from the U.S. for hunger relief. (The total U.S. AID budget for food aid, rural development, and nutrition programs could be financed by a mere 10 percent reduction in our troops overseas.) At the Rome food conference in November the United States was not only unmoved but seemed downright resentful of urgent calls for even a modest increase in our food aid. But the fact is that we could double our current food aid, and it would still amount to less than the \$2 billion or more we gained in 1974 as a result of the higher prices we received from foodstuffs sold to the developing countries.

Actually, "food aid" is a misleading term because it carries with it the notion that our food is being allocated according to need. In fact, the lion's share goes to buying political friends. Of the \$1 billion food aid budget, only 20 percent is destined for the many famine-stricken countries. The rest is going to such countries as South Vietnam, Cambodia, Chile, Jordan, Syria, and Egypt.

Put this all together and what have you got? A prescription for a system on the verge of collapse. Just as in America's favorite game, Monopoly, when one player gets all the money, you know that the game is almost over.

NEW RULES OF THE GAME

These economic inequities have mounted unnoticed year by year. But in recent years, as the export price of rice has tripled, and that of wheat has quadrupled, threatening the staff of life for most of humanity, it is impossible to avoid recognizing the need for profoundly restructuring the world economic order. It is only now, at the twelfth hour, that we are beginning to hear some urgent, unprecedented proposals to revamp the rules of the game.

Most publicized have been attempts of the World Food Conference to establish a system to stabilize world grain prices. (This idea is strongly opposed by American grain traders, who make their money on price fluctuations, and by farm interests, who fear that the prices will be stabilized at the low end of the scale.)

Similar suggestions are being made concerning raw commodities on which the poor world depends for income. Henri Konan Bédié, the African chairman of the recent annual meeting of the International Monetary Fund and the World Bank, suggests that it is time to "recognize that the law of supply and demand can't continue" and to agree on some minimum prices. Secretary General Gamani Corea of the United Nations Conference on Trade and Development sees the necessity for a new approach to the commodity problem, including, "a series of buffer stocks for a range of commodities, supported by a central fund." Coffee producers are trying essentially this technique on their own and are being scolded for acting like a cartel. (Curious: we control more of the world's food supply than the Arabs do oil, yet we never think of ourselves as a food cartel, even while we blithely let our prices skyrocket.)

On the question of the poor world's heavy debt burden—that \$80 billion debt that cancels out so much of the development assistance—Corea suggested recently that there be not only renegotiation or moratoriums on the repayment but, in some cases, outright debt cancellation. When it becomes obvious that the old rules do not work, we can't go on living by them.

To be sure, logic and reason will not suffice to change those rules. Prejudices and stereotypes must also be overcome. Many Americans are convinced, for example, that marginal nations—overwhelmed by poverty, overpopulation, recurrent natural disasters—will never summon the skill and will needed to overcome hunger. If the poor can't even begin to help themselves, this assumption goes, the rich are fools to throw good money after bad. Forget the hungry: let nature take its course. Yet people who have worked extensively throughout the underdeveloped world say that these subjective assessments are dead wrong. Norman E. Borlaug, the chief green revolutionist (and Nobel Prize winner) recently stated: "I have a lot of respect for the small farmer [in the poor world]. . . . Almost invariably when you look at what he's doing with his land, you find he's producing the maximum under the situation he has to work with. The thing is that he usually doesn't have much to work with."

Borlaug is right. Of all World Bank loans in 1974, only 18 percent went to agriculture. In a sample of fourteen Third World countries, agriculture received only 11 percent of investment.

Corresponding in magnitude to the rich world's waste of protein is the poor world's waste of food production potential. The obvious third step in meeting the world food problem is the development of that potential—a potential represented by the small farmer and his family, who make up at least one-third of the human race.

In the Indian state of Punjab, with the help of strong government support, small farmers adopted new high-yielding varieties of wheat at a rate faster than American farmers adopted hybrid corn, the classic success of U.S. agriculture. As a result, India expanded her wheat production between the mid-Sixties and the early Seventies at a rate unmatched by any other country in history.

According to Lester Brown of the Overseas Development Council, "rice yields per acre in India and Nigeria still average only one-third those of Japan; corn yields in Thailand and Brazil are less than one-third those of the United States." There is a lot of room for improvement in these countries and with much smaller increments in resources than would be necessary in the industrialized countries. Scientific farming can be practiced on one- or two-acre, family-worked plots without large-scale machinery powered by fossil fuels. It has been proven in countries such as South Korea and Taiwan that the small farmer will respond, given an adequate credit system, extension services, and a marketing and distribution system that will ensure him a return for his effort.

For years, we have concentrated on industrial development in the poor world in order to achieve 5 percent rates of growth in GNP (the highest ever achieved by a modernizing state in the early stage of development). In so doing, suggests the economist Barbara Ward, we have somehow overlooked the history of our own development. She reminds us that early development in virtually all the now industrialized countries was initially based on "agricultural expansion . . . by the downward extension of credit, marketing, services, small-scale enterprise in manufacturing and commerce to a wide network of regional urban centers and the resulting spread of economic activity away from single big centers."

In this reluctance to get down to basics, much has been made of the elitist, uninspired, or just plain corrupt leadership in poor world countries who opt for airports and hotels over plows or wells. There is more than a touch of hypocrisy in this criticism. While we criticize these leaders, we also provide extensive military assistance so that many of them remain in power. In 1973 the United States supplied \$9.5 billion in military aid and police training to sixty-four countries, twenty-five of which are ruled by military regimes or permit no open opposition to the government.

Pointing the finger at bad leaders in poor countries is one mechanism we use to avoid facing our own complicity. Another rationalization for inaction is the rich world's growing sense that the poor world's problems are insuperable, beyond the capacity of even the most generous aid donors.

Such defeatism, however, is premature: consider a few calculations. What would it cost to eradicate illiteracy in the world? Answer (according to a UNESCO estimate): \$1.6 billion for five years. What would it cost to provide a basic maternal-health and family-planning service for everyone in the poor world (excluding China, which is well on its way to achieving this goal)? Answer (according to Lester Brown): \$2 billion a year. What about plows, material for constructing wells, irrigation ditches, storage facilities, roads, research facilities? Surely this sort of farm aid

is far cheaper (and more stabilizing) than sophisticated fighter planes and other high-priced weaponry. If we are contributing \$9.5 billion a year in military assistance to many of these same countries, the problem of cost is not insoluble.

Seeing famine spread through Asia and Africa, many would now believe that our development efforts have failed, that it is time to shelve our Judeo-Christian ethics in favor of the ethics of last resort—lifeboat ethics. But, noting our fixation on military as opposed to humanitarian aid, on industrial over and above agricultural support, and at the same time our total neglect of the negative impact of world commercial and monetary arrangements on poor nations—clearly, one must conclude: development has not "failed"; it has simply never been tried. The first maxim of nautical ethics is that you don't go to the lifeboats, which will save only a few, until you've made every effort to salvage the ship for the sake of all.

We must transcend the negative, hopeless response to the grim picture story of hunger. The suffering may be brought before our eyes, but the evil lies elsewhere—in the banality of an economic machine that can't be seen but generates untenable inequities and unending misery. Its day-to-day operation may not make good copy or good political cartoons, but in it there is hope, if only because through an awareness of how it works to create hunger, one cannot avoid the conclusion that the problem of world hunger is under human control.

IS IT BETTER TO BE AN ALLY OF THE COMMUNISTS THAN OF THE UNITED STATES?

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1975

Mr. CRANE. Mr. Speaker, despite the fact that many Americans seek to escape a confrontation with the hard questions about the current tragedy in Indochina, history will not permit such an evasion.

The United States did commit more than 500,000 Americans to fight Communist aggression in Indochina. We did persuade the South Vietnamese to sign the Paris Peace Agreement which permitted the North Vietnamese to keep their entire army in the South. We did declare that this achievement was one of "peace with honor," and our Secretary of State did accept the Nobel Peace Prize for its achievement. Now, the North Vietnamese have violated those agreements with an aggressive assault upon the South while we have withdrawn aid to our ally and have turned away from our commitments.

Does any American seriously believe that this debacle can simply be shunted aside, and that those who say we should not discover who is to blame for this tragedy are to be heeded? History will not permit us to walk away from a commitment such as this without losing a great deal of our credibility and perhaps even our status as a reliable ally. The South Vietnamese have now said that it is safer to be an ally of the Communists than of the United States. It is sad for Americans to admit this, but events may be proving them correct.

Those in the Congress who are calmly

looking away as terror and violence engulf the people of South Vietnam and Cambodia are evading their responsibility by using terms which can only be called falsely moralistic. They should not be permitted so easy a camouflage for what they have really done.

Discussing this situation, Kenneth Crawford, long-time columnist for Newsweek magazine, noted:

They would be more bearable if they could refrain from wrapping themselves in a cloak of moral superiority while at the same time insisting that this country has no moral responsibility for allies it has been supporting over the years and encouraging to fight in their own defense. If these allies must surrender, it would be better for them to do it themselves than to have Congress doing it for them.

Mr. Crawford concludes:

It would be better if Congress were not so clearly telling the world that the Communist supporters are more dependable allies than the United States. And it would be nice, too, if TV "personalities" were less eager to abet the telling.

I wish to share with my colleagues the column, "Indochina Recriminations," by Kenneth Crawford, which appeared in the Washington Post of April 9, 1975, and insert it into the RECORD at this time:

INDOCHINA RECRIMINATIONS

(By Kenneth Crawford)

In a recent talk show on the public television channel a lot of gratuitous advice was passed out. One panelist advised against "recriminations" in this country when the question becomes: Who lost Indochina? She said such recriminations would be "divisive." Another member of the panel warned against discussion of the defeat in a cold-war context. He said the cold war was passe—a relic of the 1960s, now superseded by détente.

On a subsequent news show on one of the commercial channels Sen. Birch Bayh (D-Ind.) said he was tired of hearing Congress blamed for the rout of government troops from the northern provinces of South Vietnam. And Rep. Paul McCloskey (R-Calif.) said his first impulse, after visiting Cambodia, was to "string up" the American officials responsible for dragging that little nation into the war. He was so quoted, approvingly, by one of the most monotonous of the hand-wringing deplorers.

It is currently fashionable to blame Secretary of State Kissinger for the horrors we are seeing in the television news from Indochina. Even a national magazine of serious and fair-minded reputation runs a cover cartoon ridiculing the secretary for the troubles his policies are in around the world. Yesterday's hero becomes today's scapegoat. It is one of our prerogatives, but one of the least attractive when exercised, to kick the mighty when they are down.

We are being invited to wallow in self-justification and self-deception. The national brain is being washed clean of guilt in connection with Indochina, and doubtless it wants to be so washed. Bayh may be tired of finger pointing at Congress but his fatigue doesn't alter the fact that Congress, when it decreed an end to military assistance for South Vietnam and Cambodia, pulled the plug and sent them down the drain.

True, they might have gone down anyway eventually. But their defeat would have been less ignominious—especially for us—had we stood by them to the end, to the extent of keeping military supplies flowing.

There will be recriminations. They are unavoidable short of forbidding debate. Perhaps we can learn something from this experience, such as not to start what we are

unwilling to finish. As for the cold war being superseded by détente, tell it to the refugees on the roads to Saigon under North Vietnamese rocket and artillery fire. It might be comforting to them to know that explosives came from a branch of the one big happy world family brought together by détente.

But the troops going south refused to stand and fight. They abandoned their arms. They turned out to be a weak army. So they were not worthy of help? This was an army out of hope and on the run from an enemy superior in equipment and numbers and it panicked. Panic is a disease to which all humanity is vulnerable. We are not immune from it. We should be slow to judge.

We ourselves have been unkindly judged by Sir Robert Thompson, British Asia expert and friend and admirer of the United States, or former friend and admirer. He writes that we have run out on our allies, not only on South Vietnam and Cambodia, but on Israel as well, and as result have lost our credibility as a world power. As he sees it:

"The American retreat from Moscow, like that of Napoleon, is beginning to litter the route of corpses. Henry Kissinger has been vainly fighting a rear-guard action with no army, no air force, no navy and no money.

"The administration can no longer conduct a credible foreign policy. But, do not worry, a new policy line already has been laid down by Congress: If you surrender the killing will stop. It is a clean message, to the world, of the abject surrender of the United States."

Too harsh a judgment after the expenditure of 50,000 American lives, national morale and billions in treasure? Perhaps. It is part hyperbole. The United States still has an army, an air force, a navy and money. But Congress has decided that none of them shall be used further to bolster Indochina's defenders militarily. That amounts to the same thing, so far as Hanoi and Phnom Penh are concerned, as our not having them.

That equation may be lost for the moment on the American public, already being assured and reassured that Congress, the Congress it elected, bears no responsibility for the debacles of Indochina. But it is not being lost on the Thais, the Filipinos, the Israelis, the Portuguese and, naturally, the Soviet and Chinese governments.

Sir Robert is exactly right in his interpretation of what Congress has said. It has said that what is left of Cambodia and South Vietnam under non-Communist auspices must be defeated quickly to end the bloodshed of war. Washington, Lincoln and Roosevelt might have proposed to stop American war for the same reason—to end the bloodshed. Fortunately for us and for their places in history they didn't.

It can be argued that the two situations are wholly different—that these American heroes were fighting for American objectives, and winning, whereas a succession of later Presidents were fighting for no American objective in Vietnam, and losing. Yet Congress agreed for years that the objective of American free-world leadership in resistance to the spread of totalitarianism on the left was objective enough that American freedom is dependent to a degree on freedom elsewhere in the world.

President Ford still says it is. In his California press conference he paraphrased President Kennedy's inaugural address pledging American defense of freedom anywhere. It sounded hollow this time around. The President is not only hamstrung by Congress, but by a new and presumably improved Congress. It is a Congress chucked with Democratic neophytes determined to "change things." Insofar as foreign policy is concerned the change is for the worse.

These first-term members keep telling us that they are a new breed of forward-looking liberals. Their central idea is to take money

away from defense and spend it on welfare. They have all but seized control of the House through the party caucus. That, they say, is what they were elected to do. Whether this is liberal statesmanship or demagoguery is a nice question.

They would be more bearable if they could refrain from wrapping themselves in a cloak of moral superiority while at the same time insisting that this country has no moral responsibility for allies it has been supporting over the years and encouraging to fight in their own defense. If these allies must surrender, it would be better for them to do it themselves than to have Congress doing it for them.

Morality aside, it would be better if Congress were not so clearly telling the world that the Communist supporters are more dependable allies than the United States. And it would be nice, too, if TV "personalities" were less eager to abet the telling.

SECRETARY OF STATE, HENRY KISSINGER

HON. RICHARD F. VANDER VEEN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1975

Mr. VANDER VEEN. Mr. Speaker, at present the United States faces severe diplomatic problems in many parts of the world and the center of the controversy regarding these problems is the Secretary of State, Henry Kissinger. I believe the following article by Saul Friedman, a well-known columnist for the Detroit Free Press, presents, I think, a perceptive analysis of the problems Kissinger is facing and the serious weaknesses in his diplomatic policies:

I was one of Henry Kissinger's admiring students in 1962-63 when he was teaching his popular Harvard seminar on defense and foreign policies. And perhaps a couple of personal recollections might help explain why the world of Henry Kissinger is suddenly falling apart.

Kissinger is still admired by the American people and respected by leaders of the Soviet Union, China and most of the Western World. He appears to have the continued confidence of the president. And major figures among Democrats and Republicans who are critical of Kissinger seem to have no alternative to his basic foreign policies, other than returning the U.S. to the days of the Cold War.

Yet the talk of Kissinger's resignation seems to be getting serious. White House sources leak suggestions that there may be an appointment of a new national security adviser to "balance" Kissinger's influence. And leading lawmakers are suddenly hostile to Kissinger.

The reasons for Kissinger's problems go beyond what's happening in Southeast Asia, which has been seen as inevitable for a long time, or the Middle East, where Kissinger made a valiant effort, the best attempt to date. The reasons go deeper and back at least as far as that course he taught.

He presided over the seminar with Morton Halperin, then a young assistant professor who was to become a top Kissinger aide on Richard Nixon's National Security Council. With Halperin playing the straight man, Kissinger talked, quietly, brilliantly and at length, with the same touches of insight, humor and teutonic arrogance for which he has since become famous.

And around that long table at Harvard's Littauer Building, the students, even those who deeply disagreed with him, listened with

the same fascination that for a long time in Washington has captured presidents, lawmakers and the press.

SECRET OF SUCCESS

Kissinger had just left the Kennedy administration after a brief stint as a part-time consultant and was then acting as an adviser on foreign policy for his old friend, Nelson Rockefeller, who had an eye on the 1964 presidential election. Still Kissinger loved to ridicule the academics then catching the Boston-Washington shuttle for trying to wear two hats. And Kissinger was warning of the dangers in the deepening American involvement in Vietnam.

It was not that Kissinger opposed taking a stand against communism in Southeast Asia or anywhere else. Rather he had a world view of how American power ought to be used—to combat communism for other purposes. This was the secret of his success, what separated him from other policy makers and his predecessors when he came to Washington. He had a concept of what the world should look like and where the U.S. should be going.

Kissinger had become popular among political scientists, defense specialists and within government as a result of his book, "Nuclear Weapons and Foreign Policy," which was a subtle and profound argument for using weaponry—nuclear and non-nuclear—rationally, in accordance with political and diplomatic policy. But a more obscure book, which formed the core of Henry Kissinger's thinking, was called "A World Restored," a description of the balance of power systems between 1814 and 1914.

A GENERATION OF PEACE

What Kissinger has sought ever since is a restoration of "A World Restored," a modern relationship among the five great power centers—the Soviet Union, Communist China, Japan and Western Europe—which would keep the peace for at least a generation if not for 100 years.

It sounds neat enough but in the 20th Century, such a balance of powers imposing peace would mean keeping the lid on the status quo, employing economic and military aid, palliative reforms, internal subversion, political and economic pressure, overt force or whatever may be necessary to keep the partners as well as upstart outsiders in line.

In response to a student's question, Kissinger once acknowledged, candidly and with a smile, that his concepts and his approach to foreign affairs would have been more appropriate in the 19th Century.

Kissinger has a background in the German "Realpolitik" tradition, which sees the value of a strong state and a "central authority" (his phrase) in the conduct of foreign affairs. He is closer to Bismarck than Jefferson, which is why he has an obsession for secrecy and one-man shows and considers Congress an intruder. These Kissinger characteristics, which are necessary for his policies, are among the real reasons he's in trouble.

More important, Kissinger's view of the world is collapsing because he sought to put something together in this era which didn't really work that well in that other time. Kissinger's "World Restored" makes little mention of the European revolutionary movements of 1848, the rise of Marxism, the economic problems and all the elements that led to all the explosions we've been hearing since World War I.

Just after World War I, America was touched by the first small ripples in the tidal wave of the 20th century nationalism and rebellion. One of Kissinger's predecessors heard from a young Indo-Chinese named Nguyen Ai Quoc, who wrote Secretary of State Robert Lansing, on June 18, 1919: "We count on your great kindness to honor our appeal by your support. Since the victory of the Allies, all subject peoples are frantic

with hope at the prospect of an era of right and justice which should begin for them."

The letter writer, whose pleas were ignored until he turned to armed rebellion, eventually changed his name to Ho Chi Minh.

NO ENERGY EXHAUSTION

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1975

Mr. McDONALD of Georgia. Mr. Speaker, although Congress has done little about it, we are all aware that our country is faced with an energy crisis.

Contrary to much propaganda, however, we are not faced with a shortage of energy resources. Rather we have on our hands an immense political crisis: Government regulations, controls, and edicts have blocked access to these resources.

This is the thesis presented by Prof. Petr Beckmann as part of a recent seminar at the Center for Constructive Alternatives at Hillsdale College. Dr. Beckmann's presentation, titled "No Energy Exhaustion," makes it clear that the solution to our energy problem lies in removing the obstacles imposed by Government, not in creating new barriers.

The text of the presentation follows:

NO ENERGY EXHAUSTION

(By Petr Beckmann)

(NOTE.—Petr Beckmann is a professor of electrical engineering at the University of Colorado. Born in 1924 in Prague, Czechoslovakia, he obtained his Ph.D. and Dr. Sc. degrees from Prague Technical University and worked for the Czechoslovak Academy of Sciences until 1963.

Dr. Beckmann has published eight books and more than 60 scientific papers. He writes, edits, and publishes a monthly journal on energy, *Access to Energy*, in Boulder, Colorado.

Dr. Beckmann delivered this presentation as part of a recent Center for Constructive Alternatives seminar at Hillsdale College, which was titled "Energy or Exhaustion: The Planet as Provider.")

The present malaise of society includes a strong anti-scientific trend. Reputable universities offer courses in astrology while their enrollment in the hard sciences and engineering is decreasing. Science is increasingly coming under attack. Not only from outsiders who do not understand science—that type of attack is as old as science itself—but now also from disrupters within. Holders of scientific degrees are telling us that the trouble with the world is too much science and technology. Nobel prize winners are lending their names to anti-nuclear organizations whose emotional propaganda blatantly disregards the facts. The authors of *The Limits to Growth* fed their computer programs with carefully manipulated data that would bring about the preconceived result of catastrophe under all conditions.

Blatant disregard of the facts is what the various anti-growth and anti-technology movements have in common. At a time when the fertility rate in the U.S. has dropped below the replacement value, we are being scared by the evils of population growth, vividly expounded by those whose attitude is "there's too many of you others." Lake Erie is declared dead at a time when it has more fish than all the other Great Lakes combined. The dangers of nuclear power, far and away the safest form of large-scale energy conversion yet invented, are magni-

fied by those who callously disregard the 50,000 coal miners afflicted with black lung and the 100 times higher accident rate (per energy produced) in coal mining. Pollution is blamed on technology when, in fact, only more and superior technology can eliminate it.

Among the most cherished myths of the technophobes is the ancient theory of the bottom of the barrel. If we don't watch our step, we are told, we will deplete this planet's finite resources. But what if we do watch our step? There is obviously something wrong with this theory, for if we do watch our step, we will merely deplete the barrel somewhat later; why is it better to die over a slow fire since, by this theory, the bottom of the barrel will be reached sooner or later anyway? We are given no answer to this question, for example, by the authors of *The Limits to Growth*, whose most desirable world model shows a semi-starved, semi-polluted world whose resources are relentlessly going down and down.

The fact is that the barrel has a very elusive bottom, for non-renewable does not mean irreplaceable. Moreover, history shows that with very few exceptions (such as whale oil) raw materials were replaced not because they ran out, but because something better became available. The change from glass bottles to plastic bottles, for example, did not come about because the world ran out of sand from which to make glass.

Untenable as the bottom-of-the-barrel theory is for mineral resources, it becomes absurd for energy, for it would violate a physical law: Energy cannot be destroyed. It can only be converted from one form into another. So the enemies of technological advance have taken refuge behind another physical law, the Second Law of Thermodynamics, which, roughly speaking, says that in every conversion of energy from one form to another, some fraction must irretrievably be turned into heat. Therefore, goes the story, if we convert too much energy, we will generate so much waste heat as to endanger the world by changing its climate.

There are, indeed, some problems with high concentrations of waste heat; there are also ways of turning waste heat into useful heat. But the gist of the argument is a colossal exaggeration. To reach even one percent of the energy incident on the globe from the sun, we would have to convert energy on a mind-boggling scale: every American man, woman, child and infant on the breast would have to consume, from midnight to midnight, no less than 2 MW of power, which he could do by running 600 clothes dryers all day and all night, or by cleaning his teeth twice a day with 15 million electric toothbrushes. And the rest of the world would still have to consume twice as much.

But enough of countering unfounded charges. Let us take a look at the amount of energy available to us. The sun will shine for another 50 billion years, and nuclear fusion cannot run out of fuel as long as there is water in the oceans. To bridge the gap of the next three decades before these sources can effectively be harnessed, there is enough uranium to fuel hundreds of nuclear plants, there is enough coal in the U.S. to last for several centuries, and the oil deposits in the continental shelves are estimated at 100 billion barrels, together with trillions of cubic feet of natural gas. There is more oil in the oil shale of the mountain states than in the entire Middle East.

Uranium can be mined in low concentrations at a higher cost, for fuel costs represent only a minor part of the operating costs of nuclear power plants, and breeders running on thorium could extend the supply to some 2,000 years. Coal can be gasified and liquefied with little pollution to produce gas, oil, gasoline, methanol, hydrogen, and other fuels. It can also be utilized in situ with

minimal environmental effects. In situ processing of oil shale is under investigation and appears feasible. As for offshore oil, the technology of preventing oil spills, and cleaning them up quickly if they do occur, has come a long way since the Torrey Canyon and the Santa Barbara oil spills.

Clearly, then, there is no lack of energy; there is not even a lack of clean energy. But the access to that energy is blocked by non-technological obstacles, chief among which are, in my opinion, government interference with free markets, and environmentalist technophobia.

Until last year, the price of oil was controlled at an unrealistically low level, resulting, on one hand, in the rapid decline of exploration and capital investment, and on the other, in making oil so "cheap" that it was burned under the boilers of power plants. Oil now has a two-tier price structure which, broadly speaking, rewards those who produce a little oil and punishes those who produce a lot of it. This year the number of small wells, drilled has, for the first time since the 60's, surpassed 30,000; but the total domestic oil production continues to decline. This is not surprising; if government decrees fixed the price of potatoes grown in fields, but allowed a free market in potatoes grown in flower pots, there would be a flower-pot potato bloom, but the total potato production would decline.

The electric power industry is shackled hand and foot by a myriad of regulating agencies. The rates charged are not determined by the need of new capital investments, but in public hearings which have become forums for propaganda against corporate profits, and the regulators find it popular to "pass the profits on to the consumers." Until people wake up to what the so-called consumer advocates are doing to them, the utilities will continue to do what they are doing now: cannibalize their capital spending budgets under a policy that amounts to save now, run out of power later.

A second obstacle is environmentalism, which originally had the laudable aim of a clean environment, but is now being used as a horse on which to crusade against business, profits, industry, technology, and similar evils that allegedly plague us. It is beginning to border on the impossible to construct a new power plant, oil refinery, coal gasification plant or other energy facility. Much of the blame for this must go to the character of presently required impact statements, which always stack the deck against the innovator who wants to change the status quo. He is required to demonstrate, and rightly so in my opinion, that the innovation will not unreasonably harm the environment or have other undesirable consequences. But he is put on the defensive: his opponents have no comparable responsibility in considering the undesirable consequences of *not* proceeding with the innovation. A judge is required to decide whether a new power plant may harm the marine life of the adjacent river if the plant is built: he is not required to decide how many women might one day die in childbirth for lack of electric power if the plant is *not* built.

And so what we are witnessing is certainly no exhaustion of energy, but blocked access to that energy.

Let me take one more example, the oil imported from the Arab countries, which is produced at an operating cost of about 20 cents a barrel and sold for upwards of \$12 since the OPEC price-fixing cartel has quadrupled the price in a single year. Apart from exposing the U.S. to political blackmail, the flow of \$100 billion to the OPEC countries this year threatens to bankrupt the economies of the industrialized countries and to bring famine to the underdeveloped countries for lack of fertilizers. It won't even do the OPEC countries any good, for their primitive economies are utterly incapable of

absorbing such astronomic sums. What can be done about that?

First, one can use strong language, as President Ford and other high U.S. officials have recently done. This could goad the OPEC countries into taking an even stronger stand, but more likely, they will merely laugh it off.

Second, one can wait for the cartel to break up. The same greed that gives rise to a cartel in the first place eventually causes its members to cheat on each other. Libya is already cheating, and Saudi Arabia is chafing at the high prices. Even so, it could be a long wait.

Third, there is a forceful military solution, which is, at present, unthinkable for anybody acquainted with political realities.

Fourth, the oil-consuming countries might band together and take countermeasures. They might, but they won't. Last October, the EEC countries voluntarily rushed in a mad scramble to get what they could each for themselves, leaving, for example, their member country Holland high and dry without oil in violation of all their solemn treaties. Not much hope from that quarter.

And that, I believe, leaves only one alternative to cut OPEC-fixed oil prices; open up the abundant U.S. energy sources until the cartel crumbles under the pressure of supply and demand. How can that be done? It can be done, in my opinion, as follows:

1. Decontrol oil, gas and electric power. Higher prices will work wonders for conservation and for capital investment. The poor, like everybody else, will gain when prices come down again by increased supply. The alternative is an energy shortage with higher prices, anyway, and that hits the poor even harder. Government taxes on gasoline will not increase the supply; if past experience is any guide, they will be used for further wars on poverty that cure nobody's poverty except that of its administrators.

2. Open up the continental shelves for oil exploration; open up the vast deposits of low-sulfur coal in the West. In North Dakota, the land covering five million tons of coal supports only five cows. Not all strip mining is of the West Virginia kind. In Wyoming, there are 400-ft. coal seams close under the surface, and they do not lie under Yellowstone Park; they lie in desolate and almost uninhabited country. Speed up the development of *in situ* processes to produce oil from oil shale.

3. Make environmental restriction two-sided: consider not only what a new energy facility will do to somebody's view from his window, but also what may eventually happen to him and everybody else if such facilities are not built. Make judges sit on the horns of a genuine dilemma (that, after all, is their job), not on a deck always stacked in favor of the status quo.

4. Combat anti-technological and emotional attitudes by taking the facts and figures to the people. Show that pollution is not a necessary by-product of technology, but that more and better technology is needed to combat pollution. Calculate the price tags of abundant energy, and the even higher price tags of energy shortages. Use the facts to dispel anti-nuclear superstitions. Do not let Ralph Nader's phony fables go unanswered. How many people know, for example, that every time Ralph Nader flies to some campus to deliver one of his speeches on the "radioactive society," he gets a 100 times bigger dose of radiation than he will get in his lifetime from nuclear power plants? We are not, after all, in most of these cases, dealing with opinions and hypotheses, but with well defined and measurable quantities.

Let me summarize my position. There is no exhaustion, there is an abundance of energy; but the access to it is blocked by economic, political and ideological obstacles.

Reason and technology can overcome these obstacles—though not overnight—and ensure abundant and clean energy for everybody.

THE FIRST GENOCIDE OF THE 20TH CENTURY

HON. HENRY HELSTOSKI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1975

Mr. HELSTOSKI. Mr. Speaker, as you know, the House recently passed House Joint Resolution 148, which would designate April 24, 1975, as a "National Day of Remembrance of Man's Inhumanity to Man." One of the purposes of the resolution is to commemorate those Americans who succumbed to the genocide perpetrated in Turkey 60 years ago.

As a result, I would like to take this opportunity to share with my colleagues a letter I received recently from Dickran H. Boyajian of Watertown, Mass. Through his scholarly, sensitive insights Mr. Boyajian succeeds in providing additional insight into the 1915 tragedy and the meaning House Joint Resolution 148 has for thousands of Americans. His letter follows:

THE FIRST GENOCIDE OF THE 20TH CENTURY COMMEMORATIVE OBSERVANCES

Peaceful demonstrations, commemorative mass meetings, expressions of anger and even emotional outbursts may be evidenced during the observances of the Sixtieth Anniversary of the crime of Genocide committed by the Turks on the Armenians, with a definite plan to exterminate the Armenian nation.

Such incidents and irate expressions should evoke compassion and sympathy, not condemnation and criticism. After all it was the Armenians who suffered untold miseries and tortures, pilage and plunder, sorrow and pain, destruction and death, and they should not be denied the right to commemorate their losses in righteous condemnation comparable to the enormity and ruthlessness of the crime.

There are some who ask: Why not forgive and forget? Yes, why not? But one must not forget that forgiveness can only be given after an admission of guilt and repentance on the part of the perpetrators of the crime who conspired to eliminate an entire nation with no compassion to spare even babes-in-arms, the weak and the ailing, the old and the invalid.

Can the crime of genocide, or any crime of such magnitude be forgotten, ever? Can we in the United States forget December 7 which our late and lamented President Franklin Delano Roosevelt, aptly characterized as "a day of infamy"? Wounds may heal but the scars left on the body will always be constant reminders of both the wounds and the persons who inflicted them.

PERPETRATORS OF THE CRIME

Literally thousands of books, pamphlets, papers and articles have been written in many languages apprising the world of the untold miseries suffered by the Armenians, at the hands of the Turks throughout many centuries, especially during the horrible years from 1915 through 1918, when the life of the Armenian nation was threatened to extinction.

It has been proven beyond any doubt that most of the orders for deportation and massacres of the Armenians were issued by

Talaat, the Minister of the Interior of Turkey. The following is one of his Orders quoted by Paul de Veou in his book entitled "La Passion de la Cilicie, 1919-1922," (page 11).

"It has been previously communicated that the government by the order of the Assembly (Jemiet) has decided to exterminate entirely all the Armenians living in Turkey . . . without regard to women, children and invalids. However tragic may be the means of transportation, an end must be put to their existence."

MINISTER OF THE INTERIOR, TALAAT.

May 15, 1915.

Mr. Henry Morgenthau, the American Ambassador to Turkey during the time when the Armenians were being led to slaughter, in his book "Ambassador Morgenthau's Story" quotes Talaat as saying:

"I have accomplished more toward solving the Armenian problem in three months than Abdul Hamid accomplished in thirty years." (p. 225)

Mr. Morgenthau also relates a conversation with the other arch-criminal, Enver Pasha, the Minister of War. Morgenthau suggested that the Central Government was probably not to blame for the massacres.

"Of course," he continued, "I know that the Cabinet would never order such terrible things as have taken place. You and Talaat and the rest of the Committee can hardly be held responsible. Undoubtedly your subordinates have gone much further than you have ever intended. I realize that it is not always easy to control your underlings."

"You are greatly mistaken" answered Enver. "We have this country absolutely under control. I have no desire to shift the blame on our underlings and I am entirely willing to accept the responsibility myself for everything that has taken place. The Cabinet itself has ordered the deportations. I am convinced that we are completely justified in doing this owing to the hostile attitude of the Armenians toward the Ottoman Government, but we are the real rulers of Turkey and no underling would dare proceed in a matter of this kind without our orders." (p. 231)

Enver's accusation that the Armenians had a "hostile attitude toward the Ottoman Government" is contradicted by his own words uttered months before the massacres and deportations began.

MASSACRES AND DEPORTATIONS

In the Report of the American Mission, headed by Major General James G. Harbord, published in the Congressional Record, May 29, 1920, as Senate Document 266, we read:

"Massacres and deportations were organized in the Spring of 1915 under definite system, the soldiers going from town to town. The official reports of the Turkish government show 1,100,000 as having been deported. Young men were first summoned to the government building in each village and then marched out and killed. The women, the old men and children were, after a few days, deported to what Talaat Pasha called 'agricultural colonies', from the high, cool, breeze-swept plateau of Armenia to the malarial flats of the Euphrates and the burning sands of Syria and Arabia. The dead from this wholesale attempt on the race are variously estimated from 500,000 to more than one million, the usual figure being about 800,000.

"Driven on foot under a fierce summer sun, robbed of their clothes and such petty articles as they carried, prodded by bayonet if they lagged, starvation, typhus, and dysentery left thousands dead by the trail side. The ration was a pound of bread every alternate day, which many did not receive, and later a small daily sprinkling of meal on the palm of the outstretched hand was the only food. Many perished from thirst or were

killed as they attempted to slake thirst after crossing of running streams. Numbers were murdered by savage Kurds, against whom the Turkish soldiers afforded no protection. . . ."

I respectfully submit to the attention of the Congress of the United States an excerpt from the Report of the King-Crane Commission also.

We read in the Report:

"They (the massacres) have not been crimes of passion of the moment. And they have involved cruelties horrible beyond description.

"For it must not be forgotten that this thing was not done in a corner. The evidence for few events in history has been more carefully gathered, sifted and ordered. The Bryce report upon 'The Treatment of Armenians in the Ottoman Empire 1915-1916,' leaves no room for doubt of the essential facts. It is idle to attempt to deny it or appreciably to mitigate its force.

"Lord Bryce, himself a trained historian says of the report: 'Nothing has been admitted the substantial truth of which seems open to reasonable doubt.' And in estimating the value of the evidence he calls attention to these facts: (1) 'Nearly all of it comes from eye witnesses,' (2) 'The main facts rest upon evidence coming from different and independent sources,' (3) Facts of the same, or of very similar nature, occurring in different places, are deposed to by different and independent witnesses—including Danish and German witnesses; (4) 'The volume of this concurrent evidence from different quarters is so large as to establish the main fact beyond all questions'; (5) 'In particular is it to be noted that many of the most shocking and horrible accounts are those for which there is the most abundant testimony from the most trustworthy neutral witnesses. None of these cruelties rest on native evidence alone.'"

And he adds: "A recollection of previous massacres will show that such crimes are a part of a long settled and often repeated policy of Turkish rulers." . . . "The attempts made to find excuses for wholesale slaughter and for the removal of a whole people from its homes leave no room for doubt as to the slaughter and the removal. The main facts are established by the confession of the criminals themselves." . . . "The disapproval of palliations which the Turks have put forward is as complete as the proof for the atrocities themselves."

A former Turkish Minister to Sweden, Mehmed Cherif Pasha, in a letter to the editor of "Journal de Geneve" and later published in the "New York Times" on September 21, 1915, branded "the Armenian atrocities perpetrated under the present regime (young Turks) as surpassing the savagery of Genghis Kahn and Tamerlane." . . . If there is a race which has been closely connected with the Turks by its fidelity, by its service to the country, by the statesmen and functionaries of talent it has furnished, by the intelligence which it has manifested in all domains—commerce, industry, science and the arts—it is certainly the Armenians.

"Alas! At the thought that a people so gifted, which has served as the fructifying soil for the renovation of the Ottoman Empire, is on the point of disappearing from history—not enslaved, as were the Jews by the Assyrians, but annihilated—even the most hardened heart must bleed, and I desire, through the medium of your estimable journal, to express to this race which is being assassinated my anger toward the butchers and immense pity for the victims."

It is to be noted that Mehmed Cherif Pasha was the son of Said Pasha, the first Grand Vizier of Turkey under the new constitution.

I could go on citing innumerable instances to prove the monstrosity of the men in the commission of a crime the enormity and

cruelty of which had no precedence in the recorded history of mankind.

The Resolution known as H.J. Res. 143 submitted in Congress jointly by the House Majority Leader, Hon. Thomas P. (Tip) O'Neill, Jr. (D. Mass.), and Congressman Henry Helstoski (D. N.J.) and sponsored by many other Congressmen, to designate April 24, 1915, as "National Day of Remembrance of 'Man's Inhumanity to Man,'" deserves a unanimous acceptance in the House and the Senate of the United States. This statement "Man's Inhumanity to Man" symbolizes the crime of Genocide committed by the Turks against the Armenians, and it is only fitting and proper that April 24, 1915, be recognized as the day best illustrating "Genocide"—a word coined years after the first genocide in the 20th century.

The purpose of the Armenians to seek such recognition is not to encourage a desire for vengeance, nor to inflame the hatred existing between the two neighboring peoples, but to bring to the attention of the civilized world the need for an equitable solution of the Armenian problem, hoping that the voice of truth and the call of justice will find an awakened conscience and a sympathetic attitude in the hearts and minds of all the peoples of the world.

PINEY WOODS ARE HIS LIFE

HON. DAWSON MATHIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1975

Mr. MATHIS. Mr. Speaker, recently the Atlanta Constitution printed an interview with one of my constituents, Mr. Robert C. Balfour of Thomasville, Ga., an accomplished forester and exceptional conservationist. Among the last of the rugged individualists, Mr. Balfour's optimistic and self-reliant attitude merits the emulation of all Americans. A sample of Mr. Balfour's 87 years of accumulated wisdom and insight are revealed in the newspaper's interview and I commend it to the attention of my colleagues in the House and the Senate:

[From the Atlanta Constitution, Apr. 21, 1975]

PINEY WOODS ARE HIS LIFE

THOMASVILLE.—Robert C. Balfour Jr. leaned forward in his chair and apologized for "sermonizing." He wasn't really. It's just that the man has a reverence for nature, having spent most of his life in the piney woods.

Mr. Balfour has been cutting and growing trees for most of his 87 years, the latter activity as important to him as the former. He explained, "I'm not a bragging man, but I've always preached that I will leave my land in better shape than when I got it. That will be something to brag about."

The interviewer was getting upset because the original intent was to talk about Mr. Balfour's new book. Here I found myself more interested in the man than the book. (The book will have to wait.)

Mr. Balfour recalled, "When I got out of Davidson College I began cruising timber for my father. I'm not a graduate forester but I am a self-made forester. What I learned was on the ground. And I've stayed in the woods just about ever since then . . . just about."

I asked, "Since you're a native of Thomasville, do you have any vivid memories of the early days?" Are those memories connected with the piney woods?"

"That's right. When I was a kid—that's a

long time ago—I rode on the first train between Thomasville and Fitzgerald. I don't think I was over seven years old. I'd run from one side of that railroad car to the other. And it was one vast forest for as far as you could see. You never could see civilization for the entire trip."

Mr. Balfour arose, walked around his desk and said, "I suppose this is the only thing in this room older than me." He indicated the most magnificent cross section of tree I had ever seen. "It's 401 years old, according to its growth rings. That's original growth long leaf (pine) and you could write the American history on it."

The woodsman then read the story printed by nature in the long leaf cross section, telling me of its hard years, which side faced north and which south, and how the top of this forest giant had died. "I found it five or six years ago, growing out there among the wire grass and turkey acorns. You remember that. That's where you'll find the long leaf, in the wire grass and turkey acorns."

Mr. Balfour sat down again, leaned back in his chair and did what he called sermonizing. I thought of it as wire grass prose and poetry. He talked of the salt-tinged Gulf breeze washing through eddies of pine forests to become the most enchanting perfume known to mankind. "You can go into the Temple of God, the biggest in the United States, and you can feel it spiritually. But you can go into the piney woods, where nothing can molest your thoughts, look at the tops of those huge, original trees and you can realize that man didn't make them. You realize there's something beyond you. I can't say it because it's beyond saying. It's a feeling, and how do you really describe a feeling?"

It occurred to me that perhaps Robert Balfour has described his feeling for the forests with actions, reforestation . . . which isn't to say he's bad with words either.

"Mr. Balfour, if you're 87 (I was tempted to ask for his birth certificate), what makes you so youthful in looks, actions and outlook? Do you jog?"

"No, but I walk two and one-half miles each day in 30 minutes. And I swim 15 laps at the YMCA."

"Oh." Kiddingly, I asked, "Is that all?"

"I think the real secret to long life, mine anyway, is that nobody can stay mad with me. If you get mad and go out of this office, I'm gonna beat you home and we'll have an understanding no later than noon."

Robert C. Balfour Jr. walks gently through life. Flowers grow in his footprints.

HAWKINS-HUMPHREY FULL-EMPLOYMENT BILL

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1975

Mr. RANGEL. Mr. Speaker, as unemployment approaches 9 percent many Americans who have been untouched by the curse of poverty since the great depression are once again beginning to feel its ravages, which the poor have experienced on a daily basis for decades.

The American people demand that the Government take drastic action to head off another depression. The Congress must act, and act quickly if our current economic crisis is to be remedied.

Fortunately the tools necessary to speed our economy to a quick recovery exist in this Chamber, and it is up to the Congress to use them. One of these tools

is the Hawkins-Humphrey full employment bill which I enthusiastically support. If enacted, this bill would provide this country with the means necessary to pry loose unemployment from our backs and help eliminate poverty from our shores.

This bill would establish a comprehensive and permanent structure which would guarantee meaningful and useful employment at a decent wage to every adult American willing and able to work. This new policy would contrast sharply with the current practice of setting a tolerable level of unemployment for a narrowly defined force generally the poor, black, and powerless in our Nation. This figure very seldom represents the true extent of the problem as far as these groups see it.

Unemployment in many black communities throughout the Nation runs as high as 14 percent, and is nearly three times as high for black teenagers. In many industries such as the construction industry, unemployment is as high as 25 percent. These figures represent a series of isolated depressions that threaten the entire economy, but are not reflected by our current national unemployment index.

Probably the most important thing this bill would accomplish is the employment of millions of Americans who are now on unemployment and public assistance rolls. In addition to the increased money supply that would be generated, this new army of once idle workers could generate their energies to deal with the problems that have plagued our society for decades. These people would not be engaged in "busy work." Instead they would be employed in meaningful jobs that would pay wages rather than give handouts. The construction of much needed water pollution facilities and energy producing plants, for instance, would contribute to the betterment of our country and would, in turn provide even greater stimulus to our sagging economy.

It is truly a paradox of our economic system that unemployment could be nearing 9 percent when so much remains to be done. Our economy is going through a transition and it is up to the Congress to provide the leadership to connect the needs of our society with our currently idle human resources.

Congress must strike hard and fast if our economic problems are to be concurred. A course of action that provides an incomplete dose of economic medicine would doom our economy to a relapse and inevitably, further decline. Unfortunately, up until now, the proposed solutions to the unemployment problem would not provide enough jobs to fully activate our economy.

The Hawkins-Humphrey unemployment bill would give our economy the shot in the arm that it needs to get moving again. It would provide a framework from which our economy could rebuild itself.

Once recovered, our economy would again be able to absorb the majority of those who were provided jobs under this bill. The minimum hourly wage that this bill would provide would not compete

greatly with the hourly wages paid by most of private industry. Those people who now are unable to find jobs would be given the opportunity to provide themselves and their families with an adequate income while enjoying the dignity that is inherent in doing an honest day's work. It is my belief that no one should be forced to accept unemployment checks when they are willing and able to work. This bill would relieve this discrepancy.

I call on my colleagues to join me in supporting this absolutely essential bill, which if enacted, would lay the groundwork for our economy's recovery.

THE VIETNAM ISSUE: CONGRESS SHOULD PROCEED WITH CAUTION

HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1975

Mr. DOMINICK V. DANIELS. Mr. Speaker, yesterday's New York Times contained two editorials and a thoughtful article reflecting on current events in South Vietnam.

I have already expressed my concern about the wisdom of U.S. troop placement in South Vietnam to assist in the evacuation process. Such military intervention, however innocent it may appear on the surface, could provoke the North Vietnamese Army into an all-out attack on Saigon. The mere presence of the U.S. military could be used as a justification of such an attack by the North Vietnamese. Do we really wish to provide them with an excuse? Why are troops needed now, when the evacuation of American personnel and their dependents has been accomplished for the most part? Who are the South Vietnamese nationals that are now being evacuated? Who is responsible for determining which South Vietnamese nationals will be evacuated, and what is their order of priorities?

Mr. Speaker, I hope my colleagues will reflect on these questions, and I hope they will also keep in mind the fact that South Vietnam is falling because its own leaders and its own army literally deserted it in its darkest hour.

I do not think we need to flay our national conscience with imaginary guilt feelings. We have done all that any one country could do to help South Vietnam. We have spent \$150 billion and we have lost 50,000 young American lives in our attempt to help. I do not believe we should risk any further military involvement in South Vietnam, and I hope my colleagues will be alert to the risk that is inherent in sending American troops into Saigon, albeit for an innocent purpose.

Mr. Speaker, the articles from the New York Times bring certain realities concerning the South Vietnamese conflict into clear focus, and I am sure my colleagues will benefit from the thoughtful views that have been expressed regarding U.S. responsibilities that have been and are being fulfilled, and the responsibilities of the South Vietnamese Government, which were clearly abdicated.

Mr. Speaker, the three articles from the April 22, 1975, New York Times follow:

[From the New York Times, Apr. 22, 1975]

WALKING SOFTLY

(By William V. Shannon)

WASHINGTON.—The defeat of American policy in Cambodia and Vietnam underscores the need for a clearer understanding of this nation's world role. It is necessary to look beyond the guilt, the disappointment and the recrimination of today.

The military intervention in Indochina marked the farthest extension of this country's involvement in every remote and peripheral struggle against Communist power. For years, the United States has been trying to undo that mistake and retract to strategic positions around the world that are clearly in accord with national interests and are therefore viable and defensible.

The need is for a coherent foreign policy that is based on something less than the flamboyant globalism of the Truman Doctrine of 1947 but that is not a retreat into America First isolationism. The United States cannot "go it alone" but neither can it be the world's policeman, investigating every political mugging and every ideological altercation on every block. Former President Nixon tried to reformulate American foreign policy but, in rhetoric and in practice, his Nixon Doctrine was President Truman's globalism warmed over.

In several recent speeches, President Ford has done more to demonstrate the need for a restatement of American policy than to answer that need. Instead of cutting past losses, he has dwelled on them and even magnified them. Thus, in addressing newspaper editors last week, he reiterated his view that if only Congress had appropriated all the military aid funds requested for South Vietnam over the last two years, the "tragic situation" there might never have occurred.

Such analysis and such speculations are worse than fanciful. They are unbecoming to an American President. Undoubtedly, the Soviet Union and China have continued to be zealous in aiding their political clients in Indochina, while the United States has gradually reduced aid to its clients. But at the reduced level, American aid was still substantial. Moreover, the sudden spectacular collapse of South Vietnam's armed forces was not caused by any immediate or prospective lack of weapons and equipment. This rout was due to poor generalship and a crumbling of morale in the army.

Unlike the Russians and the Chinese, Americans could not fight a war by proxy in Indochina because aid alone was not enough to sustain its political clients. Intensive bombing by the United States Air Force and support by United States ground troops were necessary as well. In the light of those facts, President Ford is reading the wrong lesson in the Indochina defeats.

The President also misses the mark in his recurrent criticisms of a "new isolationism" and his warnings that the United States cannot "withdraw from One World and go it alone." Isolationism would be an unconvincing theme for any President of a nation that stations troops in West Germany and South Korea, had a naval fleet patrolling the Mediterranean, and is actively engaged in seeking a peaceful settlement in the Middle East.

Americans are seeking—more earnestly perhaps than at any time since the interventionist vs. isolationist debate of 1939-41—to define the scope and character of their country's involvement in world affairs. Instead of clarifying this complex problem, President Ford overshoots the mark by urging the impossible or warning against the implausible.

Whether President Ford and Secretary of

State Kissinger find it congenial or not, they can in the next two years shape American foreign policy successfully only if they genuinely share the intellectual and political burden with the opposition-controlled Congress. Such sharing need not be a prescription for weakness. President Truman, as politically beleaguered in 1947-48 as Mr. Ford is today, cooperated successfully with the opposition-controlled 80th Congress. Republican leaders were closely consulted in making policy with respect to the Marshall Plan, and there was as much of Republican Arthur Vandenberg as there was of Democrat Harry Truman in the Truman Doctrine.

If it is to work with Congress in evolving an American foreign policy backed by a broad bipartisan consensus, the Ford Administration has to recognize that popular support for the old policies in Southeast Asia has vanished. The Democratic majorities in Congress are not being blind or wilful in disregarding the Ford-Kissinger recommendations. They are responding to the readily perceived course of public opinion. In place of the ghosts of yesterday's policies, the Administration and Congress together can create new and viable policies for the future on the basis of equality and cooperation. Only on that basis is success possible in a divided Government and a perplexed and questioning nation.

NEXT STEPS IN VIETNAM . . .

The resignation of Nguyen Van Thieu as President of South Vietnam lessens the probability of a bloody fight to the finish that had been haunting the city of Saigon. An entirely new situation now exists, and the Vietnamese parties have at last a clear opportunity for an orderly political evolution consistent with the 1973 Paris agreements.

With ten divisions of the North Vietnamese Army still ringing the South Vietnamese capital, and three-quarters of the country severed from Saigon's political and military authority, there can be no illusions about where the power lies at this juncture. Nor can Saigon nurture any realistic hope of pursuing further the ruinous policy that brought President Thieu to his downfall. The situation in Vietnam is far more complicated than a straightforward military conquest of one country by another, however, and talks toward a political settlement will not necessarily be the equivalent of negotiation by victor's *diktat*.

For weeks past, representatives of the pro-Communist Provisional Revolutionary Government have assured neutral diplomats that they stood prepared to enter political negotiations with a Saigon Government more representative and more committed to the Paris accords than the regime of President Thieu. There are indications that Hanoi's overwhelming forces have deliberately held back from direct attack on the capital for the past several days, in the expectation that General Thieu would withdraw.

Under the Paris agreements, South Vietnam's political future is to be determined by a National Council of Reconciliation and Concord, composed in equal measure of representatives from the P.R.G., the Saigon Government and a third group of mutually acceptable politicians unaffiliated with either force.

The French Government, which has been actively mediating behind the scenes for several weeks, took the initiative yesterday in proposing the urgent commencement of talks toward the formation of such a council. Even before that possibly cumbersome process gets under way, military representatives of the two Vietnamese sides could well meet at Saigon's Tan Son Nhut airport to agree on an immediate cease-fire in place, pending discussions in which Hanoi and the P.R.G. may not remain in total accord.

The United States should do nothing to

impede this process, and there is every reason to continue the evacuation of all but the most essential American personnel from Saigon. The presence of thousands of Americans in the besieged capital has only posed an extra irritant in recent weeks; their main function was to assist, in one way or another, in a war effort which has now collapsed. Continued evacuation now in no way precludes ongoing American assistance in refugee relief and other emergency humanitarian functions, however, if requested by the new civil authorities. Evacuation of thousands of Vietnamese who may feel in danger from their past close associations with the United States mission can now become a matter for orderly negotiations among the Vietnamese parties.

South Vietnam's future remains cloudy and the tragedy of the Vietnamese people is far from over. But the capital city of Saigon, its normal population swollen by refugees from the fighting all around, has presumably been spared the fate of an enemy conquest that until yesterday had seemed so imminent.

. . . AFTER PRESIDENT THIEU

The bitterness toward the United States with which President Thieu left office reflects his mistaken belief that the Paris "peace" agreements were in fact his license to continue the war under another guise. From what has now been learned about former President Nixon's secret correspondence prior to South Vietnam's reluctant adherence to those accords, it is reasonable to conclude that his American allies did little to disabuse President Thieu of this conviction.

The war never stopped in Vietnam. The attempt to embark on an era of national reconciliation, in all the pious terms hammered out in Paris, never got under way. Only when the full diplomatic correspondence is released for public inspection will it be possible to know for certain this was the tacit intent of Saigon and Washington all along.

Enough is known now, however, to indicate that President Thieu was given to believe that he could count on Washington's military and political support for his Government to an extent far beyond the written agreements signed in Paris.

One after another, Administration officials were dispatched to Saigon to assure President Thieu that the United States regarded him as the "sole legitimate Government" in South Vietnam; the carefully evolved program for political compromise defined in Paris disappeared quickly from subsequent American rhetoric in favor of praise for the "development of political institutions and . . . the political stability that has prevailed in South Vietnam." These emissaries, President Thieu declared yesterday, further committed the United States to prevent any new North Vietnamese "aggression," a commitment absent from any of the official documents which the Nixon Administration conveyed to Congress.

Secretary of State Kissinger admitted earlier this month that President Thieu had received promise of "vigorous reaction" from this country in the event that North Vietnam violated the truce on a large scale. However, the Congress had banned further American military engagement in Indochina as early as August, 1973; hence any promise of "vigorous reaction" involving an American combat role was a promise which from that date on, could not possibly be fulfilled.

President Thieu's decade in office turned out to be disastrous for the people of South Vietnam. He did bring to their government a strong central leadership to replace the series of coups and shifting juntas that threatened the nation with collapse from within; but throughout his tenure his strongest prop was his near-certain ability

to deliver the largesse of the United States—the troops, planes and missiles, and the military and economic supplies that kept the society more or less together as it enriched the ruling group of Saigon.

But his program for leadership prescribed war; there was no room in it either for compromise with his non-Communist political enemies or for the kind of compromise peace that the world was allowed to believe had been achieved in Paris. When that war policy failed, through his own strategic errors as well as the crumbling of his American mainstay, President Thieu could no longer maintain his near-autocratic rule over the people of Vietnam.

MEMO ON A SOLUTION FOR SOUTH VIETNAM

HON. BOB CARR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1975

Mr. CARR. Mr. Speaker, Nguyen Thai was born in 1930 in Hue. He came to the United States in 1950 and accepted a scholarship in the Southeast Asia program sponsored by Cornell University. In 1954, he returned to South Vietnam to assume a position in the Diem government serving at one time as Assistant Administrator for American Aid. He left the Diem government when it became clear that reform efforts were not well received. In 1962 he accepted an Associate Neiman fellowship at Harvard and upon completion once again returned to South Vietnam, this time as a private businessman.

In 1969 Mr. Thai accepted a request to assist South Vietnam's Special Adviser to the Paris Peace Talks but withdrew in disagreement with Thieu's policies.

Mr. Thai has prepared an analysis of Thieu's strategy in dealing with the States, and suggests some noteworthy alternatives for South Vietnam. I feel that it should be required reading not only at the State Department and Department of Defense, but also here in the Congress.

I insert it in the RECORD at this point:

MEMO ON A SOLUTION FOR SOUTH VIETNAM

(By Nguyen Thai)

THIEU'S WITHDRAWALS IN SOUTH VIETNAM

Within the last two weeks the Saigon government abandoned nearly half of South Vietnam's territory, including the politically important city of Hue and several strategically located areas in the Highlands which had costed so much U.S. and Vietnamese blood to occupy before.

Meanwhile in radio broadcasts to South Vietnamese, Thieu explained that the withdrawals from the Highlands were necessitated by strategic considerations and gave reassurances that he would never give up the ancient imperial capital of Hue.

In Saigon, as usual Thieu made believe that any policy decision he took had the full concurrence and support of the U.S. administration which never failed to grant him the military and economic aid he requested. Whether or not this time Thieu's sudden decision to withdraw so drastically had the support of the U.S., it undeniably created disastrous consequences. Strategic withdrawal or not, the abandoning of nearly half of South Vietnam in two weeks critically weakened Saigon's position against Communists.

THIEU'S MANEUVERS

What Thieu might have intended to achieve was to silence his non-Communist opposition which was becoming increasingly vocal and to force it to side with him during this crisis which threatens to bring the final collapse of South Vietnam.

On the U.S. side, Thieu might have hoped that his tragic withdrawal could prompt a reluctant Congress to quickly vote further aid in order to help Saigon solve its urgent refugee problem and to avoid the blame for having betrayed an ally.

Thus once again Thieu maneuvered to appeal to U.S. conscience and prestige in order to force the U.S. administration to continue dealing with him as the sole existing legal government in South Vietnam.

If worse comes to worse and his maneuvers fail to convince either the U.S. Congress or the South Vietnamese opposition, Thieu could still expect to hang on to power until the final collapse of Saigon to Communists and thus make sure that no non-Communist opposition could replace him in power.

U.S. POLICY ALTERNATIVES

1. *Stick with Thieu:* If the U.S. decides to stick with Thieu and tries to save whatever is left of South Vietnam, it may have to resume massive bombings on North Vietnam and newly-controlled Communist strongholds in the South in order to stall the final collapse of Saigon. It is doubtful that these massive bombings will save South Vietnam from a Communist take-over because in the past, under better conditions, they failed to do so and because they cannot help Thieu correct his basic political weaknesses. Eventually events will take their course in South Vietnam and at this point the U.S. will have to adopt a hands-off policy, but in this case the responsibility for the final collapse of Saigon will rest on the U.S.

2. *Dissociate from Thieu:* If on the other hand the U.S. decides now to dissociate itself from the Thieu regime which has obstructed the implementation of the 1973 Paris Peace Agreement (PPA), then this agreement to which the U.S. is a signatory, could provide the legal and practical framework for the U.S. to solve its present Vietnam dilemmas.

The PPA provides for the creation of the Council for National Reconciliation (CNR) in which representatives of the GVN (Saigon government), PRG (South Vietnamese Communists) and non-Communist neutralists will play an equal role in deciding the political future of South Vietnam.

ADVANTAGE OF THE COUNCIL FOR NATIONAL RECONCILIATION

For U.S.: With the creation of the CNR through which the South Vietnamese people may at long last exercise their right of self-determination, the political responsibility of the U.S. toward the South Vietnamese will be greatly mitigated. And should the U.S. decide to give humanitarian relief to the millions of South Vietnamese war refugees and non-military aid for the rehabilitation of the war-devastated country, the CNR will be the proper channel which will minimize the risks of corruption and misuse.

For South Vietnamese: At this critical moment, it is a big question whether or not the political solution provided for by the PPA will save South Vietnam from a Communist take-over. But caught in the present desperate situation, non-Communist South Vietnamese see that as the only hope available. And especially if the U.S. supports this political solution, it will have a tremendous morale-boosting effect on the South Vietnamese who will then get a chance to exercise their right of self-determination.

For Vietnamese Communists: For the Democratic Republic of Vietnam (North Vietnam) and the Provisional Revolutionary Government (South Vietnamese Communists), the CNR solution may give them a

chance to adopt in South Vietnam a policy which, though friendly to Communism, may be neutralist to benefit the long range interests of the Vietnamese people as a whole (See point 5 of the PRG Peace Proposal on page 2 of the attached MNR Bulletin).

EMERGENCE OF NEUTRALIST THIRD FORCE

In the present circumstances the emergence of the neutralist third force to participate in the CNR is a very delicate matter.

Non-Communist leaders opposed to Thieu do exist. But the success or failure of the neutralist elements in the CNR will depend on the composition and the criteria which determine the selection of neutralist representatives. The latter most of all must present a united front to reflect the legitimate aspirations of the majority of the South Vietnamese population. They must also be technically competent enough to solve the urgent problems of South Vietnam.

Beside the criteria of representativeness and competence, in the selection process of the neutralist representatives in the CNR it is important to identify the qualified representatives of the major religious and political groups of South Vietnam, to know exactly who is who, who is related to whom in what way and who can trust whom. Any random selection which disregards these intricate relationships will most likely doom the neutralist representatives at the outset and also discredit the CNR as a political solution.

March 25, 1975.

SOCIAL SECURITY REFORM
AMENDMENTS

HON. WILLIAM L. ARMSTRONG

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1975

Mr. ARMSTRONG. Mr. Speaker, today I am introducing the Social Security Reform Amendments of 1975.

These reform amendments are aimed at helping those Americans who have worked and sacrificed and paid social security taxes for years.

The main features of this legislation are:

First. Repeal of the earnings limitation for social security recipients;

Second. Repeal of the so-called living-in-sin provisions of current social security law;

Third. Equal treatment for widows and widowers, husbands and wives;

Fourth. An optional exemption of social security recipients 65 and over from paying further social security taxes;

Fifth. Repeal of provisions which force beneficiary's heirs to return a check already "earned" and mailed;

Sixth. Partial reform of the medicare billing system for doctors' services; and

Seventh. Elimination of the 5-month waiting period for social security disability.

REPEAL OF THE EARNINGS LIMITATION

One of the most unfair sections of present social security law is the earnings limitation. Applying welfare-type concepts of earnings limitations to the social security program makes second-class citizens out of millions of retired Americans. At present, social security benefits are reduced \$1 for every \$2 earned by a recipient—except for those over age 72.

In my opinion, it is completely unfair to force senior citizens to live on below-average incomes. It is contrary to self-respect and the American tradition of individual initiative.

I base this legislation on three considerations:

First. The present limitation, which reduces social security benefits when the retired person earns in excess of \$2,400 per year, forces many senior citizens to live on below-average incomes. In a time of rampant inflation, it is virtually impossible for social security benefits to keep pace. A lowering spiral of living standards is inevitable for these retired persons.

Second. The present limitation applies only to earned income, not to investment income. So those who are fortunate enough to have accumulated investments in stocks and bonds, savings accounts, rental properties, and so on can have unlimited income from these sources. But those who have no such investments are precluded from supplementing their social security with any substantial amounts of earnings.

Third. The principle of an earnings limitation is wrong.

Social security is not and was never intended to be a form of welfare. It has been earned by American workers and their employers who have paid the cost of this program through payroll taxes. In most cases, workers pay far more in taxes during a lifetime of work than they can possibly draw in benefits. To deny them something they have paid for, at least a partial return on their payments, is completely unfair.

Many Americans have no need or wish to work beyond normal retirement age. But millions of others need the extra income and enjoy the activity which part or full-time work provides.

It is long past time for us to stop penalizing those Americans who need or want to be productive workers and who deserve far better treatment than the present law allows.

REPEAL OF LIVING-IN-SIN LAWS

My bill also repeals the living-in-sin provisions of social security. In a nutshell, these restrictive clauses, retained in the name of economy, have little economy and create only anguish. A widow and a widower who would like to remarry, but cannot afford the financial loss, are forced either to deny themselves what happiness they might have together or often to go against their long-held beliefs and live together unmarried.

In either case, the Government is creating unhappiness as well as denying benefits earned rightfully over years of work.

The present law is an affront to the dignity of older Americans, respected citizens often struggling in relative poverty to retain their own self-respect. Repeal of the living-in-sin provisions of the current Social Security Act is the least we can do for them.

EQUAL BENEFITS FOR MEN AND WOMEN

Times have changed drastically over the past quarter century, especially in the increasing number of women working—and the trend of working women is going to increase. We are already seeing

househusbands as well as housewives—but once again, there is no provision in the law to fairly deal with the changing times.

If a husband covered by social security dies, his wife is presumed eligible for benefits even if she is working, and has always worked. But if a working woman covered by social security dies, under the current law, her husband must go through an ordeal of proving his dependency, even if he has been totally dependent. The recent Supreme Court decision only touched a very limited section of the law, leaving the provisions covering dependent widowers, for example, uncovered.

Without a change in the law, social security could go back to the old system next week and force another series of legal battles.

It is time to end this unspoken hypocrisy—the over 30 million working women in America deserve the same protection for their dependents as working men.

EXEMPTION FROM FICA TAXES

"In this world, nothing is certain but death and taxes," said Benjamin Franklin.

For most beneficiaries who have been covered almost their entire working lives, death comes too soon and the social security taxes are too high.

Another absurdity is the payment of social security taxes by social security beneficiaries. Consider this situation, all too common, in my opinion: A worker must supplement a monthly social security check by working full or part time to make ends meet. Yet even though he has paid into social security for over 30 years, he is further taxed by social security on his meager earnings, meaning he has to work just that much longer.

REFORM OF "LAST CHECK" PROCEDURES

Another area of pettiness generated by current laws and regulations is the final check a beneficiary receives. According to Social Security Administration's regulations, an individual's eligibility terminates the month before he dies. So an individual can run up bills, but the heirs cannot even pay off debts with the check for that month, even if the individual dies on the last day of the month.

I personally have come across cases where the Social Security Administration refused to honor checks which were properly endorsed and deposited, but did not clear the banking system by the time of the beneficiary's death. My proposal would not change the benefits or entitlements of the system in any way, but would simply allow a beneficiary and his heirs full benefits for the last month the recipient is alive.

MEDICARE PAYMENT REFORM

I have proposed a simple change in the medicare payment system to remedy a problem originally brought to me by a constituent.

A man's wife dies of a sudden illness requiring expensive hospitalization and doctors' services, but she is covered by medicare. So his bills can be paid? Hardly . . . medicare cannot reimburse him until he has paid the doctors' bills in full. Although he has supplementary health coverage, his health insurance company cannot make any settlement until medi-

care does. Because of the other expenses of his wife's illness he does not have the funds to pay the four specialists required. His only alternative is to borrow the money, if he can, pay the bills and hope medicare can process his reimbursement before the interest on the loan mounts too high.

But in any case, this system keeps the doctor waiting, effectively increases the price of health care, and may in fact keep the doctor from ever getting paid.

I, therefore, propose that medicare be empowered to pay the doctor his share directly. While this system also has drawbacks, such drawbacks are minimal compared to the present chaos.

DISABILITY WAITING PERIOD REDUCTION

The last section of the reform package I am proposing eliminates the present 5-month waiting period required to obtain eligibility for social security disability payments.

Right now, a 5-month waiting period is required before a qualified disabled individual can draw disability benefits. During this waiting period, no disability benefits, retroactive or otherwise, can be paid. Until the replacement of local welfare by the supplemental income plan—SSI—last year, a disabled individual could draw local welfare. Now, however, SSI will not grant benefits until the disabled worker's case is resolved by social security.

That means he cannot receive any income for 5 months if he is really disabled. The very system which is supposed to protect him denies him any income for 5 months.

This is utterly absurd.

In my district alone, I know of more than 20 cases of this nature created by this particular law. And those are only the ones which have come to my attention.

This kind of "Catch-22" is utterly absurd. It should be changed, and the sooner the better.

Mr. Speaker, I ask my colleagues to join in supporting this meaningful reform of the social security system. These amendments are solid reforms—long overdue—to assure those Americans who have supported social security with years of taxes are treated fairly in the retirement years.

DR. ELDRIDGE H. BROWN

HON. FLOYD SPENCE

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1975

Mr. SPENCE. Mr. Speaker, it is always gratifying to see recognition come to those who are deserving because of hard work, perseverance, and dedication. This is especially true when the successful individual is not only a constituent but a long-time close personal friend. Thus, I am especially proud to call the attention of my colleagues to an initiative on the part of my constituent which will be of vital interest to all of us, and to our children.

Dr. Eldridge H. Brown is an optome-

trist in Columbia, S.C. Like most optometrists, he has been concerned for years about the widespread incidence of faulty vision among schoolchildren, and especially the severe emotional and academic problems which can result when the child does not know that he cannot see properly. Dr. Brown has said:

When a child doesn't know he has a vision problem, he thinks, "I can't read this. I must be dumb." But once his vision is corrected, he can perform on an equal basis with his classmates . . . in the classroom and on the athletic field.

What sets Dr. Brown apart from others who share his concern is the fact that Dr. Brown decided to do something about it. The result is a 14½-minute cartoon film entitled "Dr. Tom and His Magic Tree."

One of the many articles which have been written about Dr. Brown and his film had this to say:

Dr. Brown's life dream has been to find a way to help youngsters who stumble through life not realizing they have poor vision. With the completion of his cartoon film, "Dr. Tom and His Magic Tree," Dr. Brown's dream is coming true.

When he was president of the South Carolina Optometric Association in 1971, Dr. Brown presented his idea for the film at the council's biannual meeting. The proposal immediately took hold among his colleagues, and a production company in Hollywood offered to put the film together. I have seen the film myself, Mr. Speaker, and I can assure all parents that it is a first-rate effort. As one article commented:

The cartoon is a slick professional product that would have made Walt Disney proud.

"Dr. Tom and His Magic Tree" is now receiving nationwide recognition. The television program "Sesame Street" will show the film this summer, and another favorite children's program, "Mr. Rogers," will also use the film, as will the National ETV Network. The University of South Carolina will serve as the distribution center for "Dr. Tom and His Magic Tree," and the university's division of educational services has played an active part in creating teaching aid materials to accompany the film.

Mr. Speaker, vision is the most precious of our senses, and as Members of Congress, it is important that we encourage efforts to emphasize good viewing habits to our young people. Dr. Brown is a perfect example of the dedicated professional whose efforts are richly deserving of both encouragement and recognition by this body.

NEED FOR COOPERATION BETWEEN
PRESIDENT AND CONGRESS

HON. PAUL N. McCLOSKEY, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1975

Mr. McCLOSKEY. Mr. Speaker, one of the positive aspects of an otherwise tragic series of events concerning the U.S. relationship to various countries in Southeast Asia is the concensus of opin-

ion in our country on the need to proceed in a new spirit of cooperation and bipartisanship between the Congress and the President in the conduct of our foreign policy. I am encouraged by this spirit, the necessity of which is articulated in the recent article written by our colleague, Mr. RIEGLE. This article appeared recently in the Los Angeles Times, and I include a copy of it for the RECORD:

GERALD FORD'S CRUCIAL TEST ON VIETNAM

(By DONALD W. RIEGLE, Jr.)

When President Ford addresses the Joint Session of Congress tonight on foreign policy, he will make or break his Administration.

While there are many urgent foreign policy issues to consider—various situations where our strategic interests are genuinely involved—the burning issue that will tell the tale is Vietnam, a case where our strategic interests are clearly not involved.

The reason Vietnam takes on overriding importance is that it poses a crucial test of Gerald Ford, as the man and the President. After many agonizing years of the most intense first-hand exposure, Vietnam is the one foreign policy issue that the American public and Congress understand fully as well as the President. In fact, being less insulated than he is, we may well understand it better.

So, what Ford says on this, the one issue where his audience can properly apply their own independent judgment, will determine how much trust and confidence his listeners can have in his assessment of other problems, both foreign and domestic.

If what he says on Vietnam is a mindless replay of the 10-year Johnson/Nixon soundtrack on the issue (and Ford's own utterances in recent weeks), he might as well discard the rest of his prepared text, for whatever it says won't matter. He will be tuned out, as happened to recent Presidents before him.

The American people did not elect this President, and they do not yet know him well. They will follow him only as long as he leads wisely. If he rides off in the wrong direction, he will be traveling by himself.

With the recent climactic events in Vietnam and Cambodia, an overwhelming majority of the American people, after a decade of division and rancor, have broken loose from what was left of the old self-deceptions and myths about Southeast Asia. They have come together in a solid national consensus on America's future role in Southeast Asia. Thus the 94th Congress, which has just returned from a week of face-to-face contact with its constituents, is speaking that new consensus with one voice:

—"No more U.S. military expenditures in Southeast Asia."

—"Humanitarian aid, yes. Military aid, no."

Now that the American people and their elected Congress choose to close the book on U.S. military involvement in Southeast Asia, nothing Ford can say or do will change that. The iron fact is that no additional money will be appropriated for military assistance in Southeast Asia; that is a final, irreversible judgment.

So what is really at stake tonight is the credibility and future leadership potential of the Ford Administration. The cost of further propping up of President Thieu will be the loss of mainstream America. So it is an issue and moment of enormous consequence.

For our ailing nation desperately needs a President who can earn and keep its faith—one whose judgment is sound and sensible.

If the President has the good sense and strength of character to face these new facts and why they are legitimately based, he will announce that his Administration has

decided to change course, to withdraw the request for additional military expenditures in Southeast Asia and in its place to submit a request for humanitarian assistance only. Furthermore, he will say that, after careful evaluation, it is his judgment that this new course will serve the best long-run interests of the people of Southeast Asia, of America and the balance of the world.

Such a declaration would trigger standing applause in the House chamber and throughout the nation, not because it is a happy decision but because it's the right one.

The rest of the world would see America united again. The consequence for the United States in the world community would be a new posture of strength, not weakness. This strength would be based on national unity and a realistic concentration of our resources in areas where our strategic and moral interests truly lie.

As to the establishment of a new executive legislative partnership to reevaluate American foreign policy objectives and practices, it is my clear sense that Congress would be cooperative and responsible if met halfway by the executive branch. It should be clear to both branches that unilateral foreign policy decisions, whether in Southeast Asia, Cyprus, the U.S.S.R. or Chile, are no longer intelligent or desirable. We can and must work together.

Ford has spoken of his desire to reestablish "Vandenberg-style" bipartisan cooperation in foreign affairs. The time is ripe for genuine partnership, and we can begin now with a new policy in Southeast Asia.

To unite on a new policy to provide Southeast Asia with humanitarian aid rather than further military assistance raises a valid and practical question of the immediate consequences of this policy within the shrinking government enclaves in South Vietnam.

As to civilians generally, and refugees specifically, our humanitarian assistance should be channeled through international relief agencies and made available to people in need throughout the whole of the area called South Vietnam. Such relief agencies are ready and willing to carry out such an effort, if food, medical supplies and other items are provided.

There is also the question of the continuing buildup of insurgent military pressure around the perimeter of the area still held by South Vietnamese government forces. I believe existing military supplies within that perimeter, and the additional \$175 million of previously appropriated and unexpended monies from fiscal 1975 for U.S. military assistance, should be adequate to carry out the evacuations cited earlier, and therefore constitute the outer limits of the military assistance that can and should be provided by the United States.

This new policy should be communicated without delay to the insurgent forces, to the United Nations and to all other governments with the expressed purpose of endeavoring to secure maximum international support for a stand-still cease-fire, so that the emphasis can be shifted to a political process where the Vietnamese themselves would have to work out whatever changes in political relationships must take place.

CONGRESS AND AMERICA'S ENERGY POLICY: NOW YOU SEE IT, NOW YOU DO NOT

HON. BILL FRENZEL

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1975

Mr. FRENZEL. Mr. Speaker, a thoughtful article by David Broder in today's Washington Post struck a re-

sponsive chord in me. I felt that I should share it with some of my colleagues, who, like me, have so anxiously awaited some strong congressional action on energy for the past year and a half since the oil embargo. Much to our dismay, the vigor of this year's attempt has begun to disintegrate into an instant replay of our previous futile attempts to pass energy legislation.

The Broder article points out a fatal flaw in Senate actions that many of us in the House have recognized for years. The Senate is totally incapable of coming to grips with the problem. It faced the situation by passing a bill no one really worked on, no one really understood, and no one cared about. The Senate's answer to this year's energy crisis was to utter a pious hope and pass the buck to the President.

In an admirable attempt to do what other House committees could not do in the past, the House Ways and Means Committee began work in February on the Energy Conservation and Conversion Act of 1975. After weeks of panel discussions, weeks of committee debate and discussion, and a week of something resembling a markup, the committee is no nearer getting a bill than it was in January. After numerous revisions and adjustments, we have a proposal which does not do very much to conserve energy, establishes a questionable quota system from which all of New England is exempt, gets the Federal Government into the energy business in a dubious fashion, and does not seem to have the support of more than a handful of committee members.

It appears that if left to its own devices, Congress might eventually choose not to do anything at all about energy. Some people might consider that the lesser of two evils, considering our track record. I happen to believe that we can do better than this. I think the American people will make the necessary sacrifice, if it's done fairly, and if we show some enthusiastic congressional leadership.

I, for one, will vote for a tough energy bill, but I will not support what the Ways and Means Committee is doing. I will not support a bill which will not do the conservation job, except at the expense of one region as against another. I will not support a bill that relies on heavy taxes on only component of oil energy. I will not support a bill just so we can have an energy policy. I will not support a bill which does not cushion the price shock for the poor.

In short, the Ways and Means bill, while a nobler try than the Senate bill which David Broder described, falls far short of what is a necessary energy policy. The Congress is failing again, and the people should know it. The brave new 94th, full of sound fury and reform, and willing to debate today around the clock on a war that is over, cannot make a reasonable energy policy.

The Broder article follows:

PASSING THE ENERGY BUCK

(By David S. Broder)

Despite what you have been hearing during this week's debate about gasoline taxes, it is not true that Congress has done

absolutely nothing about the energy crisis. Just two weeks ago, while public attention was distracted by events in Indochina, the Senate passed a marvelous bill called the Standby Energy Authorities Act of 1975.

It was approved on the same afternoon that the senators, in a remarkable burst of legislative creativity, also passed a resolution posthumously restoring the full rights of citizenship to Gen. Robert E. Lee.

It would be hard to judge which action will do more to help with today's problems. But the bet here is that Lee's ghost has more substance than any lawyer can find in the Standby Energy Authorities Act of 1975.

The reason Congress had to vote Gen. Lee his amnesty, at this late date, is that his own application for restoration of his citizenship rights, and his pledge of loyalty to the Union, submitted shortly after cessation of hostilities in October 1865 was unaccountably misplaced by the bureaucrats of his time and was not rediscovered until 1970.

Despite this demonstration of the perils of government paperwork, the senators came up with a supposed energy program that will, if rediscovered 100 years from now, make the historians of that age wonder about the competency of 20th-century Americans.

That bill is a hodgepodge. Part of it gives the President certain emergency powers, which he might use in case of another oil embargo, unless blocked by Congress. But to this marginally useful grant of authority, the Senate Democrats attached a complex provision, full of high-sounding aspirations and short of policy directions. It commands the federal government and all 50 states to devise energy conservation programs (again subject to congressional veto) that will supposedly cut energy use the equivalent of 800,000 barrels of oil a day without hurting anyone.

It is as near-perfect an example of buck passing as Washington has ever seen. The man who would have to administer the act, energy chief Frank Zarb, pleaded with the Senate not to establish such "far-reaching but ill-defined mandatory energy conservation programs."

None of the 60 senators who voted for the bill seemed to care. And the suspicion among those Republicans who opposed it is that Zarb and his boss, the President, are being set up as the fall guys when the program inevitably fails.

What the Senate did was put the administration in the position of making the politically disagreeable choices, while reserving to Congress a guaranteed right to second-guess.

While ruling out rationing or taxes, the Senate commanded Zarb to promulgate, within 90 days, precise standards of energy conservation covering everything from decorative lighting to car-pooling and mass transit use. The bill does not say what those standards should be. But it says that if Zarb guesses wrong, Congress can veto any of his guidelines, with suitable rhetoric within the following 30 days.

That is only the beginning. The mandated regulations then would go to each state, which would be required within 180 days to formulate its own conservation plan designed to meet Zarb's standards. Here, the Senate has created a two-edged sword for later use against the administration.

On the one hand, it has commanded that the state conservation plans should be approved by Zarb only if they "minimize adverse economic or employment impact" and "meet unique local economic, climatological, geographic and other conditions." On the other hand, the Senate has decreed that the net effect of these varied plans must reduce total domestic energy consumption by 4 per cent within a year of the bill becoming law.

So, if the regulations pinch in any state, Zarb will have violated one Senate com-

mand; and if energy use is not reduced nationally he will have violated another.

That leaves him in the interesting position of reducing the size of the energy pie without cutting anyone's slice. It is a no-win proposition—and the Republicans were probably right in saying it was that way by Democratic design, and not by happenstance.

By the most charitable interpretation, the senators abdicated their own responsibility for hard decisions and left the country with what can only be called a false-front facade of an energy policy.

That's the kind of performance that already has brought the federal government into disrepute with its citizens. Some friendly medium ought to ask Gen. Lee if he really wants his citizenship back.

INTELLIGENCE SUMMARIES BY CIA COULD BE DISTORTED BY STATE AND DEFENSE DEPARTMENTS

HON. PAUL N. McCLOSKEY, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1975

Mr. McCLOSKEY. Mr. Speaker, on Friday, March 14, I reported to the House—CONGRESSIONAL RECORD pages 6775-6779—on the factual situation in Vietnam as I had observed it during the period February 23-March 2. In the last section of that report I expressed concern that the hard intelligence summaries prepared by the CIA could be distorted by their passage through the hands of State and Defense Department people who desired that intelligence summaries be supportive of past or current policy successes.

On April 17, several of us sent the President a letter in the same vein, suggesting that it was imperative that the intelligence estimates of CIA not be screened by policymakers before reaching the President's attention.

We expressed the opinion that the National Security Act of 1947, setting up both the National Security Council—NSC—and the Central Intelligence Agency—CIA, did not intend that the same individual occupy both a Cabinet position on the NSC and the staff position of Executive Secretary of the NSC.

Ideally, intelligence advice, recommendations and evaluation—the CIA's responsibility to the National Security Council under the act—should not pass through a screen of policymaking officials. Understandably, policymakers may not always agree with intelligence estimates which are critical or which paint a more dismal picture than the policymakers care to admit.

I have just learned of a specific case of such military and State "screening" which is not only an outrageous example of the modification of intelligence information, but which may very well have had a significant impact on the ultimate sad result in Vietnam. Following these remarks I place in the RECORD copies of cables from General Westmoreland, General Abrams, and the State Department's Robert Komer, in mid-August, 1967, which clearly reflect an exercise of military and State Department com-

mand influence to change CIA figures of Vietcong—VC—strength.

In August 1967, our Embassy and MACV people in Saigon were attempting to show a continuing success in reducing the numbers of the VC. The CIA had estimated a VC strength figure which included Vietcong self-defense—SD—and secret self-defense—SSD—forces. The total estimated figure, including those forces, was 420,000-431,000, as compared to the previously released figure of 299,000.

You will note from General Abrams' cable, concurred in by General Westmoreland, that DOD asked that the intelligence estimate be reduced to remove the SS and SSD forces since these forces included a sizable number of old people and women, and cast doubt on the "image of success" DOD has "been projecting over the recent months."

Apparently, the generals were successful; the enemy order-of-battle strength was reduced as they requested. Five months later, however, during the Tet offensive of 1968, it appeared that VC forces were much stronger than estimated. The suddenness of the VC's initial successes, coupled with the long record of government representations that the VC was deteriorating in both strength and will, contributed materially to turning the tide of public opinion in America against both the war in Vietnam and the credibility of America's military leadership. This despite the fact that Tet, 1968, represented a real victory on our part, and effectively removed the VC as a competent military strike force.

You will note from the enclosed cables that Abrams and Westmoreland felt the CIA's figures would cause the press to draw:

An erroneous and gloomy conclusion as to the meaning of the increase. All those who have an incorrect view of the war will be reinforced and the task will become more difficult.

I hope it is not presumptuous to suggest that in retrospect it was Generals Abrams and Westmoreland who had the incorrect view of the war. Their deception, of course, delayed the American people's perception of the true circumstances in Vietnam. More importantly, the "command position" of Generals Westmoreland and Abrams, if included in the National Intelligence Estimate thereafter sent to the President, may well have delayed President Johnson's perception of the true situation in Vietnam.

FROM GEN. ABRAMS DEPCOMUSMACV TO GEN. WHEELER JCS WASH CD

1. (C) MACV representatives to the DIA Conference dealing with order of battle strength for enemy forces in South Vietnam report that there is a continuing controversy regarding the inclusion of the strength figures for self-defense forces (SD) and secret self-defense forces (SSD) in the draft NIE 14.3-67. In General Westmoreland's temporary absence, I think it appropriate to make the command position on the inclusion of these strength figures clear.

2. (S) If SD and SSD strength figures are included in the overall enemy strength, the figure will total 420,000-431,000 depending on minor variations. This is in sharp contrast

to the current overall strength figure of about 299,000 given to the press here.

3. (C) From the intelligence viewpoint, the inclusion of SD and SSD strength figures in an estimate of military capabilities is highly questionable. These forces contain a sizable number of women and old people. They operate entirely in their own hamlets. They are rarely armed, have no real discipline, and almost no military capability. They are no more effective in the military sense than the dozens of other nonmilitary organizations which serve the VC cause in various roles.

4. (S) The press reaction to these inflated figures is of much greater concern. We have been projecting the image of success over the recent months, and properly so, now, when we release the figure of 420-431,000, the newsmen will immediately seize on the point that the enemy forces has increased about 120-130,000, all available caveats and explanations will not prevent the press from drawing an erroneous and gloomy conclusion as to the meaning of the increase. All those who have an incorrect view of the war will be reinforced and the task will become more difficult.

5. (C) In our view, the strength figures for the SD and SSD should be omitted entirely from the enemy strength tables in the forth-coming NIE. This will prevent the possibility that they can be added to the valid figures, and an erroneous conclusion drawn as to an enemy strength increase.

6. (U) I realize that you are fully aware of the implications set forth above, and that you share our concern. Nevertheless, the matter is so crucial here that I think it advisable to make our position known to you.

7. I am informed that Joe Fried of the New York Daily News resident in Saigon has the gist of the new intelligence examination and the total figure of about 420,000. Zorthian and Sidle have talked to him and hopefully have persuaded him that any new figures would be premature now.

FROM GENERAL WESTMORELAND COUSAMACV
TO GENERAL WHEELER CJCS WASHINGTON

I have just read Gen. Abrams MAC 7849, and I agree. I do not concur with the inclusion of SD and SSD strength figures in the overall enemy strength. It distorts the situation and makes no sense. No possible explanations could prevent the erroneous conclusions that would result. Warm regards.

FOR CARVER (CIA) FROM KOMER, SAIGON

1. Understand from MACV that O/NE insisting on inclusion 20,000 SDF and SSDF in new NIE figures, thus giving total of 435,000 for enemy O/B.

2. You are familiar with new MACV figures which represent major step forward toward sounder analysis. I cannot see case for including vague estimates of low grade part-time hamlet self-defense groups, mostly weaponless, in new O/B. For do we include RDPGS, hamlet militia, or combat youth on giv side.

3. MACV is determined to stick by its guns, and you can well imagine ruckus which would be created if it came out as everything tends to on Vietnam that Agency and MACV figures were so widely different. Any explanation as to why would simply lead press to conclude that MACV was deliberately omitting SDF/SSDF category in order downgrade enemy strength. Thus credibility gap would be further widened at very time when in fact we are moving toward much more valid estimates.

4. Also understand that NIE projects 15,000 man enemy strength increase by end of year. On what is this based? It is contrary to whole trend of analysis out here, including higher enemy loss rates, new official MACV estimate that in-country recruiting January-May 1967 probably down to 3500 per month, and lack

of any evidence that infiltration rate up if indeed it is averaging as high as last year.

5. Will you please help straighten out this matter, which is of concern to whole top level here. Sure you agree that we have enough real problems without adding on paper wars.

VIETNAMESE REFUGEES REPRESENT LONG-TERM PROBLEM

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1975

Mr. ANDERSON of California. Mr. Speaker, today the first wave of refugees from Vietnam arrived in California. We can expect more to arrive in the future.

Now, I am not suggesting that we close our doors to these individuals. Certainly, the United States has an obligation to many of these people, especially those who must flee because of past cooperation with our Government.

However, there are a few details I believe we should be aware of.

How many refugees are going to enter this country? Where are they going to stay?

Who is going to pay for their expenses while living in this country until they find employment?

As of now, no one really seems to know how many refugees to export. Attorney General Edward Levi has said he will waive immigration laws for approximately 130,000 individuals. Yet Los Angeles County Supervisor James Hayes, a responsible public official, has stated that Federal officials have told him to be prepared for at least 600,000 Southeast Asian refugees, and possibly as many as one million.

At this point, I would like to enter into the RECORD two articles from the Los Angeles Times, which contain Supervisor Hayes' statements:

[From the Los Angeles Times, Apr. 22, 1975]

L.A. ALERTED ON REFUGEE INFUX

(By Ray Zeman)

Chairman James A. Hayes said Monday that federal officials are planning to bring from 600,000 to 1 million Southeast Asian refugees to the United States, with Los Angeles and San Francisco as the likely first ports of entry.

Hayes said he will ask the Los Angeles County supervisors today to prepare for such a situation.

The supervisor said word of the possible influx of refugees came from highly placed officials in Washington.

"I was asked not to divulge the names of the callers or the two departments from which they telephoned. They urged me to start plans and preparations.

"This program—if it becomes a reality, as it very well may—will be quite similar to the Cuban refugee operation.

"San Francisco and Los Angeles would probably be the first points of debarkation."

Hayes recalled that under the Cuban program, 600,000 Cubans were settled in the United States. At the peak in March, 1971, this program aided 11,615 in Los Angeles County.

More than half of these have since been transferred to federal programs for the aged, blind and disabled. The county is caring for the remaining 5,126.

Pointing out that the first wave of Southeast Asian immigrants may reach California "in the very near future," Hayes said he will ask the Board of Supervisors to request that federal funds and personnel be utilized to offset the burden on local taxpayers.

He also will move that all appropriate county departments immediately gear up for the possible mass influx and to provide status reports weekly on these preparations.

Hayes also will ask that Chief Administrative Officer Harry L. Hufford and other county officials explore the need for an advisory commission to assist the immigrants and the feasibility of forming such a commission if the proposed federal program becomes a reality.

"I would like a report on this within one week," Hayes emphasized.

[From the Los Angeles Times, Apr. 23, 1975]

COUNTY TOLD: GET SET FOR REFUGEES

Supervisors Chairman James A. Hayes said Tuesday he again talked to some "highly placed officials in Washington" who urged that Los Angeles County prepare for the possible evacuation of 600,000 to 1 million Southeast Asian refugees to the United States.

"I was alerted that this is a contingency plan which might be put into effect on a moment's notice," Hayes said. "Most would be arriving without any visible means of support."

(Immigration officials in Washington Tuesday placed the maximum number of immigrants at 130,000.)

County supervisors adopted Hayes' motion to study formation of a commission to assist the immigrants if the proposed federal program becomes a reality. All appropriate county departments were directed to gear up for a possible influx.

Since Los Angeles and San Francisco would be the probable first ports of entry, Supervisor Baxter Ward said the military might have to reactivate some unoccupied barracks. He suggested use of El Toro Marine Air Station.

Hayes said El Toro is relatively small. "One of the major ones being considered is Edwards Air Force Base," he added.

Hayes' motion urged the federal government to provide funds and personnel to offset costs of local taxpayers if the Southeast Asian refugee program is inaugurated.

Now, Mr. Hayes is not an alarmist. He is a responsible public official trying to do his job. And apparently, that job is about to get very difficult.

Most of the refugees from Vietnam and other Southeast Asian nations will enter the United States through San Francisco and Los Angeles. And if past examples are any guide, many of them will be staying in those areas.

Mr. Speaker, I am not saying that these men, women, and children are not welcome. Certainly the people of Los Angeles will do all that is in their power to help these people start a new life.

However, starting and maintaining that new life is going to be expensive, and relief funds in great amounts will be needed. If we theorize an eventual level of 600,000 refugees, and provide them with bare living expenses, the total will easily run over \$1 billion a year.

Obviously, such a massive drain on local government would be a disaster. The Federal Government must face the obligation of paying for the relocation and assistance of refugees after they have arrived in this Nation, if the Federal Government makes it possible for them to arrive here.

FULL EMPLOYMENT LEGISLATION

HON. AUGUSTUS F. HAWKINS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1975

Mr. HAWKINS. Mr. Speaker, I wish to call the attention of the Members to a very current and incisive editorial in the Wednesday, April 23, 1975, issue of the New York Times which in brief but comprehensive fashion treats the economic crisis confronting us, while at the same time pointing out how the legislation that Representative REUSS, Senator HUMPHREY, and I, along with over 90 of our colleagues in both bodies have introduced would offer a solution to this crisis. We have no pride of authorship in our proposal, but we are only pleased that national attention has begun to be focused on a comprehensive approach to our economic sickness. The editorial follows:

HOW MANY JOBLESS . . .

It is a measure of the bankruptcy of economic thought that most economists, of all schools and political persuasions, believe the United States must resign itself to an unemployment rate of at least 6 per cent for the rest of this decade.

When President Kennedy made 4 per cent joblessness his target in the nation's pullout from the recession of 1960-61, he was at pains to stress that this was an interim goal and not to be viewed as an acceptable yardstick of normal employment. The popular wisdom among economists now is that the potential price in renewed inflation is too high to make even 4 per cent realistically attainable.

That is not a supportable "trade-off," to use the chilling term so glibly employed in current calculations. The reality is that the underpinnings of the calculations themselves are dubious in a period when none of the orthodoxies, whether those of Adam Smith or of John Maynard Keynes, offers much of a guide on how to balance price stability and full employment.

Even the notion that substantial levels of unemployment operate over the long haul as a significant brake on inflation is open to question in light of the rigidities of cost-of-living escalators and other wage boosters and the speed with which the over-all price index can be pushed by a single external development such as the oil cartel's quadrupling of fuel costs.

Moreover, the price of unemployment is high in terms other than the frustrations of the jobless and the loss to society of tens of billions of dollars in output. Unemployment insurance programs are being made more generous in both the amount and duration of benefits, with food stamps and welfare as supplemental cushions and mortgage and medical protection under consideration as well.

. . . HOW MANY JOBS?

Public service employment is mushrooming under pressure of the current emergency, and there will be strong pressure for permanent programs to provide government-financed work as a matter of right for those who will remain idle after the gross national product turns upward. The House Subcommittee on Equal Opportunities is studying a bill by Representatives Augustus Hawkins of California and Henry Reuss of Wisconsin, with 85 co-sponsors, that calls for a comprehensive—and expensive—national program to cut unemployment to 3 per cent within eighteen months.

The program, with an initial budget estimated at \$15 billion, would become the

foundation for submission by the President each year of a "Full Employment and National Purposes Budget" that would guarantee jobs and define national priorities in such fields as conservation and development of national resources, health care, housing, mass transit, promotion of competitive private enterprise and the elimination of poverty.

Unquestionably a program formulated with such ambitious goals would vastly increase present rates of Federal outlay, quite possibly beyond the country's capacity; but it is worth remembering that the basic principle of the bill aims at putting into practice a policy that was adopted in theory by the Congress a quarter century ago. Any appraisal of its potential cost has to take into account that unemployment programs now under way are expected to cost in the neighborhood of \$40 billion. That is money going out of taxpayers' pockets, as against taxes that would be coming in if the jobless were back on regular payrolls.

A 6 per cent standard for full employment would be a prescription for social unrest and permanent government deficits. The nation cannot accept the defeatist conclusion that one worker out of every sixteen must be permanently shut out of the labor market. There is no stability for either people or prices in such a design.

THE HEALTH REVENUE SHARING AND HEALTH SERVICES ACT

HON. JOHN J. RHODES

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1975

Mr. RHODES. Mr. Speaker, I have received a letter from Secretary Weinberger of the Department of Health, Education, and Welfare, indicating his opposition to H.R. 4925, the Health Revenue Sharing and Health Services Act.

The letter specifies the specific areas that HEW opposes in this legislation. For the benefit of my colleagues when this legislation is considered on the floor, I am taking the liberty of inserting Secretary Weinberger's letter in the RECORD. The text follows:

THE SECRETARY OF HEALTH,
EDUCATION, AND WELFARE,
Washington, D.C., April 22, 1975.

HON. JOHN RHODES
Minority Leader, House of Representatives,
Washington, D.C.

DEAR MR. RHODES: We expect that H.R. 4925, the Health Revenue Sharing and Health Services Act, will soon be reported by the Interstate and Foreign Commerce Committee for consideration by the House. I enclose a copy of the President's Memorandum of Disapproval of H.R. 14214 (93rd Congress), a bill very similar to H.R. 4925. I would like to reiterate again the Department's strong opposition to this legislation and strongly recommend that the Congress enact H.R. 4819, the Administration's health services amendments.

Although some changes have been made at the Subcommittee level, we do not believe that significant progress has been made toward overcoming any of the Administration's basic objections. The Subcommittee on Health and Environment did attempt to lower authorizations, and this is a step in the right direction. But the authorizations in H.R. 4925 still are far in excess of the President's budget and, therefore, remain objectionable to the Administration. The total authorizations for this three-year bill are almost \$2.5 billion, approximately \$1 billion over the President's budget for FY

75, and FY '76 and estimated budget for FY '77.

Moreover, the Department has consistently expressed its opposition to H.R. 4925 for programmatic reasons. Since the bill would extend and authorize a number of new categorical programs and repeal the general health research and development authority in section 314(e) of the Public Health Service Act, the Department continues to oppose this legislation on both programmatic and fiscal grounds.

We are advised by the Office of Management and Budget that there is no objection to the submission of this report from the standpoint of the Administration's program, and that enactment of H.R. 4925 would not be in accord with the program of the President.

Sincerely,

CASPAR W. WEINBERGER,
Secretary.

MEMORANDUM OF DISAPPROVAL

I have withheld my approval from H.R. 14214, the "Health Revenue Sharing and Health Services Act of 1974."

H.R. 14214 conflicts with my strong commitment to the American taxpayers to hold Federal spending to essential purposes. The bill authorizes appropriations of more than \$1 billion over my recommendations and I cannot, in good conscience, approve it. These appropriation authorizations are almost double the funding levels I have recommended for Fiscal Year 1975 and almost triple the levels I believe would be appropriate for 1976.

As part of my effort to see that the burden upon our taxpayers does not increase, I requested the Congress last month to exercise restraint in expanding existing Federal responsibilities, and to resist adding new Federal programs to our already overloaded and limited Federal resources. These recommendations reflect my concern with both the need to hold down the Federal budget and the need to limit the Federal role to those activities which can make the most necessary and significant contributions.

In H.R. 14214, the Congress not only excessively increased authorizations for existing programs but also created several new ones that would result in an unjustified expenditure of Federal taxpayers' funds. Although the purposes of many of the programs authorized in this bill are certainly worthy, I just cannot approve this legislation because of its effect upon the economy through increased unwarranted Federal spending.

Finally, it should be pointed out that the Federal Government will spend almost \$20 billion in 1975 through Medicare and Medicaid for the financing of health services for priority recipients—aged and low-income persons. These services are provided on the basis of national eligibility standards in Medicare and State eligibility standards in Medicaid and therefore are available to individuals in a more equitable and less restrictive manner than many of the programs authorized in H.R. 14214.

GERALD R. FORD.

THE WHITE HOUSE, December 21, 1974.

POLYGRAPH TESTING

HON. EDWARD I. KOCH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 1975

Mr. KOCH. Mr. Speaker, the reasons for supporting my bill, H.R. 2596 which places an absolute prohibition on polygraph testing in employment situations, are cogently set forth in the April 1975

issue of The Privacy Report published by the American Civil Liberties Union Foundation. This report needs no further elaboration by me and I am appending it for the information of our colleagues.

THE PRIVACY REPORT

POLYGRAPH TESTING FOR EMPLOYMENT

The polygraph has been with us for over half a century. In its early years it was enthusiastically embraced by police officials, who placed great faith in its value for law enforcement. But the courts proved resistant: not until 1972 did any federal court admit unstipulated polygraph evidence in a criminal case (that is, where there is no pre-trial agreement among all parties that polygraph evidence shall be admitted), and only one state court had done so. Even after the *Ridling* and *Zeiger* decisions of 1972, admitting unstipulated polygraph evidence, there was no great rush to extend judicial recognition to the polygraph, for many courts still had, and have, serious doubts about its validity and reliability as a detector of falsehood. (Unfortunately, the courts have shown greater skepticism for the polygraph's scientific validity than for its constitutional validity.) Nonetheless, the polygraph test is widely used "informally" in law enforcement, by police as an investigative aid, and by prosecutors and defendants as a tactical counter in plea-bargaining negotiations.

But for all the problems still to be faced in bringing the law enforcement uses of the polygraph under control, there is at least the hope that the pros and cons, including the constitutional arguments, will eventually be heard and judged in the courts. Meanwhile, the greatest growth in the use of the polygraph is taking place completely outside the criminal justice system, virtually free from effective judicial or legislative controls. The polygraph test has now become a popular method of screening applicants for employment, and of checking up on present employees. These are in fact the principal uses of the polygraph today.

Polygraph tests for employment are utilized in both the public and private sectors. Ten years ago, the House Subcommittee on Foreign Operations and Government Information found that 19 federal agencies had conducted a total of 19,769 tests in just one year, and this figure did not include the thousands of tests administered to applicants and employees by the Central Intelligence and National Security Agencies. Congressional expressions of disapproval led to the adoption of new Civil Service Commission regulations sharply limiting polygraphing by federal agencies, and in 1973 seven agencies reported a total of 6882, supposedly all related, as required by CSC rules, to national security needs. Again, this figure did not include CIA tests. There are no recent compilations for state and local agencies, but polygraphs are known to be widely used in pre-employment screening for police departments and law enforcement agencies of all kinds. In fact, many states which do place legal restrictions on employment polygraph testing except law enforcement agencies—sometimes all government agencies.

The figures for private employment are only rough estimates. A 1974 report by the staff of the Senate Subcommittee on Constitutional Rights mentioned a range of 200,000 to 300,000 a year; other estimates go even higher. But both supporters and opponents of the polygraph are agreed that the number is enormous, and constantly growing.

A researcher for the Privacy Report recently interviewed a number of large private employers to learn how they use the polygraph, what they expect from it, why they believe in it, and whether they feel that the tests might be jeopardizing their employees' rights. But before describing the results of

these interviews, it is necessary to discuss some facts about the polygraph test itself.

How polygraph testing works

The polygraph, popularly known as the "lie detector," is a machine that measures and records fluctuations in blood pressure, rate of respiration, and galvanic skin response (changes in the electrical conductivity of the skin, thought to be related to the amount of perspiration in the skin). The theory behind the polygraph test is that the act of lying causes psychological conflict, conflict causes fear, and fear brings about certain measurable physiological changes, which are detected and recorded by the polygraph machine.

However, contrary to the impression one might have from watching police shows on TV, the polygraph does not "detect" falsehood the way a Geiger counter detects radioactivity. No buzzer rings to signal the presence of untruth. The subject's physiological responses to the examiner's questions must be interpreted: it is the examiner's interpretation, not the machine, that determines whether a person "passes" the polygraph test.

Newer versions of the "lie detector"—the "wiggle seat" that registers body temperature and muscle movements, the camera that records changes in the size of the pupil, and the futuristic Psychological Stress Evaluator (PSE) that measures the fluctuations of the FM modulation in the voice—all rest on the same premise, that lying produces stress which is translated into detectable physical changes in the body.

A number of difficulties are immediately apparent. First, the premise that lying causes stress is a shaky one. It does not if a person believes he is telling the truth, even if his statement is factually untrue. It does not if a person feels no guilt or anxiety about lying, or even gets enjoyment from lying. It does not if a person cannot be convinced that the polygraph detects lies and therefore does not fear that his deception will be unmasked. On the other hand, many things other than lying do cause stress: fear, guilt, anger, or embarrassment produced by truthful answers to the examiner's questions, neurotic anxieties, subconscious reactions triggered by a single chance word, tension created by the test procedure itself, or a physical condition such as heart trouble, a headache, a cold, fatigue, or even the need to go to the bathroom. All of these factors have been shown to distort the accuracy of the polygraph as a lie detector.

Second, because the polygraph measures reactions to an examiner's questions and its recordings are then interpreted by the examiner, the polygrapher himself emerges as the key to the polygraph test. What are his qualifications? How is he trained? How much does he know about human emotional and physical response? What is his attitude toward the subjects he tests? Are there racial or cultural differences between them that might produce different ideas of what is "moral" or "true"? What are his biases? What predispositions (or outside pressures) does he have to find the subject "guilty" or "innocent"? How precisely can he frame questions to elicit pure "truth"? By what criteria does he decide whether a response recorded by the machine is a lie or a reaction to some other factor? Indeed, are there any wholly objective elements in the process at all, or is the entire business a matter of judgment?

Even with respect to the best polygraphers in the profession, the answers to these questions are disturbing. The most vocal supporters of the polygraph themselves stress the importance of a highly qualified examiner, yet in most states anyone who buys a polygraph machine can go into business. The 1974 Senate Subcommittee report noted ruefully that even the most reputable of the polygraph schools offers only 244 hours of instruction, including 14 hours in psychology and 31 in "medical aspects." One leading expert on polygraphs estimates that some 80%

of the nation's practitioners, variously estimated as from 1200 to 3000, are incompetent.

How accurate is the polygraph in detecting liars? Its supporters claim an accuracy rate of 90-95% for tests performed by experienced examiners in the field (as opposed to laboratory experiments). Estimates from other sources are much lower. There is, in fact, no accepted scientific evidence of the polygraph's validity. An ACLU report on the polygraph published in 1973 (Shattuck, Brown & Carlson, "The Lie Detector As a Surveillance Device," 75pp. \$1) concluded simply that the issue boils down to a battle of statistics, and that none of the statistics available are particularly reliable. A major difficulty in measuring the polygraph's performance is, of course, that verification is possible only in cases where there is independent evidence of the subject's veracity.

It must be stressed that the civil liberties objections to the polygraph are only incidentally a matter of the test's scientific validity, or lack of it. Even if a 100% reliable "lie detector" were to be developed, there would still be serious questions about invasion of privacy, violation of the Fifth Amendment privilege against self-incrimination, of the constitutional presumption of innocence until proven guilty, of the Sixth Amendment right to confront and cross-examine one's accusers, and of the Fourth Amendment protection against unreasonable searches—and, at bottom, assault on the fundamental dignity of the human personality. Alan Westin, discussing polygraphs in his book *Privacy and Freedom*, pointed out that the American constitutional system of due process has three purposes, only one of which is to discover truth; the others are to place limits on governmental power, and to preserve individual dignity.

How these constitutional and ethical issues are raised by the use of the polygraph for employment purposes may become clearer in the following paragraphs.

How employers use the polygraph: Interviews

A large car rental agency began to use polygraphs several years ago to combat an increasing problem of theft by employees. However, when thefts do occur, the polygraph is seldom used—only where no alternative means of investigation are available. Rather, the polygraph is used to screen applicants for jobs as service employees, the people who wash and prepare the cars and have the most contact with cars and money.

Prospective employees are not informed of the polygraph requirement on the application, or even, in some cases, until after the interview. Then they are simply given the address of a polygraph firm and told to report there for "a test." The agency's personnel department knows little of what goes on at the polygraph test; it accepts the results—a verdict of "recommended" or "not recommended"—from the polygraph examiner. The applicant is asked about his previous employment record, arrest record, involvement in thefts, and use of alcohol and drugs. The agency may also check the applicant's previous employers and references, but only if the polygraph test results prove satisfactory. No applicant who refuses a test will be considered.

The primary use of the test, according to the agency, is simply to check that people are telling the truth on their applications. It believes that this form of pre-employment screening has helped cut down internal thefts.

A wholesaler of drugs, liquor, and chemicals uses the polygraph to screen applicants for jobs in its warehouses and security forces. Sometimes it is used for investigating large internal thefts, but only as a last resort.

Applicants are told of the test requirement at the interview. They must sign a consent form agreeing to take the test of their "own free will without duress." The tests are administered at the company by its own security chief, a former member of the Amer-

ican Polygraph Association, and his officers, most of them former policemen. The personnel department leaves it all to the security men and accepts their judgment of "recommended," "not recommended," or "borderline."

Again, questions focus on drug and alcohol use, previous thefts, arrest record, and employment record. The test results are kept on file, whether or not the applicant is hired.

This company trusts completely in the polygraph; 95% of any hiring decision, according to the personnel director, is the polygraph test. No applicant who refuses a test will be hired; one who is rated "borderline," however, might be hired on a trial basis. Although the company acknowledges that a person "without a conscience" can beat the machine, it believes that all "normal" people can be quite accurately tested.

At a fast-food chain, polygraph tests are given to all prospective management personnel, the people who handle the cash. The purpose is to verify statements made on the application. If the applicant passes, his references may then be checked. All test results, including those of unsuccessful applicants, are kept on file. The polygraph company telephones its initial report within hours after the test, then follows up with a full written interpretation of the applicant's responses later on. The personnel manager was not sure what the polygraph company's credentials are, or how it was originally selected, but knew that it has a "good reputation."

This employer retests its managers annually. This is, in its judgment, the polygraph's most valuable function: to deter managers from stealing or other undesirable behavior because they know they will be caught on their next test. In a business where employees have easy access to cash and merchandise, it is important not only to get honest people to begin with but also to keep them honest. A manager who has been stealing will quit rather than face the polygraph.

A person who refuses a test will not be hired or kept on. A refusal shows immediately "he has something to hide."

A large insurance and securities firm uses the polygraph on all its job applicants, particularly to elicit information on drug use and debts. This company does not accept the polygrapher's "pass/fail" recommendation; it requires a full description of all the questions and answers, and even if the applicant appears to have told a lie, will discuss the situation with him to get the whole story. Though the polygraph is trusted, it is used as only one element in hiring decisions. Nonetheless, an applicant must be tested before hiring, and his credit status and earlier employment record might not be checked until he is already on the job.

Subjects sign a consent form, but at the insistence of the polygraph firm, not the employer. The employer believes that if there are any legal problems, they lie between the applicant and the polygrapher alone.

A retailer of fine jewelry tests its employees before hiring and annually thereafter. By assuring itself of honest and sober employees at the outset, it says, internal theft has been totally eliminated. The polygraph is believed to be more reliable than the judgment of an interviewer, because it is a machine—"personalities do not get in the way." The purpose of the test is simply to find out if an applicant has lied. An applicant who admits to earlier "misbehavior" might be hired anyway, but one who lies has no chance. It is very rare that an applicant refuses a test, though many are initially nervous and even antagonistic until the whole procedure is explained to them.

Results of all tests are filed. Those on rejected applicants are destroyed after a year.

A chain of drug stores tests all applicants, from stockroom clerk to executive. The testing is done on company premises by outside examiners carefully chosen by the head of the security department for thoroughness of training and length of experience. The appli-

cant fills out a booklet of questions relating to drug and alcohol use, arrests, and previous further. Anyone who responds affirmatively, (absenteeism). The questions are then repeated on the polygraph test.

Tests are given only after interviews have been held and references checked. If a person lies outright, he is rejected; if his answers seem "suspicious," he may be questioned further. Anyone who responds affirmatively, or is shown to be lying, to questions about thefts, drugs, alcoholism, gambling, debts, or shoplifting will be rejected. So will anyone refusing to take a test.

Test results are filed. If a theft should occur, and if suspicion appears to fall on a particular employee, his test file will be pulled and restudied. Sometimes a new test will be requested. If the employee refuses, no action is taken against him, but "it does raise doubt."

The polygraph files are open only to the security director. If another firm inquires about a specific employee, the company might look at the test results to help determine what kind of recommendation to give.

The company believes it is virtually impossible to beat the polygraph. Though most applicants answer their written questions honestly, they do so because they know the polygraph will catch their lies.

One company we interviewed, a manufacturer of surgical supplies, does not use polygraphs. It believes that other methods of preventing internal theft are more effective, such as attractive discounts to employees for company products, and an elaborate security system including a large force of guards.

The company does not think polygraphs are reliable or useful in sizing up a prospective employee. Strictly framed requirements for each job, and careful interviewing and testing for specific skills and aptitudes, seem to give better results.

How employers use the polygraph: Analysts

There is a pattern in these employers' responses to our questions.

First, there is a trust in the machine as something more reliable than human judgment.

There is also a distrust of the strangers who present themselves for jobs. As J. Kirk Barefoot, past president of the American Polygraph Association, has explained it, "Ours has become a mobile society. Job applicants no longer generally come from an employer's immediate community; thus the employer must screen prospective employees." Employers want a practical, reliable method of weeding out the "bad" strangers from the "good."

There is an overwhelming anxiety about lack of trustworthiness, perhaps understandable in light of an estimated loss to private industry of more than \$3 billion annually from employee theft. This anxiety is often translated into an automatic rejection of all applicants who lie about anything, whatever the reason, as well as all who have had any experience of drug use, alcoholism, gambling, debts, arrests, thefts, or difficulties on previous jobs, again, whatever the circumstances. Clearly a case of "better safe than sorry." This attitude is combined with an almost reverent faith in the polygraph to weed out accurately all those who may not be "safe."

Second, most employers do not know, and seem not to wish to know, what a polygraph test involves, who gives it, or how it is interpreted. A number simply take the polygrapher's verdict of "recommended" or "not recommended" at face value, in effect surrendering their decision-making prerogative to the examiner and his machine. It is not always made clear to them on what grounds the polygrapher's judgment is based, but some employers seem satisfied not to inquire.

Few employers appear to be aware of any constitutional problems. "Privacy" is scarcely mentioned. Or, though they did not say so,

perhaps they agree with Mr. Barefoot that "there comes a time when your privacy and mine has to be weighed against a company being stolen blind."

Curiously, when internal thefts do occur, employers do not rush to the polygraph if other methods of investigation are available. The reasons are not clear. Is faith in the detecting powers of the polygraph not so firm after all? When disgrace, loss of a job, and perhaps even criminal charges are involved, do employers feel more qualms about privacy, self-incrimination, presumption of innocence? Perhaps when they are dealing with distinctive, real individuals whom they have hired and accepted, not just a faceless mass of unknown applicants knocking at the door, employers become more conscious of the human values, of the indignity of examining a person's mind by machine, and of the dangers of making damaging judgments in the absence of sound, independent evidence.

It appears to be common practice to keep polygraph tests on file, often for rejected applicants as well as those hired. Assurances of confidentiality are nearly always offered; usually the files are restricted to the personnel and security directors alone. Yet the reason for keeping the tests is vague. "For the record," or "in case a rejected applicant comes back," were the answers in several interviews, and one company, as noted, said it sometimes refers to the tests in making recommendations to other employers.

No mention has been made of the shocking abuses of the polygraph that come to light from time to time: the probing for details of the subject's sex life, fantasies, phobias; the search for union "troublemakers" and political "activists"; the thinly disguised threats; the wrongful accusations of criminal misdeeds. There is no need to appeal to the abuses in order to demonstrate how serious are the problems created by the common uses of the polygraph.

Here are a few:

First, pre-employment polygraph screening intensifies already rampant forms of employment discrimination, most particularly discrimination against applicants with arrest records. (Note that employers want to know about arrests, not just convictions.) Use of the polygraph test makes it all too easy for employers simply to reject anyone who admits to an arrest, or who appears (as interpreted by the examiner) to be lying about an arrest record. Whether or not the polygraph test really unmasks lies, it does encourage employers to screen out anyone whose past is less than pristine. Asking questions about arrests at an interview is bad enough, but there is at least opportunity for the full story to be told. Reliance on the polygraph saves the employer the trouble of further inquiry.

Second, submission to a polygraph test is not a voluntary act, despite the rhetoric of its proponents and the formality of asking applicants to sign "free-will" consent forms. If an applicant must take a test in order to be hired, then testing clearly is not voluntary. Nor is it voluntary when an employee suspected of theft is fired for refusing to take a test. ACLU affiliates all over the country have received complaints from people who were fired, often on some other pretext, after they balked at taking a polygraph test. Given the present state of the economy and the use of the polygraph by ever-increasing numbers of employers, it is hard to argue that as a practical matter employees and applicants are voluntarily submitting to tests. And with the conclusion that testing is in fact mandatory, the constitutional arguments citing violations of due process and the right of privacy become all the more compelling.

Third, the filing of polygraph test results virtually invites the compilation of company blacklists and their eventual pooling industry-wide. It would certainly be much easier for employers to trade among themselves lists of applicants who flunked polygraphs than go to the trouble of searching for arrest

records and even checking references. If such polygraph "banks" don't already exist, they surely will in not too many years.

Fourth, the polygrapher hired by an employer has a strong incentive to err on the side of safety. His eagerness to retain the trust (and business) of his client will naturally, though perhaps unconsciously, influence his interpretation of any ambiguous test evidence. Most employers rely totally upon the polygrapher's recommendation, no questions asked. Perhaps in pre-employment testing, even more than in testing related to criminal investigation, the polygrapher's biases and attitudes are crucial.

Legal controls

The applicant or employee who is asked to take a polygraph test has very few legal protections.

Labor arbitrators have generally refused to uphold dismissals for refusing to take a polygraph test, or to admit polygraph evidence in cases of employees punished or dismissed for alleged criminal wrongdoing, especially where there is evidence of coercion or an absence of other evidence of guilt. Many labor unions oppose the polygraph test, and some have managed to negotiate contracts prohibiting its use. A few have rules penalizing members who agree to take tests.

Thirteen states have laws limiting or banning use of the polygraph for employment purposes. These are Alaska, California, Con-

necticut, Delaware, Hawaii, Maryland, Massachusetts, Minnesota, New Jersey, Oregon, Pennsylvania, Rhode Island, and Washington. Most of these impose penalties on employers who try to require either employees or applicants to take tests. Some do not permit employers even to "request" an applicant or employee to be tested. However, all but New Jersey and Oregon provide for important exceptions, usually either law enforcement personnel or government employees or both.

Such exceptions seem to suggest that some legislators still have a residual faith in the efficacy of the polygraph, and that their concern for the rights of those employed by government and law enforcement agencies is overridden by their solicitude for the importance of such employees' public mission. The exceptions leave a lot of people without protection. Some states also allow "voluntary" polygraph tests. So far, the laws have not been very strictly enforced, and the penalties prescribed for violation in most instances are not particularly onerous.

A different approach, one more to the liking of professional polygraphers, has been taken by some 15 states which require the licensing of polygraph examiners. The object here is to protect test subjects from incompetent practitioners rather than to restrict testing. The 1974 Senate Subcommittee report found most of the licensing requirements insufficient and criticized such laws in general for avoiding the real issues.

Several attempts have been made in Congress to enact legislation protecting federal employees, most recently in the 93rd Congress in a bill sponsored by Senator Sam Ervin. Congressman Edward Koch is making a new try in the 94th.

It seems unlikely that attempts to persuade employers to exercise self-restraint or adoption of half-hearted legislation riddled with exceptions can stem the growth of polygraph testing. Only a flat ban will do the job. Employers, public and private, must be forced to abandon the polygraph altogether and turn to other methods of investigation which will honor the right to privacy. As the Senate Constitutional Rights Subcommittee concluded:

Expediency is not a valid reason for pitting individuals against a degrading machine and process that pry into their inner thoughts. Limits, beyond which invasions of privacy will not be tolerated, must be established. The Congress should take legislative steps to prevent Federal agencies as well as the private sector from requiring, requesting, or persuading any employee or applicant for employment to take any polygraph test. Privacy is a fundamental right that must be protected by prohibitive legislation from such unwarranted invasions/TRH.

(Research for this article conducted by Laura Kantowitz, Oberlin College, '76.)

SENATE—Thursday, April 24, 1975

(Legislative day of Monday, April 21, 1975)

The Senate met at 10 a.m., on the expiration of the recess, and was called to order by Hon. DALE BUMPERS, a Senator from the State of Arkansas.

PRAYER

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

"Our vows, our prayers, we now present
Before Thy throne of grace;
God of our fathers, be the God
Of their succeeding race.

"Through each perplexing path of life
Our wandering foot-steps guide.
Give us each day our daily bread
And raiment fit provide.

"Such blessings from Thy gracious hand
Our humble prayers implore,
And Thou shalt be our chosen God
And portion evermore."

—Philip Doddridge.

O Lord, as we serve Thee in this place
may we be steadfast in our love of life,
our devotion to freedom, our intolerance
of evil, our hunger for wisdom and our
pursuit of peace. And to Thy care and
guidance we commend ourselves this day.
Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. EASTLAND).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., April 24, 1975.

To the Senate:

Being temporarily absent from the Senate on official duties, I appoint Hon. DALE

BUMPERS, a Senator from the State of Arkansas, to perform the duties of the Chair during my absence.

JAMES O. EASTLAND,
President pro tempore.

Mr. BUMPERS thereupon took the chair as Acting President pro tempore.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Journal of the proceedings of Wednesday, April 23, 1975, be approved.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees may be authorized to meet during the session of the Senate today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

DISAPPROVAL OF PROPOSED DEFERRAL OF BUDGET AUTHORITY—TIME LIMITATION AGREEMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate proceeds to the consideration of Calendar No. 79, Senate Resolution 69, there be a time limitation of not to exceed 1 hour, the time to be equally divided between the distinguished Senator from Indiana (Mr. BAYH) and the minority leader or whomever he may designate.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

LET US START AFRESH

Mr. MANSFIELD. Mr. President, I have not seen the speech which President Ford delivered last evening at Tulane University in New Orleans. I have, however, seen press reports of the speech and noted the headlines, stating that the President called for a "Great National Reconciliation." He said, further:

I ask tonight that we stop refigting the battles and recriminations of the past. I ask that we strive to become, in the finest American tradition, something more tomorrow than we are today.

Further on in his speech, he said:

The time has come to look forward to an agenda for the future, to unity, to binding up the nation's wounds and restoring it to health and optimistic self-confidence.

I want to express my full support of these Presidential statements and to join him in endorsing the need to stop refigting the battles and recriminations of the past. I am glad that the President made the kind of address he did at Tulane and, in the spirit of Abraham Lincoln, I join him in calling for "binding up the Nation's wounds."

It is easy for anyone who has been involved in the tragedy of Southeast Asia to say, "I told you so." That is what the Nation does not need at this time. What is needed—and this is in the spirit of the President's speech, as I interpret it—is to reassess our position at home and abroad. While we cannot forget the past, nor should we, we might learn from it so that in the future the same mistakes would not be made.

The President has taken the initiative as the Chief Executive of our Republic, and Congress can do no less than to heed his counsel. Debates over who lost whom or what will get us nowhere, but constructive debates about