special tariff treatment accorded to articles assembled abroad with components produced in the United States; to the Committee on Ways and Means.

By Mr. KEMP (for himself, Mr. MANN, Mr. MARTIN, Mr. CONTE, Mr. SARASIN, and Mr. JONES of Oklahoma):

H.R. 11444. A bill relating to the settlement of debts owed the United States by foreign countries; to the Committee on International Relations.

By Mr. KEMP (for himself and Mr. CONTE):

H.R. 11445. A bill to incorporate the National Ski Patrol System, Incorporated; to the Committee on the Judiciary.

By Mr. STAGGERS (for himself and Mr. DINGELL):

H.R. 11446. A bill to amend the Energy Policy and Conservation Act to provide Federal financial assistance for the purpose of expanding or reopening certain existing underground coal mines; to the Committee on Interstate and Foreign Commerce.

By Mr. DENT:

H.J. Res. 771. Joint resolution to confer U.S. citizenship upon Thaddeus Kosciusko; to the Committee on the Judiciary.

By Mr. GONZALEZ:

H.J. Res. 772. Joint resolution to designate February 20 to 22, 1976, as Texas Industrial Nurse Days; to the Committee on Post Office and Civil Service.

By Mr. MYERS of Pennsylvania:

H.J. Res. 773. Joint resolution proposing an amendment to the Constitution of the United States with respect to the right of unborn individuals; to the Committee on the Judiciary.

By Mr. ROUSH:

H.J. Res. 774. Joint resolution proposing an amendment to the Constitution of the United States for the protection of unborn children and other persons; to the Committee on the Judiciary.

By Mr. DENT:

H. Res. 968. Resolution to provide for an investigation by the Committee on Education and Labor relative to the impact of garment and textile imports on employment in the garment industry in the United States; to the Committee on Rules.

By Mr. HANNAFORD:

H. Res. 969. Resolution to protect the ability of the United States to trade abroad; to the Committee on Ways and Means.

By Mr. ULLMAN (for himself and Mr. SCHNEEBELI):

H. Res. 970. Resolution providing funds for the expenses of the Committee on Ways and Means; to the Committee on House Administration.

MEMORIALS

Under clause 4 of rule XXII,

281. The SPEAKER presented a memorial of the Legislature of the State of Arkansas, relative to termination of the moratorium on the exportation of rice; to the Committee on International Relations.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. BENNETT:

H.R. 11447. A bill for the relief of Bernada G. Hermosura; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 11448. A bill for the relief of Daniel Cota-Lopez; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

374. The SPEAKER presented a petition of Holden Roberto, President, *Front National de Liberation de l'Angola*, San Salvador, Angola, relative to peace for Angola, which was referred to the Committee on International Relations.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 9464

By Mr. BRODHEAD:

(Amendment to Mr. KRUEGER's amendment published in the CONGRESSIONAL RECORD of December 8, 1975 on pages 39152–39156.)

In section 104 of the Krueger amendment, delete the period at the end of the section and add the following two provided further clauses: "; *Provided further*, That it shall be a violation of the Natural Gas Act (as amended) for any natural gas distributing company to charge residential users and small users (as defined by the Commission) rates which reflect any costs incurred by an interstate transporter as a result of purchases of natural gas made pursuant to an exemption granted under this section; *and provided further*, That no first sale of natural gas after enactment and prior to expiration of the Natural Gas Emergency Standby Act of 1975 shall be made at a price which exceeds the highest wellhead price (as determined by the Commission) at which natural gas was sold during the period of June 1, 1975 through August 1, 1975 in the state in which such first sale is made.".

EXTENSIONS OF REMARKS

LOWER COLORADO RIVER AUTHORITY HONORS MR. SAM K.

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 21, 1976

Mr. PICKLE. Mr. Speaker, as we move through life, each of us are occasionally blessed by knowing the rare individual who stands out for his love, energies, and intelligence.

Even more wonderful is the fact that often times such an individual resides in a smaller community and not one of our teeming cities. This is fortunate because the person actually overwhelms the community with good and helps the town develop and grow spiritually.

Sam K. Seymour, Jr. is such an individual.

I cannot put the love this man has in his heart in the biggest space that could be found. It has no confinement. He works for his Baptist Church but other denominations in the Columbus, Tex., area have benefited from Sam K.'s generosity.

He works for the people, also. As the president of the Colorado County Federal Savings and Loan Association he has lent the helping hand when many a colder heart shut the door.

But the thing we remember about Mr. Sam K. as much as his loving heart is his energy. For 80 years, Sam K. Seymour, Jr. has been a human dynamo. The man's energy is boundless and I have seen him outlast many a stronger, younger person. Just walking into his office puts one into a whirlwind of activity. A non-stop idea man, Mr. Sam K. does not stop until a plan of action is developed, a program to accomplish the goal is implemented, and the goal accomplished. When Mr. Sam K.'s group comes to Washington he asks not only the Congressmen, but every staff member—all of them. And they all come.

Standing with Mr. Sam K. is a partner that is his equal, and who is dearly loved. The former Marion Hopkins, known as "Muddie" by all, is just as much a rare gem as her husband.

I take the floor to say these nice things because recently, the central Texas newspapers carried a tribute to Sam K. The tribute came as the Lower Colorado River Authority honored Sam K. on the completion of his 30 years as a member of the authority's board of directors.

Five different Texas Governors have appointed Sam K. to this board. These names span the breadth of postwar Texas history—Governors Coke Stevenson, Allan Shivers, Price Daniel, John Connally, and Dolph Briscoe. Mr. Sam K. has walked straight with the greats in his career—including President Lyndon B. Johnson. My congressional office has always benefited by Mr. Seymour's sound advice and help.

Mr. Speaker, I insert in the RECORD at this point an article from the Colorado County Citizen of Columbus, Tex., honoring Columbus' famous favorite son, Mr. Sam K. Seymour:

FOR SAM K. ANOTHER HONOR

Two standing ovations by employees of the Lower Colorado River Authority (LCRA) greeted Christmas season honors for their veteran director, Sam K. Seymour Jr. of Columbus.

"Mr. Sam," now beginning his 31st year as a member of the LCRA board of directors, was honored for his service to the river authority at the LCRA's Austin office Christmas party Dec. 12.

Seymour, who has held the director's post longer than any other in the authority's history, was cited in a special engraved plaque prepared by the employees of the LCRA.

Presented by LCRA General Manager Charles Herring, the plaque was inscribed to Seymour, "In appreciation—for his unparalleled dedication to the Authority; for his invaluable guidance and counsel, for his unwavering loyalty and friendship."

Seymour's service includes 3 terms as chairman of the LCRA board. In his 30 years tenure, he has been appointed and reappointed to the director's job by 5 different Texas governors.

He was first appointed to the board of directors in 1945 by Gov. Coke Stevenson; was reappointed in 1950 and again in 1956 by Gov. Allan Shivers; was reappointed to the board by Gov. Price Daniel in 1962, and by Gov. John Connally in 1968.

His latest appointment was by Gov. Dolph Briscoe, and that 6-year term continues until 1980.

Owner of Sam K. Seymour Lumber and Hardware and president of Colorado County Federal Savings and Loan Association, Seymour, a native of Columbus, is a graduate of Texas A. & M. University.

At age 80, he is a man of strong traditions. Each year, he sponsors a special Christmas party for LCRA employees that features tables laden with food and gifts.

Besides the river authority, he has strong ties with his alma mater—since 1915 he has not missed seeing a single University of Texas-Texas A&M football game.

His civic and social activities are numerous He has been a Blue Lodge Mason; commander of the American Legion's local post; director of the A&M Ex-Students Association; president of the Columbus Chamber of Commerce and the Rotary Club, and has held offices in various trade associations including the Lumbermen's Association.

A member of the Baptist Church, Seymour is married to the former Marion Hopkins of Waelder, and has one son, Sam K. Seymour III.

ADRIANO SEABRA DA VEIGA, M.D., OF WATERBURY, CONN., HONORED BY HIS HOLINESS POPE PAUL IV

HON. RONALD A. SARASIN

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 21, 1976

Mr. SARASIN. Mr. Speaker, during times of strife, catastrophe, social, or economic hardship, it is all too frequent that individuals and societies close their doors to their neighbors and to the rest of the world. Fortunately, there are many who break through the shrouds of personal concern and strive to ease the sorrow and suffering of others, to make life better for all mankind.

One such individual, who I am proud to say is both a constituent and a friend, is Dr. Adriano Seabra de Veiga of Waterbury, Conn. Dr. Veiga has received many well-deserved plaudits, most recently from his Holiness Pope Paul VI who conferred upon Dr. Veiga the Order of St. Gregory, the Magnum. When I learned of this honor, I did not wonder why it had been bestowed. I, instead, wondered which of the many possible good deeds had precipitated this distinction.

At home, Dr. Veiga, the Portuguese consul for the State of Connecticut, is well known for his activities in community affairs, his expertise as a surgeon in Waterbury, and his kindness and compassion to others. He has been extremely active in the Catholic Church, and has been credited with having established three such churches in Connecticut. In addition, he is presently working to develop a fourth in Danbury, Conn.

Dr. Veiga's contributions to society do not stop here. He is a man whose singularity of purpose and devotion to eradicating the hardships which recently befell so many in Portugal during the military upheaval is well known throughout the State of Connecticut, America, and indeed many parts of the world. The preservation of the Portuguese culture and the rights of all men are the currents which carry Dr. Veiga in all his activities, whether working to preserve the ancestral spirit for Americans of Portuguese descent or striving to insure the freedoms of his beleaguered countrymen.

His tireless dedication to liberty for all is an ever present theme, and in working to assist Portugal, a traditional bastion of the free world, Dr. Veiga has not only earned the honor bestowed upon him by the Pope and for which his fellow citizens in Waterbury will honor him at a dinner on January 25. He has also provided us with a lesson and an example well worth emulating. Freedom must be guarded tenaciously, and we must never waver in our vigilance, those who seek waiver in our vigilance, those who seek to deprive others of this most precious of gifts will also seek to deprive us. Boundaries, oceans, and miles must not deter us from our purpose because the only hope for continued freedom for any of us in the world lies in the universality of our effort and our concern.

I consider it to be a privilege to join those who honor Dr. Adriano Seabra da Veiga.

LOPSIDED TAXES

HON. BELLA S. ABZUG

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 21, 1976

Ms. ABZUG. Mr. Speaker, during the 1st session of the 94th Congress, I was proud to cosponsor the Tax Reform Act, which represents a meaningful effort to modify the current tax laws in a manner which would restore equity to the system.

The United Automobile, Aerospace, and Agricultural Implement Workers of America, UAW, in its "Washington Report" of January 12, clearly articulated this need for such reform in the article titled "Lopsided Taxes." I feel that it would be helpful to my colleagues to have this article for their review. The article follows:

LOPSIDED TAXES

Our tax structure has become a far cry from what it should be—a simple, straightforward system primarily used to raise revenues, and to raise them fairly.

Instead, it is a jungle of high taxes for low- and middle-income groups plus myriads of tax credits, tax subsidies, and tax deductions designed to benefit privileged interests or to influence business and personal decisions.

If the federal government wishes to encourage a particular activity, it should do so by subsidizing it directly instead of hiding the subsidy away in a tax break.

Subsidies that are out in the open in the form of direct grants can be openly evaluated and reevaluated as to their aims and their effectiveness.

As it is, subsidies are hidden away in the dark corners of the tax system. Usually they last long after their original purpose has been accomplished or abandoned.

Rarely are they examined on a year-to-year and case-by-case basis as to their effectiveness. They just go on costing hundreds of millions of dollars which must be made up by the rest of the tax-paying public.

A Department of the Treasury study shows that in 1974 these tax benefits going to individuals totaled $58 billion. Of this, about $7.3 billion went to the 160,000 richest taxpayers in this country (an average of over $45,000 each).

That is substantially higher than the $6 billion current cost of the food stamp program, which benefits 18.8 million people and is one of the prime targets of the Ford Administration's budget-cutting.

Some tax breaks have been designed to fulfill legitimate goals but there is little convincing evidence that any of them do more than add to the coffers of wealthy individuals and corporations.

Congress has passed legislation providing a 5-percent tax credit to individuals supposedly designed to spark housing construction, but 85 percent of Americans can't afford to buy a home of their own. Congress provides tax incentives to business, supposedly to encourage it to create jobs, but unemployment is at unprecedented high rates. The oil industry has escaped millions of dollars a year in taxes, but these subsidies have not decreased our dependence on foreign oil.

The special tax treatment whereby capital gains are only partially taxed (while earned income is taxed in full) costs almost $7 billion a year and is supposed to benefit all Americans. But this tax preference says, in effect, that the more wealth and income you have, the more opportunities you should have to avoid taxes.

Since capital gains come through buying stock, real estate, or other assets cheap and selling them dear, it is a game open only to the wealthy. Indeed, taxpayers earning from $7,000 to $10,000 save only an average of $13 a year through this tax loophole, while those with incomes over $100,000 gain $19,431 per year, almost 1,500 times as much.

BIRTHDAY OF GEN. "STONEWALL" JACKSON

HON. ROBERT H. MOLLOHAN

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 21, 1976

Mr. MOLLOHAN. Mr. Speaker, throughout history, the world has recognized the achievements, courage, and genius of great military commanders by chronicling their lives in history books and by preserving their famous battle plans in military strategy manuals. These individuals have left an indelible legacy to our world which has transcended their scintillating military accomplishments and has left us also with an amazing testament to the resiliency and unique adaptability of the human spirit to shape events and history.

One such individual was Gen. Thomas Jonathan "Stonewall" Jackson, the great Civil War commander, who was born at Clarksburg, W. Va., 152 years ago today. This great West Virginia native son rose from a life of deprivation to become one of the finest military officers in the history of mankind.

His unrelenting resolve and resourcefulness as commander earned him the sobriquet by which all of us today know him so well: "Stonewall." He was, the historians tell us, a simple but grave man in public; in private, a kind and affectionate man who embodied all of the ingredients that make a mortal individual a great and immortal human being. Returning from battle, he was ironically

and tragically fired upon and severely wounded by his own troops and died May 10, 1863.

Virtually all historians and students of military tactics include Thomas J. "Stonewall" Jackson on their lists of the world's greatest military leaders, and on this, the 152d anniversary of his birth, I take this opportunity to pay tribute to this great American who reminds us that people and events of the past played an indispensable role in shaping the fortunes and fabric of the great Nation America has become today.

NATIONAL HEALTH INSURANCE: PRESCRIPTION FOR CHAOS

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 21, 1976

Mr. CRANE. Mr. Speaker, as more and more Americans begin to carefully consider what a program of national health insurance would mean for our country—both in terms of cost and of the quality of medical care provided—their enthusiasm for such a program has lessened.

In recent days we have observed the chaos which socialized medicine has brought to England. The New York Times, a supporter of increased governmental intervention in the medical field, has been forced to admit the failure of the British system. In an editorial in its issue of October 28, 1975, the Times declared that—

After resisting the idea for many months, Prime Minister Wilson has finally set up a royal commission to investigate the National Health Service. His decision is an explicit admission that the British system of socialized medicine is now in deep trouble . . . the N.H.S. has been deteriorating in the quantity and quality of the care it provides . . . For the ordinary patient the consequences of the N.H.S.'s financial difficulties range from the nearly complete unavailibility of some of the latest and most expensive methods of diagnosis and therapy to the long waits—often a year or more—inflicted upon many who need surgery that is not immediately urgent.

Why there are so many in the Congress who have not yet understood the real nature of the socialized medical systems which some would like to inflict upon the United States is almost impossible to understand.

In a recent study done for the U.S. Industrial Council, H. C. Gordon points out that—

The reason why national health care schemes invariably backfire is not difficult to understand. Once the politicians have sold the voters on the idea of "free" medical care the rest is simply a matter of human nature. Having been informed that they have a "right" to treatment, people rush to exercise that "right" for even the most minor ailments. As the demand for medical services increases, prices go up and quality goes down . . ."

Mr. Gordon has provided an analysis which should be carefully considered by all who wish to alter our current system.

I wish to share with my colleagues the study entitled "Prescription For Chaos: National Health Insurance," by H. C. Gordon, published by the U.S. Industrial Council, and insert it into the RECORD at this time.

RX FOR CHAOS: NATIONAL HEALTH INSURANCE

(By H. C. Gordon)

There is a wry joke among doctors concerning the operation that was successful in every detail except one: the patient died. Advocates of a national health insurance system for this country, should they ever succeed in getting it, may well find that they have accomplished a similar result: a system of socialized medicine that is an ideological triumph—but a clinical disaster.

Certainly, the experience of other nations that have gone the national health care route suggests that such would be the likely outcome. Take Britain, for example. In 1948, the British government established a National Health Service very similar to the Health Security Program currently proposed by Sen. Edward Kennedy. The result was an epidemic of soaring costs, bureaucratic mismanagement, and a sharp decline in the overall quality of medical services.

Latest reports indicate that the collapse of the NHS may be imminent. With the system on the verge of bankruptcy, with British doctors emigrating in record numbers, with antiquated facilities proving increasingly inadequate, there has been no letup in the demand for medical care. More than 700,000 Britons are now on waiting lists for hospital treatment, and delays of up to six months are common—some patients have actually been waiting as long as four years.

A survey of the health care services of the Scandinavian countries reveals similar problems. Waiting lists and "assembly line" treatment are the rule there, as in Britain, along with the staggering costs involved. In Sweden alone, medical costs have increased by 900% since the government replaced voluntary health insurance with a state program in 1960, and a crushing tax burden has been imposed to foot the bill.

The reason why national health care schemes invariably backfire is not difficult to understand. Once the politicians have sold the voters on the idea of "free" medical care (which, of course, is not "free" at all, but paid for through higher taxes) the rest is simply a matter of human nature. Having been informed that they have a "right" to treatment, people rush to exercise that "right" for even the most minor ailments.

As the demand for medical services increases, prices go up and quality goes down as doctors and health facilities must be shared by more and more patients. Inevitably, government steps in to insure that services are being provided on an "equitable" basis, which not only means the rationing of health care in general, but usually leads to official guidelines on the treatment of specific illnesses as well. In the end, the doctor is reduced from a healer to a government pill pusher.

Nevertheless, proponents of national health insurance in this country remain undeterred by both argument and experience. They insist that such a program is essential to meet the health care "crisis" in this country, though what they mean by that is less than clear. By any standard, health care in the United States is steadily improving. Statistics reveal not only less disease, less infant mortality, and greater longevity, but greater availability of treatment as well.

A Presidential commission of several years ago reported that 98% of all Americans live within 15 or 20 miles of a major health center. Furthermore, statistics also reveal that, as of 1970, 164 million Americans under 65—89% of the total population—are already protected by some form of medical coverage. Those over 65 are covered by Medicare.

Given the facts, it is difficult to see why we should create still another expensive, bureaucrat-ridden federal program. By way of opposition, at least one doctor has taken to polling his patients to see if they are satisfied with their present treament, and sending the results to his elected representatives in Washington. If his colleagues nationwide were to follow suit, we would stand a much better chance of defeating the national health insurance proposal, and laying to rest, once and for all, the myth that there is a health care crisis in this country.

DRIFTING TOWARD SOCIALISM

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 21, 1976

Mr. MICHEL. Mr. Speaker, writing in the December 15 issue of Industry Week magazine, editor Stanley J. Modic put his finger on a serious national problem, the decline of the once-renowned American competitive spirit. He says:

Our society is growing lazy. Too much of it has lost its ingenuity, its initiative. Problems come up and we look to the Government to solve them.

As various proposals before this Congress will attest, we are but a step away from the nationalization of several industries, having bled them dry through the process of Government regulations.

It is not a very pleasant prospect, but if we want to do anything about it, we must understand it directly.

The article follows:

BAH! HUMBUG!

(By Stanley J. Modic)

'Tis the season to be jolly. We're trying. But we're having as much luck as a 2 by 4 Santa descending a 1 by 2 chimney.

Maintaining a sense of perspective becomes particularly difficult when we keep hearing that Britain's continued movement through Socialism and nationalization of its industry has all but destroyed that one-time giant of industrialized nations (see story on Page 31) and that the United States is drifting in the same direction.

Here's what Norman Macrae, deputy editor of Britain's *The Economist*, wrote following a tour of America:

"The entrepreneurial fervour of the industrial age seems to be dying . . . In America, the whole concept of thrustful business is in danger of becoming unloved . . . That is exactly how it was when Britain's post-1876 decline began. It is strange that people do not see that not learning from history is bunk . . ."

Our society is growing lazy. Too much of it has lost its ingenuity, its initiative. Problems come up and we look to the government to solve them.

For instance, the energy shortage became most visible with waiting lines at gasoline stations—a problem the industry has been warning us about for years—and the cry went up to have the federal government take over the petroleum industry.

The inflation-recession syndrome hit. Too much government is the prime irritant. Yet one proposed solution that comes out of Washington is that we need a national economic plan.

Ridiculous. It's estimated that in the first eight months of this year, 86 committees and

subcommittees of Congress compiled 732 hours of testimony that took more than 10,000 hours of meetings, briefings, and drafts to prepare. Since then there have been thousands of more manhours invested toward developing a federal energy policy.

The result to date? Zero—a bill that deals with only part of the problem, on a temporary basis, and that will probably do more harm than good if it's approved.

With that record, how can any thinking person expect that inviting more government interference and nationalization of anything will solve the problem?

If we are in fact following Britain down the primrose path—and we fear that is the case—it may rather be the season to just say, "Bah, Humbug!"

A TRIBUTE TO JOHN PHILIP SOUSA

HON. JAMES J. BLANCHARD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 21, 1976

Mr. BLANCHARD. Mr. Speaker, the upcoming Bicentennial Year brings to mind one of the foremost contributors to the spirit of American life, John Philip Sousa. He will not only be remembered for his musical accomplishments but also for the patriotic spirit that he exemplified in the way he lived his life.

That spirit lives on in his many great marches, which remain as popular today as they were when the Sousa band was playing them to audiences around the world at the turn of the century. As Paul Bierley states in his biography of Sousa—

If ever there were an American Institution it was the fabulous Sousa Band. Few musical works were ever conceived with nobler emotions than John Philip Sousa's marches, which were some of the most distinctive patriotic inspirations of the time.

Sousa was born in Washington, D.C., on November 6, 1854, not very far from the Capitol in a section known as the Navy Yard. It is interesting that many of his works reflect the combination of his natural talent and the stimulating environment of the Nation's capital where he was raised.

Among his numerous accomplishments in the area of music is the standardization of the march form as we know it today. The resourcefulness and inventive ideas that characterized his works brought both him and his imaginatively titled marches worldwide acclaim, and led eventually to his well-recognized designation as the "March King."

I feel it is most appropriate in our Bicentennial Year, when Americans are pausing to reflect on both the accomplishments of our past, as well as our aspirations for the future, that we formally honor this great American patriot by instituting perhaps his greatest march, "Stars and Stripes Forever" as the national march. This march not only exemplifies Sousa's passionate devotion to his native country, but also serves as one of the most popular hallmarks of American patriotism.

I have therefore introduced a bill, House Joint Resolution 715, which calls for the composition known as "The Stars and Stripes Forever" to be designated as the National March of the United States. Making "Stars and Stripes Forever" the national march would be a timely and well-deserved testimony to both John Philip Sousa and the spirit of our Bicentennial anniversary.

PROBLEMS CONFRONTING THE MIDDLE EAST

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 21, 1976

Mr. WOLFF. Mr. Speaker, the United Nations Security Council is presently debating the situation in the Middle East and the problems confronting the region once again are discussed on the pages of our newspapers and on the airwaves. I recently read a column written by Gus Tyler which poignantly expresses the experience of Israel and her people. At this time, I insert into the RECORD a copy of this column that appeared in the Long Island Press. I commend it to my colleagues:

[From the Long Island Press, Dec. 27, 1975]

FOR HIS VOICE WAS MUTED BY TEARS

(By Gus Tyler)

A child was born unto the House of David. And his name was Israel.

His mother became heavy with child in a time of travail. The Tyrant had given orders to rid the land of those who read The Book and prayed before the God who was the Father of all men. The Book was to be burned and its people buried.

The children of David were torn from their homes and tossed into pits filled with fumes and fire. They were emptied of their teeth for bits of precious metal.

They were stripped of their skin to make lamps for ladies. They were shorn of their flesh to make soap to cleanse the hands of their oppressors.

Out of the depths rose the voice of the Mother of Israel: "O Lord, why hast Thou forsaken us?"

And the Lord replied: "You are my Chosen. As the fat of your flesh cleanses the filth of their hands so shall the blood of your veins cleanse the sins of their souls."

The Mother of Israel wept: "Not again, Oh Lord, not again."

The Lord replied: "Yet again, for Man forgetteth too soon. But fear not my child, for you and yours shall be saved in the Promised Land."

So it came to pass that the Mother of Israel began her long exodus. Heavy with child, she crossed moat and mountain, sea and season, following a cloud by day and a pillar of fire by night, till she came to the Promised Land. And there, on barren sands, a child was born. And they named him Israel.

His countenance was good to behold and shone upon the earth like a bright star in the Eastern skies. The Wise Men of the world gathered around his cradle to bless him. In solemn chant they made formal prayer: "Long may you live. The Lord hath returned you to your ancestral home. Praised be the Almighty. Amen."

And Israel worked wonders. With the moisture of his fingers, he touched the barren sands and brought forth flowers and food. From his loins sprang children who walked tall as the Macabees. From their lips poured the words of an ancient tongue, now reborn in the image of the House of David itself.

Israel opened his heart and his portals to his brethren in distant lands. They came from the frozen tundra of Siberia and the deserts of Araby, wearing many skins and babbling many tongues. They came in poverty to make the land prosper.

But there were neighbors who cast an envious and evil eye. "They are few and we are many," they muttered, "yet they are honored and we are forgotten."

So it came to pass that Israel's enemies made war on him and his family. But with the help of the Lord, Israel smote his foes in six short days.

The enemy withdrew to gather its many tribes and to await the moment to war once more. They chose a Holy Day, when Israel was in the Lord's house, to attack on many fronts. They seized Israel and drove spikes through one limb after another to nail him into his living tomb.

Without a tear, Israel lifted his voice to the Lord to ask why. And the Lord replied: "You are my chosen. In your blood they shall wash away their sins."

And Israel shouted: "Yet, again?"

But the Lord did not reply for His voice was muted by tears.

FINANCIAL ASSISTANCE FOR HEALTH CARE PROPOSAL IN THE FISCAL YEAR 1977 BUDGET

HON. JAMES G. MARTIN

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 21, 1976

Mr. MARTIN. Mr. Speaker, I endorse the President's proposal for the financial assistance for Health Care Act. This consolidation of medicaid and 15 other narrow categorical health programs into a $10 billion block grant to the States is long overdue.

I support the President's proposal to reform these programs, because I believe that States and localities should be cut free from the existing thick tangle of redtape. Because the present statutes are so complicated, most of the Federal regulations issued for these programs cannot be wisely written—or even effectively enforced. The way Federal funds are now spent is very unfair to our citizens and the poorest States. It is time we had a rational, compassionate, and fair Federal health policy.

The President's proposal will eliminate State matching requirements and allow States and localities the flexibility they need to get on with the job of improving health care for the disadvantaged. I happen to believe the States can be relied upon to see that their citizens' health needs are met within the Federal funding levels and their own resources. I also believe that remote control of the daily lives of our citizens from Washington is neither desirable nor effective.

In my view, we in Congress must respond positively to this admirable at-

tempt by the President to begin to restore balance to the Federal system, and to move authority and responsibility back to the State and local level—closer to where the people are.

SOVIET JEWS

HON. JOSEPH P. ADDABBO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 21, 1976

Mr. ADDABBO. Mr. Speaker, I want to bring to the attention of my colleagues a resolution adopted by the general assembly of the Council of Jewish Federations and Welfare Funds, Inc. This resolution on Soviet Jews expresses the position of more than 2,500 foremost community leaders from all parts of the country.

It clearly states the critical plight of Jews in the Soviet Union and their harassment by that government. Soviet Jewish emigration has been cut back to its lowest point in 4 years. It is estimated that the present backlog of pending applications is over 160,000.

The resolution follows:

SOVIET JEWS

We are profoundly concerned over the critical plight of Jews in the Soviet Union. The USSR's harassment of its Jewish citizens has escalated. Soviet Jewish emigration has been cut back to its lowest point in four years. The backlog of applications awaiting processing is estimated at over 160,000.

The USSR has summoned scores of Soviet Jewish activists to KGB offices and has threatened them with trial on charges ranging from "hooliganism" to "treason" unless they ceased their "Jewish activities". Virtually all communication between Soviet Jews and the West is systematically blocked. Anti-Semitism in the Soviet media has increased in volume and blatancy. The Soviet government has announced the prospective imposition of taxes of 65% on gifts from abroad to Soviet citizens to penalize Soviet Jews who have been discharged from employment because they wanted to leave for Israel.

The Soviet government has consistently refused to honor its commitments to the U.S. Government regarding the rights of Soviet Jews, and has intensified its drive to crush Soviet Jewry's efforts to achieve free emigration, with the most cruel acts since the Leningrad Trials in 1970. More than half of the almost 70 Soviet Jews sentenced as "Prisoners of Conscience" since 1970 remain in prison camps.

Despite thes severe repressions, Soviet Jews continue to apply to emigrate and press for their rights to live as Jews.

In contrast, there appears to have been a decrease during the past year in the representations by the United States to the USSR on behalf of Soviet Jewry. The U.S. Representatives to the United Nations Human Rights Commission have, for the first time in several years, failed to mention the issue. No publicized protests have come from the U.S. against interception of mail or interdiction of telephone conversations.

The 1974 Trade Act, including the Jackson-Vanik Amendment, is now U.S. law. It requires that most favored nation treatment on important tariffs and other trade advantages may not be extended to nations that deny the right to emigrate, as the Soviet Union does to its citizens.

Our United States delegates call upon the President of the United States to intensify this country's efforts to gain for the Jews of the Soviet Union their constitutional right to live in that country as Jews, and to emigrate to Israel and other lands. Our Canadian delegates look to the Canadian government to do everything within its power for the cause of free emigration and full rights of Soviet Jews.

We call upon our Jewish communities to mobilize every possible resource to demonstrate our continued solidarity with Soviet Jews. We look to the Conference in Brussels in February, 1976, to mobilize the utmost international actions for these purposes.

TRACK RECORD OF THE 94TH, 1ST

HON. ALPHONZO BELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 21, 1976

Mr. BELL. Mr. Speaker, I call to the attention of my colleagues in the Congress the following editorial from the San Francisco Examiner written by William Randolph Hearst, Jr., editor in chief of the Hearst newspapers.

Mr. Hearst's editorial provides what I think is a very perceptive and interesting analysis of the accomplishments of the first session of the 94th Congress.

The text of the editorial follows:

CONGRESS' NEW SESSION

(By William Randolph Hearst, Jr.)

SAN SIMEON.—Many of us, including yours truly, have expressed the feeling that the 94th Congress, which is due to reconvene on Jan. 19 after its "Christmas" holiday, has dawdled through most of the session, stalling instead of coming to grips with some of the tougher issues facing the republic. The facts show quite the opposite. The first session of this Congress turned out to be one of the most active since World War I, believe it or not.

On the record, some 160 bills were enacted this past year. There were, for instance, the tax reduction bill, the extension of voting rights, the Emergency Compensation and Special Employment Extension Act, the Emergency Homeowners' Relief Act and the Older Americans Act.

The Democratic study group, whose assignment is to analyze how this Democratic-controlled congress performed, also maintains that the House took more record votes in 1975 than any session of the Congress in the nation's history.

How, then, does the 94th Congress have such a bad reputation for procrastination? My own feeling is that while Congress has acted decisively on social issues, it has not coped with the more pressing economic issues and it is the economic problems that are crying for solution.

Chief among those problems, as it has been for two years, is Energy.

Congress did pass an energy bill and President Ford signed it. But it is manifestly a political expedient, especially tailored for fast reading voter appeal in an election year. It fails completely to deal with the nation's headlong rush into a ruinous energy crisis.

There are other economic problems Congress has failed to assess or consider, among them the continuing inflation, the need to reach a budget compromise with the White House, and the obvious need for some standby wage and price controls in the event they are needed later in the year as employes of key industries go into contract negotiations. But the greatest and most pressing economic need is for a comprehensible energy policy.

By failing to face the facts about our impending energy disaster our elected representatives have acted unwisely. It serves to illustrate why this Congress has earned a bad reputation despite a record of hard work. The "young Turks" who made such a splash when they entered the congressional arena a year ago have been unable or unwilling to push the ponderous political machinery into action on the more important matters that beg for attention.

Even normally staunch Democratic supporters admit that the energy bill that was finally pasted together in the final days of the session was one of the worst pieces of legislation ever drafted. It is confusing and misleading, and calculated to make a show of holding down gasoline prices until after the fall elections, when they will be allowed to rise slowly and piecemeal. The measure was dragged to the White House where it was signed reluctantly by a President who also has his eye on the elections.

It was simply a piece of consumer-pitched legislation, intended to make drivers happy by extending tight controls over the oil companies for the next few years or more.

In no way will this help solve the cause of the energy crisis. Indeed, it will intensify the crisis.

This ill-conceived law not only continues tight price controls over domestic oil, but rolls back the price from about $8.75 a barrel to $7.66 (compared to nearly $12 for imported oil).

Nothing could be more detrimental to the incentive to explore and drill new domestic wells. Oil companies say they make insufficient profit on domestic oil now; they will make less as the law takes effect.

This increases our reliance on imported oil. More than 40 per cent of our oil now comes from foreign countries, all of them members of the cartel formed by the Organization of Petroleum Exporting Countries (OPEC) that is dominated by the Arab exporters. As a result of this legislation, and as a consequence of Congress' failure to develop other energy sources, we will be obliged to import increasing quantities of foreign oil in the years ahead.

At any time in the future, then, another oil boycott could bring this nation to its knees.

Another of our great sources of energy, natural gas, remains in short supply because Congress has insisted on tight price controls for any shipped interstate. The controls make it unprofitable for companies to explore and drill for new sources. Only a mild winter has thus far prevented the closing of gas-fired industrial operations in the East and Midwest.

Coal, our greatest source of energy, of which we have the world's largest known supply, occupies a low priority because this nation and its lawmakers have failed to find agreement on how to extract it and burn it without damage to the environment. It is not an insurmountable problem. The lack of action is solely political.

It is the common belief in Washington that the voters distrust big business and believe that it is too profitable. This is thought to be particularly true of the petroleum companies. That is why congressmen do not hesitate to impose crippling price controls on oil and gas companies.

Our lawmakers would better serve the nation and their constituents if they told the truth.

Oil companies do NOT have a monopoly and they do NOT make more profits than companies in other industries. In fact, they need all the tax incentives and encouragement they can get to enable them to use their income to explore and develop new sources of oil if they are to play their full role in solving our energy problems.

Here are the facts:

In petroleum production there are about 10,000 companies and individual entrepreneurs active in the U.S. The four largest firms account for 27 per cent of petroleum liquids and 28 per cent of natural gas production. In refining there are 130 companies operating 261 refineries in the U.S. The top four account for 30 per cent of refining capacity. The largest share of the gasoline market held by a single company is only eight per cent.

How does the percentage of business controlled by the largest oil companies compare with the largest companies in other industries? The top four firms in all categories of U.S. manufacturing account, on average, for 34 per cent of sales. By comparison, the four largest integrated oil companies accounted for about 30 per cent of sales, in either oil or gas.

As for those "obscene profits" the oil companies are supposed to earn, the truth is that over the years, year in and year out, the average rate of return on investment for both the petroleum industry and all U.S. manufacturing is just about the same—approximately 13 per cent of sales. The net profit after taxes comes out to something between 4 and 5 percent for all U.S. industries.

The question facing Congress is this: Is it not wiser, even for their own careers, for congressmen to tell the voters the truth rather than beguile them with phony price controls?

There is real danger that one of these days our nation, dependent on foreign oil for its very existence, could find its economy and foreign policy mightily influenced by our foreign oil supplies. And I think if you pause for a moment you can figure out for yourself what that will mean.

THE LATE SPEAKER HON. SAM RAYBURN

HON. JACK BROOKS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 21, 1976

Mr. BROOKS. Mr. Speaker, January 6 of this year would have marked the 94th anniversary of the birth of a great public servant and personal friend, the late Speaker of the House, Sam Rayburn.

As most of us in this body know, his tenure in Congress lasted for 48 years during which he served as Speaker for 17 years. His devotion to the Congress, to the citizens of Texas, and the rest of the Nation remains a legacy that we can all be proud to follow.

I have many fond memories of Speaker Rayburn and most of all I cherish his compassion and understanding of his fellow man. He always took the time from his busy schedule to listen to the problems of others and I am sure that all of us who knew Sam Rayburn continue to miss him.

It was a great privilege and a pleasure to serve in the House of Representatives with Sam Rayburn and it is an honor to remember him at this time.

MIDDLE AMERICA DECEIVED

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 21, 1976

Mr. CLAY. Mr. Speaker, much cited but little heeded is the notion that workable democracy depends upon an enlightened citizenry. But it's difficult to believe that the vast majority of middle-class Americans have any notion of our inequitable wealth that is distributed in our country.

Jake McCarthy in a recent column for the St. Louis Post Dispatch writes of such disparities and describes how the poor are unfairly blamed in America for social ills wrought by the rich.

Mr. Speaker, I commend Mr. McCarthy's column to my colleagues' attention and insert it now in the RECORD:

MIDDLE AMERICA DECEIVED

(By Jake McCarthy)

The baddest people in the whole wide world, it now appears, are the poor people who buy food stamps to help nourish their families.

The bestest people seem to be the rich people who know how to use tax shelters and other dodges through laws passed for their benefit.

Somewhere in between are the middle income people who get mad at the poor people instead of the rich people, usually because they blame the poor instead of the rich for their mounting tax problems.

So when President Ford a few weeks ago proposed a major reduction in the federal food stamp program, he figured he could count on "Middle America's" approval, especially when he said that lopping off 3,400,000 people from the program would save taxpayers 1.2 billion dollars. That's popular rhetoric.

In addition to proposing that the income eligibility level be reduced to an annual net of $5050 for a family of four—that's the official poverty level—he wanted to impose a 90-day waiting period, even for Middle Americans who get laid off from their jobs, as has been happening lately.

For on the same day that President Ford was making his political appeal to the so-called Silent Majority, a much less prominent story said that the House Ways and Means committee was rejecting proposed legislation that would wipe out real estate tax shelters that have made the rich and the super-rich so gleeful—people like Henry Ford and others who anticipated that projects like Mansion House would be so profitable to them.

The people whose money has made them powerful thus seem intent to go on fooling the rest of us—blaming our woes on the 18,800,000 Americans whose earning power is so low that they need some help to feed their kids. Representative Barry M. Goldwater Jr. of California carried on the campaign in Jefferson City the other day by warning that one out of every five Americans might someday be eligible for food stamps. It's more of a commentary on maldistribution of wealth than on the laziness and rapacity of America's low-scale wage earners, it seems to me.

So while the "conservatives" among us are paying so much attention to the 56,000 Missourians who could be affected by the President's proposal, not too many Middle Americans have gotten interested in a recent report that St. Louis will lose up to $141,000,000 in taxes under its urban redevelopment policies. While visions are invoked of food-stamp grubbers lined up at welfare offices, hardly anybody in the "taxpayer" group seems worried that the owners of the new Mercantile Bank complex or the new Sheraton Hotel near the Convention Center or the new Boatmen's Bank building will not have to pay any taxes on the new construction involved for 10 years.

It's fine, of course, to have sparkling new buildings downtown, where the expense account crowd—also tax-free—can throw their money around, so long as we don't wind up with a lot of little kids pressing their noses to restaurant windows eyeing the leftovers. Something called the quality of human life seems missing in all this lopsided worry over "the cost to taxpayers."

It's easy to play fear-and-hate games with figures like "1.2 billion in taxes." But while President Ford was blaming food stamp recipients for some of our ills, and that House committee was preserving those real estate tax shelters, the now-deposed Secretary of Defense, again on the same day, was protesting a proposed $7.6-billion-dollar slash in defense spending—the defense budget is already $90.2 billion dollars—for guns and bombs and aircraft, an outlay that makes the military-industrial so happy on the way to the bank.

As long as Middle America allows itself to be so deceived, they will go on thinking of the poor as their enemies and the rich as their allies, instead of forging some kind of voting alliance that would force a realignment in the distribution of the national wealth.

A TRIBUTE TO PHYLIPP DILLOWAY

HON. RONALD A. SARASIN

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 21, 1976

Mr. SARASIN. Mr. Speaker, fortunately for our Nation, capability and a dedication to one's community are nonpartisan. The Hon. Phylipp Dilloway, former first selectman of the town of Wilton, Conn., epitomizes this truism.

Mr. Dilloway's activities to Wilton are impressive. During his term as first selectman, he approached his office with determination and competence, demonstrating an insatiable desire to find ways to help his fellow citizens. Few developments and programs at the local, State, or Federal level escaped his attention. I was sorry, indeed, that Mr. Dilloway did not seek reelection, as he did an excellent job and his decision not to run meant a great loss for those he served so ably.

Mr. Dilloway's decision to return to private life was undoubtedly difficult, but given his interest in education, it was understandable. Phylipp, now an independent consultant, is an associate professor of industrial engineering at the

University of Bridgeport, a position he held part-time while first selectman, and is presently studying for his doctorate in high education management at Columbia University.

Despite his hectic schedule, Mr. Dilloway's interest in the community has prompted him to serve as justice of the peace, a position he has held for 4 terms, and a member of the labor and arbitration panels of the American Arbitration Association. He is also a former Democratic town committee chairman and served on the Wilton Personnel, Policies and Practicies Commission and the Council of Ethics.

A testimonial sponsored by Wilton residents Saturday, January 24th, is a fitting honor for a man who has worked so dilligently for his fellow citizens. I am pleased to be able to participate in this tribute to Phylipp Dilloway.

HOLD YOUR BREATH

HON. ANDREW MAGUIRE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 21, 1976

Mr. MAGUIRE. Mr. Speaker, Congress will shortly consider H.R. 10498, the Clean Air Act Amendments of 1976. One of the most important of these amendments would estabish a clear policy to prevent the significant deterioration of air quality in areas of the country currently enjoying clean air. The issue is whether Congress is willing to adopt this sensible approach which balances the needs of the economy with those of the environment. The New York Times considered this matter in an editorial on January 16, 1976. I ask unanimous consent that this editorial be printed in the RECORD.

HOLD YOUR BREATH

Among the major measures to be considered when Congress reconvenes are proposed amendments to the Clean Air Act—including one that will determine whether Americans will continue to draw a clean breath in their national parks and wilderness areas.

The provision in question has to do with preventing "significant deterioration" of air quality where it is now good. Five years ago the courts ruled that the Clean Air Act required steps to prevent such deterioration, whereupon the Environmental Protection Agency drew up a classification system. No significant change for the worse was to be allowed in pristine Class I areas. Moderate increments of pollution were to be allowed in Class II, and increased pollution up to certain limits for Class III.

The hitch in these rules was that each state could do its own classifying, and that is how matters stand today. Utah, for example, is now free to accommodate its power industries by designating as Class III as much of the state as it chooses. This would allow the proposed Kaiparowits power project to pour its particulates and dark plumes for miles into some of the most magnificent canyon scenery in America.

The proposed amendment is absolutely necessary to eliminate a state's option to impair these national treasures. Under the amendment, Class I designation would be mandatory for national parks and wilderness areas, meaning that offending plants would have to be sited far enough away to avoid all danger of contaminating them with the ash, sulfur oxides and other waste products of burning coal.

In view of the reasonableness of this proposal, one would anticipate little opposition: But the prospect is for a hard fight and, unless the public is heard from, no assurance at all that the verdict will go to those who expect pure air and blue skies over a Western canyon.

STATEMENT BY MAX BAUCUS ON PENDING GUN CONTROL LEGISLATION

HON. MAX S. BAUCUS

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 21, 1976

Mr. BAUCUS. Mr. Speaker, I rise to express my concern about the subject of gun control legislation. In my 1 year in office, I have received exactly 3,747 letters on the subject of gun control. Of those letters, exactly one expressed support for strengthening controls. The rest were adamantly opposed to more controls.

I, too, am vigorously opposed to all legislative proposals to register and ban guns. Such proposals, in my judgment, have three characteristics in common—any one of which suggests that further controls are bad policy. They are expensive, unenforceable and potentially violative of basic constitutional rights. Moreover, there is no proof that such controls would be effective either in curbing crime or reducing assaults. Indeed, in urban areas, where violent crime statistics now stand at an all-time high, we find the most stringent controls.

Legislative efforts to strengthen gun control are being exerted primarily by urban and suburban representatives. It may be no major revelation to observe that the balance of power in Congress is shifting inexorably from rural areas to urbanized areas. Nor is it necessarily revealing to observe that most domestic legislation passed this past session, with the possible execption of a few agriculture bills, was weighted heavily toward constituents in urban and suburban areas. What is revealing to me about the shift in the balance of power is that solutions legislated for urban and suburban problems are increasingly given nationwide applicability. I do not propose a secession by rural areas. I ask only that policies be tailored more carefully to fit identified problems.

If such tailoring cannot be achieved at a national level, then solutions to these problems should be left to the States.

If tightened gun control laws are wanted by urban and suburban residents but not by rural residents, let us not foist these controls on the latter group. Not only do they not want these controls, but as I will point out below, it is not the least bit clear that they need such controls.

Proponents of gun control argue that more restrictions are needed to curb crime. Assuming, for the sake of argument, that more controls would actually reduce crime—an assumption incidentally that I believe is without foundation—let us look to see whether such a policy is warranted for my State. While it may be true that homicide in the United States rose 4.3 percent in 1973–74, Montana's rate fell 30 percent during that same period. Significantly, Montana's overall violent crime rate also fell. Thus, even if gun controls could be shown to be needed to curb rising crime, that solution is not warranted for my State. Indeed, at the risk of belaboring my point, I think it is significant to note that the number of violent crimes committed per capita was lower in Montana for 1974 than all but three States in the Union.

There are other reasons for my opposition to additional controls.

If recent national polls tell us anything, it is that the people are disappointed with Government. Our growing bureaucracies are thought to be ineffective, expensive, and wasteful. More gun control laws would only exacerbate that problem. For example, if Congress decides to require gun registration by the Federal Government, the national cost has been estimated by the National Rifle Association to be at least $4 billion.

A national registration system would operate effectively only if accompanied by the enthusiastic cooperation of present gun owners. Such cooperation is an unlikely prospect. In a recent poll, conducted for the Senate Judiciary Committee, less than half of the respondents said they would comply with gun registration laws.

Currently, there are more than 100 gun bills pending in Congress. Many seek to stiffen penalties for commiting violent crimes with the use of guns. These bills require mandatory sentences and/or prohibit suspended sentences and paroles. I support these measures.

To solve the problem of rising crime, one must remove criminals from circulation, not remove guns from private possession. The problem must be attacked at its roots. Stiffer penalties for violent crimes committed with guns will help keep criminals off the streets.

FEDERAL SPENDING

HON. BARBER B. CONABLE, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 21, 1976

Mr. CONABLE. Mr. Speaker, the President's budget slows the growth of Federal spending from an average of about 15 percent per year from 1973 to 1976, to an annual rate of less than 6 percent between 1976 and 1977.

The growth in Federal spending allows the Government to meet fully the exclusively Federal responsibilities for national security, care of the elderly, and

energy development, as well as to increase the Federal contribution, to other important programs. The President's proposed restraint in spending growth would allow income tax cuts, effective July 1, 1976, of $10 billion a year more than the temporary cuts that expire on June 30, 1976, which is $28 billion below the rates in effect in 1974. About three quarters of the $28 billion in tax cuts will be for individuals, with the other one quarter for businesses.

If we in the Congress can preserve this balance we will both increase the purchasing power of the American people and reduce the degree to which spending decisions will continue to be made by the Federal Government in Washington.

HUMAN LIFE AND ABORTION

HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 21, 1976

Mr. ZABLOCKI. Mr. Speaker, tomorrow thousands of concerned Americans will be gathered at the steps of the Capitol to petition the Congress to reassert the right to life and to memorialize January 22, 1973, the date the Supreme Court handed down the infamous abortion decision. The purpose of this rally is to ask Congress to renew our Founding Father's commitment to a just society in which human dignity at all levels, including that of the unborn, is respected, protected, and enhanced.

As we all reflect on this central theme of human dignity that gave birth to our Nation nearly 200 years ago and that has held it together, it is most important for all of us to recall that above all else, the abortion issue involves the life of a fellow human being and his-her right to survive.

Accordingly, Mr. Speaker, I would like to call attention to an article by a young surgeon, Dr. Richard Selzer, entitled "What I Saw at the Abortion," which appeared in the January issue of Esquire magazine.

In a gripping and personal experience so heart rending as to change his attitude on abortion, Dr. Selzer underscores the unquestionable and basic human aspect of an abortion.

I urge my colleagues to read Dr. Selzer's article which vividly and dramatically relates what he saw in the process of aborting an unborn human being.

The article, "What I Saw at the Abortion," by Dr. Selzer follows:

WHAT I SAW AT THE ABORTION

(By Richard Selzer)

I am a surgeon. Particularities of sick flesh is everyday news. Escaping blood, all the outpourings of disease—phlegm, pus, vomitus, even those occult meaty tumors that terrify—I see as blood, disease, phlegm, and so on. I touch them to destroy them. But I do not make symbols of them.

What I am saying is that I have seen and I am used to seeing. We are talking about a man who has a trade, who has practiced it long enough to see no news in any of it. Picture this man, then. A professional. In his forties. Three children. Lives in a university town—so, necessarily, well—enlightened? Enough, anyhow. Successful in his work, yes. No overriding religous posture. Nothing special, then, your routine fellow, trying to do his work and doing it well enough. Picture him, this professional, a sort of scientist, if you please, in possession of the standard admirable opinions, positions, convictions, and so on—on this and that matter—on *abortion*, for example.

All right.

Now listen.

It is the western wing of the fourth floor of a great university hospital. I am present because I asked to be present. I wanted to see what I had never seen. An abortion.

The patient is Jamaican. She lies on the table in that state of notable submissiveness I have always seen in patients. Now and then she smiles at one of the nurses as though acknowledging a secret.

A nurse draws down the sheet, lays bare the abdomen. The belly mounds gently in the twenty-fourth week of pregnancy. The chief surgeon paints it with a sponge soaked in red antiseptic. He does this three times, each time a fresh sponge. He covers the area with a sterile sheet, an aperture in its center. He is a kindly man who teaches as he works, who pauses to reassure the woman.

He begins.

A little pinprick, he says to the woman.

He inserts the point of a tiny needle at the midline of the lower portion of her abdomen, on the downslope. He infiltrates local anesthetic into the skin, where it forms a small white bubble.

That is all you will feel, the doctor says. Except for a little pressure. But no more pain.

She smiles again. She seems to relax. She settles comfortably on the table. The worst is over.

The doctor selects a three-and-one-half-inch needle bearing a central stylet. He places the point at the site of the previous injection. He aims it straight up and down, perpendicular. Next he takes hold of her abdomen with his left hand, palming the womb, steadying it. He thrusts with his right hand. The needle sinks into the abdominal wall.

Oh, says the woman quietly.

But I guess it is not pain that she feels. It is more a recognition that the deed is being done.

Another thrust and he has speared the uterus.

We are in, he says.

He has left the muscular wall of the organ gripping the shaft of his needle. A further slight pressure on the needle advances it a bit more. He takes his left hand from the woman's abdomen. He retracts the filament of the stylet from the barrel of the needle. A small geyser of pale yellow fluid erupts.

We are in the right place, says the doctor. Are you feeling any pain? he says.

She smiles, shakes her head. She gazes at the ceiling.

In the room we are six; two physicians, two nurses, the patient, and me.

The participants are busy, very attentive. I am not at all busy—but I am no less attentive. I want to see.

I SEE SOMETHING

It is unexpected, utterly unexpected, like a disturbance in the earth, a tumultuous jarring. I see something other than what I expected here. I see a movement—a small one. But I have seen it.

And then I see it again. And now I see that it is the hub of the needle in the woman's belly that has jerked. First to one side. Then to the other side. Once more it wobbles, is *tugged*, like a fishing line nibbled by a sunfish.

Again! And I *know*!

It is the *fetus* that worries thus. It is the fetus struggling against the needle. Struggling? How can that be? I think: *that cannot be*. I think: the fetus feels no pain, cannot feel fear, has no *motivation*. It is merely reflex.

I point to the needle.

It is a reflex, says the doctor.

By the end of the fifth month, the fetus weighs about one pound, is about twelve inches long. Hair is on the head. There are eyebrows, eyelashes. Pale pink nipples show on the chest. Nails are present, at the fingertips, at the toes.

At the beginning of the *sixth month*, the fetus can cry, can suck, can make a fist. He kicks, he punches. The mother can feel this, can *see* this. His eyelids, until now closed, can open. He may look up, down, sideways. His grip is very strong. He could support his weight by holding with one hand.

A reflex, the doctor says.

I hear him. But I saw something. I saw *something* in that mass of cells *understand* that it must bob and butt. And I see it again! I have an impulse to shove to the table—it is just a step—seize that needle, pull it out.

We are not six, I think. I think we are *seven*.

Something strangles *there*. An effort, its effort, binds me to it.

I do not shove to the table. I take no little step. It would be . . . well, madness. Everyone here wants the needle where it is. Six do. No, *five* do.

I close my eyes. I see the inside of the uterus. It is bathed in ruby gloom. I see the creature curled upon itself. Its knees are flexed. Its head is bent upon its chest. It is infiuid and gently rocks to the rhythm of the distant heartbeat.

It resembles . . . a sleeping infant.

Its place is entered by something. It is sudden. A point coming. A needle!

A spike of *daylight* pierces the chamber. Now the light is extinguished. The needle comes closer in the pool. The point grazes the thigh, and I stir. Perhaps I wake from dozing. The light is there again. I twist and straighten. My arms and legs *push*. My hand finds the shaft—grabs! I *grab*. I bend the needle this way and that. The point probes, touches on my belly. My mouth opens. Could I cry out? All is commotion and a churning. There is a presence in the pool. An activity! The pool colors, reddens, darkens.

I open my eyes to see the doctor feeding a small plastic tube through the barrel of the needle into the uterus. Drops of pink fluid overrun the rim and spill onto the sheet. He withdraws the needle from around the plastic tubing. Now only the little tube protrudes from the woman's body. A nurse hands the physician a syringe loaded with a colorless liquid. He attaches it to the end of the tubing and injects it.

Prostaglandin, he says.

Ah, well, prostaglandin—a substance found normally in the body. When given in concentrated dosage, it throws the uterus into vigorous contraction. In eight to twelve hours, the woman will expel the fetus.

The doctor detaches the syringe but does not remove the tubing.

In case we must do it over, he says.

He takes away the sheet. He places gauze pads over the tubing. Over all this he applies adhesive tape.

I know. We cannot feed the great numbers. There is no more room, I know, I know. It is woman's right to refuse the risk, to decline the pain of childbirth. And an unwanted child is a very great burden. An unwanted child is a burden to himself. I know.

And yet . . . there is the flick of that needle. I *saw* it. I saw . . . I *felt*—in that room, a pace away, life prodded, life fending off. I saw life avulsed—swept by flood, blackening—then *out*.

There, says the doctor. It's all over. It wasn't too bad, was it? he says to the woman.

She smiles. It is all over. Oh, yes.

And who would care to imagine that from a moist and dark commencement six months before there would ripen the cluster and globule, the sprout and pouch of man?

And who would care to imagine that trapped within the laked pearl and a dowry of yolk would lie the earliest stuff of dream and memory?

It is a persona carried here as well as person, I think. I think it is a signed piece, engraved with a hieroglyph of human genes.

I did not think this until I saw. The flick. The fending off.

We leave the room, the three of us, the doctors.

"Routine procedure," the chief surgeon says.

"All right," I say.

"Scrub nurse says first time you've seen one, Dick. First look at a purge," the surgeon says.

"That's right," I say. "First look."

"Oh, well," he says, "I guess you've seen everything else."

"Pretty much," I say.

"I'm not prying, Doctor," he says, "but was there something on your mind? I'd be delighted to field any questions. . . ."

"No," I say. "No, thanks. Just simple curiosity."

"Okay," he says, and we all shake hands, scrub, change, and go to our calls.

I know, I know. The thing is normally done at sixteen weeks. Well, I've since seen it performed at that stage, too. And seen . . . the flick. But also I know that in the sovereign state of my residence it is hospital policy to warrant the procedure at twenty-four weeks. And that in the great state that is adjacent, policy is enlarged to twenty-eight weeks.

Does this sound like argument? I hope not. I am not trying to argue. I am only saying I've *seen*. The flick. Whatever else may be said in abortion's defense, the vision of that other defense will not vanish from my eyes.

What I saw I saw as that: a *defense*, a motion *from*, an effort *away*. And it has happened that you cannot reason with me now. For what can language do against the truth of what I saw?

DR. MARTIN LUTHER KING'S 47TH BIRTHDAY

HON. ROMANO L. MAZZOLI

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 20, 1976

Mr. MAZZOLI. Mr. Speaker, to mark the late Dr. Martin Luther King's 47th birthday, I cosponsored a resolution to commission a likeness of Dr. King to be placed in the U.S. Capitol.

Representations of men and women from every State in the Union are displayed in the Capitol to demonstrate the importance of their achievements in life and the respect in which they are held by their fellow citizens in death.

Dr. Martin Luther King was not a perfect man. Like all of us he had his imperfections. But, he worked tirelessly for his people. Their opportunities in America in 1976—our Nation's Bicentennial—are infinitely better because of his labors.

I am proud to have joined with my other colleagues in the Congress in this tribute to Dr. Martin Luther King.

I am equally proud that the House of Representatives saw fit, yesterday, to adopt this resolution. Hopefully, Dr. King's representation will soon be on display in our Nation's Capitol—the first black person to be so recognized.

ADMINISTRATION'S COUNCIL ON WAGE PRICE STABILITY

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 21, 1976

Mr. CRANE. Mr. Speaker, a recent statement from the administration's Council on Wage and Price Stability expresses endorsement of the concept of private competition in the carriage of first-class mail. While the statement stops short of open recommendations of private carriage, it certainly expresses enthusiastic support for the proposal. The Council's formal statement opens with the comment:

Our opinion, briefly stated, is that permitting competition to the Postal Service's first-class service probably would result in significant benefits to the economy and to the mail user.

The statement continues:

Thus, competition could lead to greater economic efficiency, and provide better signals to guide the flow of resources into each kind of service provided. Moreover, competition might well lead to greater postal efficiency, including less rapidly rising postal labor costs reflecting higher productivity. Such competition could also induce innovation and technological change in the provision of postal services, resulting in better services and lower costs.

We need only look at the recent announcement by the Postal Service that a significant portion of its budget will be devoted to researching and developing technological changes in the delivery of mail to see the effect of competition. This announcement came in reaction to the substantial loss in business suffered by the Postal Service as a result of the electronic transfer of funds process recently introduced by a number of banks as a service to Federal entitlement program recipients.

The Wall Street Journal of January 20, 1976, presented a clear analysis of the Council on Wage and Price Stability's statement. I would like to share this analysis with my colleagues. In addition, I would like to take this opportunity to congratulate the Council on Wage and Price Stability for concluding that a repeal of the Postal Service's monopoly on the carriage of first-class mail is damaging the economy of our Nation.

DROPPING OF POSTAL SERVICE'S MONOPOLY ON LETTERS IS URGED BY WAGE-PRICE PANEL

WASHINGTON.—The Ford administration's chief inflation-fighting agency declared that "significant benefits to the economy" could be gained by ending the Postal Service's monopoly on the handling of letters.

The Council on Wage and Price Stability, in a formal analysis presented to the Postal Rate Commission, asserted that competition in delivering letters "could lead to greater economic efficiency" and "might well lead to greater postal efficiency, including less rapidly rising postal labor costs." What's more, it said "such competition could also induce innovation and technological change in the provision of postal services, resulting in better services and lower costs."

Though the council didn't formally recommend that Congress repeal the private express statutes, which grant the government the sole right to deliver first-class mail, it urged the rate commission to consider making such a recommendation itself. It suggested an expert symposium could be convened on the issue, and it offered its own economic analysis of the postal monopoly.

The council's was the third government voice backing postal competition in recent months. Both Treasury Secretary William Simon and Federal Reserve Chairman Arthur Burns have expressed similar sentiments. But a proposal to end the monopoly drew a scant 68 votes in the House last fall.

The council's analysis was submitted for an inquiry by the rate commission into whether it has jurisdiction over the regulations the Postal Service issues to protect its monopoly power. The regulations include those that define letter mail and specify what private mail carriers can and cannot do.

The rate commission, established in 1970 to review postal rate changes, couldn't end the postal monopoly even if it asserted jurisdiction over the regulations. Nor is the inquiry considering the correctness of the present monopoly itself.

But the price council clearly hopes its submission will encourage the rate commission to decide whether the monopoly is justifiable.

The council's analysis contends that private competition might help induce the service to give discount rates to urban, bulk, first-class mailers, and to improve management efficiency. In addition, it said, the pressure of competition might force the postal unions and postal management to cooperate in raising productivity.

Postmaster General Benjamin Bailar has warned in the past that private concerns would only "skim the cream" off a few lucrative, urban markets and leave the burdensome, money-losing deliveries to the service, which is required to make them. The price council acknowledged that taxpayers might have to subsidize rural mail, and that the service's costs would rise if competition were allowed.

"However," it added, "the overall average level of letter-mail rates—postal service and others combined—could be lower, since the 'cream skimmers' would be providing services to certain segments of postal consumers at rates lower than those that the Postal Service was willing to match."

INDIAN HILLS, COLO., HISTORY REPORT

HON. TIMOTHY E. WIRTH

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 21, 1976

Mr. WIRTH. Mr. Speaker, the citizens of Indian Hills, Colo., have joined with professional planners to evaluate the history of their town, recent changes, and possibilities for future development. They have compiled this information in a report entitled, "Indian Hills Environmental Resource Inventory, a Citizens Tool for Planning."

The study includes a survey of human resources: Economic, social and political

characteristics; natural resources: Watershed and drainage basins, geology, soils, vegetation, climate and wildlife; and aesthetic resources: Scenic and recreational areas.

The report concludes with a discussion of alternatives available to the people of Indian Hills in planning the future of their town. I hope the report will be an inspiration and guide for Indian Hills and others interested in preserving the character of small towns as growth occurs.

I have sent a copy of the report to the Library of Congress for inclusion in its permanent collection and recommend it to all my colleagues.

JOHN LOUIS ROTONDO RETIRES AS DIRECTOR OF MARIPOSA COUNTY PARKS AND RECREATION DEPARTMENT

HON. B. F. SISK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 21, 1976

Mr. SISK. Mr. Speaker, I do not often use the CONGRESSIONAL RECORD to bring to the attention of my colleagues in the House of Representatives the achievements of constituents in my district. However, I wish to divert from that policy today to pay respect to a man who has done much for his community, and who in a large way is typical of the American spirit.

I pay tribute to a man whose contributions to the youth of Mariposa County, Calif., have been invaluable—John Louis Rotondo—who is retiring as director of the Mariposa County Parks and Recreation Department. Fortunately my constituent, who has been wearing two hats, will not be lost to the Federal Manpower Program in which he will continue as project administrator for Mariposa County. Mr. Rotondo, whom I am proud to count among my very good friends, has had a long and distinguished career in public service. In the U.S. Navy from 1942 to 1945, he won the American Theater Victory Medal, the Asiatic-Pacific Medal with three battle stars, and the Bronze Star Medal. In 1972 he was chosen Mariposa County Public Employee of the Year. Previously, in 1968, he was chosen to the advisory committee on recreation for the County Supervisors Association of California, and from 1969–71 he served as vice president of the California Parks and Recreation Society, district V. In 1975 he was president of the Mariposa County Chamber of Commerce.

Throughout last year honors fell upon him, too numerous to list here. Among them, however, were his selection for the Honorary Service Award and lifetime membership by the California Park and Recreation Society, district 5, the Outstanding Service Award of the Mariposa Parent-Teacher Association, and membership on the California State Ad Hoc Manpower Committee.

These things, however, do not nearly reflect the man himself—his warmth, his readiness to go beyond the call of duty in serving his community, his understanding and sympathy for the thousands of young people who have brought their problems to him with the assurance of all the help he could give. John Rotondo is a man who has given generously of himself, and he has well and truly earned the expressions of love and respect which Mariposa County has heaped upon him at this, the time of his retirement from his position as director of parks and recreation. We know he has worked hard and has a right to take it a little easier, yet we anticipate a great void in his leaving. We are indeed fortunate, however, that the Federal manpower project will continue to have the benefit of his leadership in Mariposa County. I know the House joins with me in wishing John the very best in his retirement.

BRITISH DEPARTMENT OF ENVIRONMENT

HON. WILLIAM L. HUNGATE

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 21, 1976

Mr. HUNGATE. Mr. Speaker, the British Department of Environment is seeking to dispose of some of its old air raid shelters and they may be giving us a clue as to how we could recoup Government funds and meet our deficit, perhaps by disposing of our atom bomb shelters and nuclear bomb shelters that went through a period of popularity not too long ago.

The article follows:

[From PUNCH, Dec. 10, 1975]

THE DEPARTMENT OF THE ENVIRONMENT IS ATTEMPTING TO DISPOSE OF EIGHT DEEP AIR-RAID SHELTERS IN LONDON

Hurry! Hurry! Hurry! Great National Bankruptcy Sale! All Defence Installations Must Go!

The Department of Environment is authorised to invite tenders for a limited number of Superior Holes in the Ground, all located under the capital city of London and maintained at taxpayers' expense regardless of cost.

In line with the Government's policy of slashing defences and hoping for the best, these former shelters are offered for conversion as:

Catacombs for Christians!
Mushroom farms!
Glow-worm caverns!
Rollerball alleys!
Transit camps for battered wives!
Brass band practice areas!
VAT interrogation centres!
Etc. Etc.

Each prestige hole comes complete with a Certificate of Approval by Sir John Betjeman, a selection of posters reading "Dig for Victory" and "Be Like Dad—Keep Mum", unexpurgated wall drawings of the Bunker Age and Air Unbreathed For Thirty Years.

Also a Free Hand Torch with two refills on completion of contract.

Several desirable holes have already been snapped up and the purchasers have expressed complete satisfaction.

We have already filled a half-mile tunnel with saucy pictures from Soho. Please let me have another—and one or two disused Underground stations, if you have any.—Sir Robert Mark, Metropolitan Police Commissioner.

Nos. 3 and 4 Holes will serve very well as internment camps for those who, by refusing to join TUC-affiliated unions, will shortly find themselves ineligible to draw the dole.—Michael Foot, Commissar for Employment.

We are very happy down here. People think that because we are out of sight we are out of business, but they have a few shocks coming.—Chairman Metrication Board.

Until we took over No. 1 Hole (the "Erebus Deep") we had experienced great difficulty in finding space in which to delay London's second-class mail and were forced to circulate the stuff all over the country, pending a decision to deliver. Now we simply store it here while we get on with our work, as we call it.—Sir William Ryland, the Post Office.

YOUR QUESTIONS ANSWERED

If I buy one of your holes, will I have to abandon it to make room for VIPs in the event of a war?—Let us not talk ourselves into a war mentality. Do you want a hole or don't you?

Are any of the holes covered by Preservation Orders? What happens if I fill mine in?—We fill you in.

I am anxious to bring out an underground newspaper. Have you a small hole roughly 18 feet by 12?—Next question.

I don't much like the idea of living underneath millions of Londoners, bearing in mind their nasty habits. Have you any other holes anywhere?—If you know of a better hole, go to it.

PUBLIC BROADCAST OPPOSES EQUAL OPPORTUNITIES

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 21, 1976

Mr. CLAY. Mr. Speaker, one is hard put to find any legitimate reason for the resistance of the Corporation for Public Broadcasting to coverage under the anti-discrimination provisions of the 1964 Civil Rights Act. Simeon Booker, in a recent incisive editorial, focused this issue and concludes regrettably that on the issue of minority involvement public broadcasting has badly missed the mark.

Mr. Speaker, I commend Mr. Booker's column to my colleagues' attention and now insert it in the RECORD:

PUBLIC BROADCAST OPPOSES EQUAL OPPORTUNITIES

Congress has poured millions of dollars into public broadcasting to finance what many Americans were led to believe would become a useful tool in all of our communities. Somewhere along the line, political elements got into the act. Public broadcasting's equal opportunity contributions now would hardly rival those of the commercial networks.

Congress is considering a $634 million dollar appropriation bill to finance public radio and television for the next five years. The House has passed the legislation, but with an amendment to ensure that the Corporation for Public Broadcasting is covered under the anti-discrimination provisions of the 1964 civil rights act. Cleveland Congressman Louis Stokes introduced the amendment after corporation officials argued that the agency is not covered under the law because it is a private corporation. Public broadcasters now have launched a campaign to defeat the amendment in the Senate. It would seem that public broadcasters, using such a large amount of the taxpayers' monies, would strive to hire qualified women and members of minorities. For them to oppose equal oppor-

tunity regulations attached to all government funding should make Americans wonder whether the enterprise actually is designed for the public welfare. This is Simeon Booker in Washington.

ILLEGAL NARCOTICS TRAFFIC INCREASING

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 21, 1976

Mr. RANGEL. Mr. Speaker, the New York Times article of December 8, 1975 which discusses the New York City narcotic trafficking problem appeared in the RECORD on the previous day. For the benefit of my colleagues I would like the concluding portion of the discussion, which appeared in the Times on December 9, placed in the RECORD at this point:

TOP DRUG DEALERS NAMED BY POLICE

(By Selwyn Raab)

Thirteen drug traffickers—four whites, five blacks and four Hispanic persons—are now believed by narcotics investigators to be the dominant figures in the city's heroin and cocaine underworlds.

The 13 have been identified by knowledgeable law-enforcement officials as being either principal dealers or the financiers behind many narcotics deals. All 13, including one woman, have become prime targets of city and Federal investigators.

Law-enforcement officials say that while they have been able to identify many of the major narcotics dealers, bringing charges against them that will stand up in court has been far more difficult. Among the major problems, the police say, is that such operators have dealings about criminal matters only with their most trusted underworld associates, and have become increasingly wary of making incriminating remarks during telephone conversations.

The four white narcotics operators, Joseph and Charles DiPalermo, who are brothers, Virgil Alessi and Ralph Tutino, reportedly have long associations with the Mafia. They allegedly are concerned primarily with heroin distribution.

Officials identified the five black leaders as Leroy Barnes, James Lofton, Frank Lucas, Steven Monsanto and Robert Stepeney. They reportedly have come to power in the last two years as blacks have gradually gained a larger share of the narcotics business here from Mafia-controlled rings.

The four Hispanic dealers, Ramon Matos, Gustavo Restrepo, Hugo Curbello and Lilia Parada, are reputed to be among the largest cocaine dealers in the city. It is unclear if they are involved in heroin trafficking.

All 13 have been included in a list of 100 major narcotics violators compiled by the intelligence section of the Police Department's organized crime control bureau. The list is based on the activities of major and medium-level drug dealers who have been detected through undercover surveillance or informers.

Most of the 13 reputed top dealers have never been convicted of a major narcotics accusation.

Because of arrests, deaths and the emergence of new dealers, the list called the "Yellow Book," is frequently revised.

Officials emphasized that no single group controlled New York's billion-dollar narcotics industry.

The police have maintained a list of 100 leading dealers since 1971 as a means of establishing priorities in narcotics investigations. The list is a top police secret, available only to the highest narcotics and intelligence division officers. However, through interviews with narcotics detectives and city and Federal intelligence officials the following profiles of the 13 alleged top dealers have been compiled:

JOSEPH DI PALERMO

At the age of 68, Mr. DiPalermo is still described by narcotics investigators as "one of the top dealers" in New York.

In his younger days, before getting involved in drugs, he was an "enforcer" for Lucky Luciano and Vito Genovese, two major Mafia bosses. Mr. DiPalermo's only prison sentence for drugs came in 1959 when he, his brother Charles and the late Mr. Genovese were convicted on Federal narcotics charges.

During his sentence at the Atlanta Penitentiary, another convict, Joseph Valachi, believed that Mr. DiPalermo had been ordered to kill him. In May 1962, Mr. Valachi mistakenly killed a prisoner who resembled Mr. DiPalermo. It was that murder that prompted Mr. Valachi to make extensive disclosures about the Cosa Nostra, or Mafia.

Mr. DiPalermo, who has an apartment on Elizabeth Street, conducts his operations from Little Italy and restaurants along lower First and Second Avenues. His last arrest was in 1958.

CHARLES DI PALERMO

Law enforcement officials consider 53-year-old Charles DiPalermo a ranking narcotics figure, although he is known to be a junior partner in his brother's business. The younger Mr. DiPalermo has a home in the Rockland County community of Greenwood Lake, but he is frequently seen with his brother in Little Italy. Because of his brother's advancing years, Charles is believed to have taken a larger part in both heroin and cocaine trafficking.

Both brothers are thought to be members of the Carmine Tramunti "family." Charles DiPalermo was last arrested last July in Point Lookout, L.I., by Federal agents on narcotics charges. The agents said they had found 10 kilos of heroin and $166,000 in three automobiles parked nearby.

VIRGIL ALESSI

Much of the heroin now available in the metropolitan area is believed to be distributed through an organization run by Mr. Alessi, who also is known as Vinnie Vergalisse. The 43-year-old Mr. Alessi assertedly took control of areas in Queens and elsewhere when Vincent Papa was sentenced to a Federal prison two years ago.

Mr. Alessi, who had been one of Mr. Papa's chief aides, is believed to have knowledge of the $70 million theft of "The French Connection" heroin from the Police Department's Property Clerk's office at Police Headquarters. He has been arrested at least twice on drug charges, but has never been convicted.

Last September Mr. Alessi was indicted on a Federal drug conspiracy charge. He was also indicted earlier in a state court for perjury in "The French Connection" case.

RALPH TUTINO

Mr. Tutino, 47 years old, lives in the Bronx, but his headquarters is still in the old Italian section of East Harlem.

He reputedly was a large-scale dealer of heroin in the Harlem area when Turkish supplies were plentiful in the early 1970's.

When Turkey prohibited the planting of opium poppies in 1973, Mr. Tutino, unlike other Mafia figures apparently was able to establish new connections either with Asian or Mexican heroin exporters. Although no longer a major supplier for Harlem, Mr. Tutino reportedly is supplying heroin dealers in other parts of the city.

He is now on trial in Federal Court in Manhattan on a drug conspiracy accusation.

LEROY BARNES

According to police intelligence reports, Mr. Barnes is not only one of the biggest black heroin dealers in the city, but he also is involved on the national level.

In the last two years he has set up an organization that handles all aspects of the heroin business from the time the drug is smuggled into the country until it is sold on the streets.

The 43-year-old Mr. Barnes, a flashy dresser who sometimes wears gold-colored suits, lives in a $700-a-month apartment at 3333 Henry Hudson Parkway in the Riverdale section of the Bronx.

Mr. Barnes has been arrested several times, but has never been convicted of a major crime. He is scheduled to go on trial next January for murder in the Bronx, charged with having been involved in the fatal knifing of a drug dealer in March, 1974.

Last April, he was acquitted of charges in the Bronx that he offered a bribe of $131,000 to two police officers who stopped his Mercedes-Benz sedan and found a gun in it.

JAMES LOFTON

The 29-year-old Mr. Lofton lives in New Rochelle, but the police describe him as a "major supplier of heroin" in the Bronx and Harlem. He, too, has an organization that imports packages and distributes heroin, according to police intelligence files.

Mr. Lofton has described himself as being in the real-estate business. Police records indicate that he is the owner of a dry cleaning store on Manhattan Avenue. Police records show that he has been arrested at least three times and he has served a prison sentence of less than a year. He has never been arrested on a narcotics trafficking charge.

One of Mr. Lofton's hobbies is sailing. He has a 42-foot boat moored at the New Rochelle Yacht Club.

FRANK LUCAS

Mr. Lucas, 42, is on trial in Manhattan Federal Court on the rarely brought charge of supervising "a criminal enterprise." He had previously been arrested six times, but was never convicted of a major narcotics charge.

Mr. Lucas, who grew up in North Carolina heads a ring known as "The Country Boys," supposedly because most of them come from the South. His activities are confined mainly to Harlem, the police said.

The Police suspect that Mr. Lucas has been one of the most successful black entrepreneurs in establishing direct connections with Asian heroin exporters.

Police officials discussing Mr. Lucas's affluence said that when his home at 933 Sheffield Road, Teaneck, was raided in 1972 by Federal agents, his wife tossed a suitcase from a bedroom window to the ground. The suitcase contained $584,000—mostly in small bills.

STEVEN MONSANTO

Mr. Monsanto, 23, is one of the youngest dealers in the heroin hierarchy, according to investigators.

Intelligence files show that he worked for Mr. Barnes before organizing his own operation. Mr. Monsanto has an apartment on West 129th Street and his dealings are exclusively in Harlem.

Although arrested at least four times on narcotics charges, he has never been convicted of a felony.

In August 1974, Mr. Monsanto was kidnapped. He was released the next day after his relatives raised a ransom. According to police, the price for his freedom was $130,000.

ROBERT STEPENEY

Mr. Stepeney, reputedly is one of the city's major distributors of heroin and cocaine, and a powerful figure in black organized crime.

In addition to being an importer, nar-

cotics intelligence reports assert that the 50-year-old Mr. Stepeney has been the "money man," or financier, for smaller dealers bringing drugs into New York.

Mr. Stepeney, who grew up in the Bronx, lives at 75 Chadwick Place in Teaneck. He has never been convicted of a drug felony, but has served a Federal prison term relating to a tax charge.

GUSTAVO RESTREPO

Police intelligence sources describe Mr. Restrepo along with Mr. Matos as the two biggest Hispanic cocaine dealers in the city.

Mr. Restrepo, a Colombian, allegedly has strong ties there with major cocaine smuggling figures. His organization is a principal supplier for cocaine in the Washington Heights section of Manhattan and in Jackson Heights and Astoria, Queens.

Mr. Restrepo has been arrested once on a narcotics charge, but he was not convicted.

RAMON MATOS

Mr. Matos is characterized as a "multi-kilo operator" in cocaine, with direct links to smugglers in Colombia. The 32-year-old Mr. Matos was born in the Dominican Republic.

According to police dossiers, he is not involved in the "cutting or packaging" of cocaine once it reaches New York. Instead, Mr. Mato allegedly is a high-level importer who sells to medium-level dealers, mainly on the West Side and in Harlem.

Arrested three times on drug violation charges, Mr. Matos has never been convicted.

LILIA PARADA

The only woman in the list of major drug dealers is 30-year-old Miss Parada. Her birthplace is uncertain, but she is believed to have lived in Cuba before coming to the United States.

Intelligence officers said she used two apartments on the West Side, on 107th Street and 109th Street.

Miss Parada is involved only in cocaine and is described as a "major importer and supplier." She has never been convicted of a narcotics felony.

HUGO CURBELLO

Little is known about Mr. Curbello's background except that he was born in Cuba.

Police records characterize him as a chief supplier of cocaine in many Hispanic neighborhoods. He is believed to have begun large-scale operations in this area about two years ago, but his history before that is vague.

The latest intelligence reports said that Mr. Curbello maintained two apartments, on West 173d Street in Washington Heights and on Seward Avenue in the Unionport section of the Bronx.

The police also were uncertain of whether Mr. Curbello had an arrest record in this area.

Although Federal and city law enforcement officials have identified many of the major violators, they are still far from crippling their operations, infiltration of the top levels of narcotics organizations always has been difficult and time-consuming.

"We are trying to emphasize conspiracy cases to get more mileage out of each investigation," the commander of the police narcotics division, Deputy Chief Joseph A. Preiss, said. "What we are hoping for is a small buy leading to someone bigger and eventually to the top of the ladder. But those cases are hard to make."

A JOINT POLICE EFFORT

Conspiracy investigations often are undertaken here in conjunction with the New York Drug Enforcement Task Force, a joint Federal, state and city group. Arrests by this federally supervised task force are prosecuted in Federal court where, because of evidentiary rules, it is considered earlier to obtain convictions on narcotics conspiracy charges than in state criminal courts.

Although there has been a recent increase in narcotics trafficking in New York police officials acknowledged that undercover operations aimed at high-middle and small-level violaters have decreased because of cuts in the Police Department brought on by the city's fiscal crisis.

Many police officials believe New York is in the midst of its severest drug trafficking problems in five years. Heroin and cocaine supplies, according to top law-enforcement officers, are plentiful once more. Heroin sales are being conducted openly on streets. And overdose deaths because of narcotics abuse are increasing.

The decline in police surveillance apparently has been noticed by drug dealers. In Harlem, Gregory Hutchins, administrator of CARVE, a drug-free narcotics rehabilitation program, said heroin sales along Eighth and Lenox Avenues had become "particularly heavy."

Mr. Hutchins said that four or five years ago most street "pushers" were addicts trying to support their habits. Today, he continued, the sellers were often nonaddict teenagers, some as young as 15.

"Business is so good that you can make $1,000 a day," he explained. "Many of these kids think that selling drugs is the only way or getting a passport out of the ghetto."

Middle-level narcotics dealers also may be using teen-agers for street sales as a way of avoiding the possible consequences of the so-called Rockefeller Law.

LAW'S IMPACT UNCERTAIN

Since September 1973, drug convictions in state courts can result in a life sentence or mandatory parole supervision for life. Anyone under the age of 16, who is arrested on a narcotics charge, however, will have the accusations heard in Family Court. The harshest sentence that can be imposed by that court is three years confinement in a juvenile institution.

Many law-enforcement officials are still uncertain about the deterrent effects of the two-year-old narcotics law.

Sterling Johnson, the city's special narcotics prosecutor, said the law had mainly discouraged "the amateurs, the student or businessman who was looking to pick up some fast money."

Mr. Johnson also believes that the harsh penalties of the Rockefeller Law has influenced some indicted dealers to cooperate with his office in building cases against larger traffickers. In exchange for their cooperation, these dealers could get lower sentences.

But, Chief Preiss of the police narcotics division said that long delays between arrest and trial had reduced the "deterrent impact" of the law.

"Guys are arrested and then stay out on the streets six to nine months," he noted. "Everybody sees them selling and it makes it seem like the law hasn't really worked."

Partly because of a $1.4 million budget slash this year and the loss of 50 staff members, Mr. Johnson said his office had a trial backlog of 1,500 cases.

"I know the pushers are right back out there after they're arrested," Mr. Johnson said. "I have no one to try them and we are in danger of losing cases."

Mr. Johnson attributes the worsening narcotics problems in the city primarily to decreasing support from the Federal Government and City Hall.

"We are worse off now than we were in the early 1970's because then they were at least providing the money for police and prosecutors," he asserted. "Now, they're taking the manpower and the money away.

His voice rising angrily, Mr. Johnson added: "When the Democratic National Convention comes here next summer, I'd advise them to hold it in Harlem to see what's going on, or have the addicts and pushers bused downtown so that the delegates can see the action.

"Nobody cares now because they think narcotics is once more a ghetto problem. But believe me it's also in the suburbs, it's just not as visible."

MAJOR EFFORT UNDERWAY TO REFORM AND RESTRUCTURE NATIONAL FINANCIAL AND ECONOMIC COMMUNITY

HON. LINDY BOGGS

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 21, 1976

Mrs. BOGGS. Mr. Speaker, many of my colleagues are cognizant of a major effort underway in the House and the Senate to reform and restructure the Nation's financial and economic community.

The Senate swiftly passed its version in the form of the Financial Institutions Act of 1975. In the House, however, the Subcommittee on Financial Institutions Supervision, Regulation and Insurance, of the Committee on Banking, Currency and Housing, on both of which I serve, is yet in the process of thorough review and discussion of proposals and their potential impact—impact not only upon the conventional financial institutions, but also upon other segments of our society and in particular, housing.

Recently, my colleague from Rhode Island and very able chairman of that subcommittee, Mr. ST GERMAIN, addressed the 32d annual convention of the National Association of Home Builders in Dallas. I was especially impressed by the event and my chairman's remarks, because I represent an area in which the Louisiana Association of Home Builders has dedicatedly tried to infuse new liie in a seriously plagued housing industry, and because I am confident that the work of our subcommittee is directed toward legislation that will efficiently and effectively meet the needs of a Nation and not a single sector. I insert the body of Mr. ST GERMAIN'S address in the RECORD:

FINANCIAL REFORM—WHY, WHAT, AND FOR WHOM?

It is indeed an honor to be asked to share with my good friend, Senator Bill Brock, the kickoff responsibilities for this, the 32nd Annual Convention of the National Association of Home Builders. I must comment, however, on the fact that both Bill and I may be somewhat upstaged in this kickoff by the kickoff in Miami. We both have had tough competition before but, speaking for myself, never this tough. I take comfort, however, in the fact that the outcome in Miami will be decided today. The issues that Bill and I will be discussing with you will not be so quickly decided—unfortunately, they will be with us for many years to come.

Each of you have been furnished with a brief description of this panel and its theme "Housing Finance—Its Future" prepared by NAHB staff. On November the 20th, NAHB leaders met with President Ford and his advisors in the White House. The caption under the picture appearing on page three of the December 8th issue of NAHB Journal-Scope stated: "President Ford and his advisors are attentive as NAHB leaders outline proposals to boost housing production."

Ladies and Gentlemen, the time has come for the plainest possible talk, certainly by me, as I return to Washington tomorrow to continue chairing the final two weeks of the

FINE Study "Discussion Principles" hearings, also encompassing FIA '75 (S. 1267) passed by the Senate in December.

On December 31st—New Years Eve—President Ford signed into law S. 1281, containing an extension of Regulation Q until March 1, 1977, which for the first time established a minimum statutory differential of ¼ of 1 percent. The thrift industry and, consequently, your industry have survived in recent years due in large part to Regulation Q interest rate ceilings and the differential. I am proud to stand before you as the sponsor and House Floor Manager of this legislation. One advantage of signing legislation on New Years Eve, I suppose, is that few read or were even aware of the accompanying statement by the President. Let me read slowly and carefully excerpts from the last paragraph of that statement with special emphasis on the last sentence:

"Rather than support capital allocation, my Administration is committed to improve and strengthen the free market mechanisms used for raising and investing capital—particularly for housing. To this end I have urged Congress to enact the Administration's Financial Institution Act of 1975 (S. 1267), a bill which will permit banks and other thrift organizations to offer competitive yields on savings deposits and a wider range of services to customers and homebuyers.

This legislation will offer new incentive to all mortgage lenders and should help alleviate shortages of mortgage money in every housing market of our Nation."

Ladies and Gentlemen, the title of my address is—"Financial Reform—Why, What and For Whom?" After three weeks of day long hearings, let me assure you that FIA '75 (S. 1267), based upon the evidence presented thus far, as the balance of my remarks will make clear, simply provides no guarantee or even a possibility that its passage will in the words of the President ". . . help alleviate shortages of mortgage money in every housing market of our Nation." To the contrary, there is growing evidence that it could worsen the present situation, subject to the final form of so-called tax incentives. Apparently, the advisors sent by the President to testify before our Committee were a different set of advisors than those that met with your leaders on November 20th and assisted in the preparation of President Ford's statement of December 31.

Let us not, therefore, perpetuate this sham and delusion that FIA '75 will in fact help alleviate mortgage finance shortages or that it in fact represents major financial reform. You may wish to question President Ford's Housing Advisors on his statement and my statement in direct opposition as they appear before this Convention in the days ahead.

You have asked us to "discuss the prospects for adequate mortgage and other financial resources for housing during the second half of the 70's", which I think is almost impossible to do unless one considers the first half of the 70's. To be able to understand the next five years, I think we most assuredly must attempt to understand the last five years, which for the homebuilding industry has been both the best of times and the worst of times. In the early 70's we saw new housing starts reach an unprecedented high in excess of 2.2 million units per year. And in the latter half of the first five years, we have seen new starts fall to an all-time low of 1.3 million units per year, impacting most heavily on multi-family housing causing enormous upheavals in the construction industry itself and throughout your supportive and supplier industries. Hence, I share your anxieties. Unless we do provide ways and means to bring the housing industry out of its present doldrums, the inevitable prospect is that fewer and fewer Americans in the days ahead can look forward to "A decent home and a suitable living environment for every American family."

The beginning of the 70's, with housing starts at an all-time high, with the appointment by the President of the Hunt Commission, also marks the beginninig of a decade of financial reform. The Commission began its deliberations with the broadest possible mandate, as follows:

"Review and study the structure, operation, and regulations of the private financial institutions in the United States, for the purpose of formulating recommendations that would improve the functioning of the private financial system."

As the Administration viewed it, the *why* of financial reform was to "improve the functioning of the private financial system"—and *not* to insure that this nation's housing needs should continue to receive priority attention as a matter of national policy. As a matter of fact, the Commission stated most candidly, in my judgment, the following:

". . . institutions that choose to specialize in the climates of greater operational freedom must recognize that, after a limited transitional period, the protective regulations accompanying the enforced specialization of the past will cease to exist."

Make no mistake about it—what we are really talking about is Reg Q and the differential. The Commission went on further to state that, "Financing through control of the portfolio of the financial institutions is a costly and inefficient means of allocating resources" and, as a consequence reached the following conclusion: "The Commission favors the use of direct subsidies or tax credits because they are less inflationary, do not warp financial institutions and bring market forces into play pursuant to the nation's goals."

And so, as FIA '73, superseded by FIA '75, emerged from the Hunt Commission recommendations, it is not surprising to see the effort by the Administration, through three separate studies, to create an impression that the passage of FIA would not harm housing, but would, in the long run, be expected to have a favorable impact on housing. The three studies I refer to are the Fair-Jaffee Study, the Bosworth-Dusenberry Study, and the most recent Hendershott Study.

I can now say after three weeks of extensive hearings on the FINE Study that not one single witness—which included distinguished representatives of the academic community, the Administration, the regulatory agencies and each of the trade associations—was able to state categorically that the adoption of FIA would not harm housing or would, in fact, be helpful to housing.

In support of this assertion, selected quotes from our recent FINE Study hearings are most revealing: Dr. Swan, University of Minnesota—

". . . I would conclude that the simulations do not offer convincing evidence of a benign impact and that one should instead conclude that the impact of financial reorganization on the housing stock and on mortgage rates is still unknown.

"With regard to housing cycles, neither of the two simulations I reviewed looks at the question of cycles in home-building and what impact financial reorganization would have on them."

Mr. Donald Kaplan, Chief Economist, Federal Home Loan Bank Board—

"Mr. Chairman, as you know, there have been a number of simulation studies that were done, focusing primarily on the Financial Institutions Act. Frankly, sir, I cannot defend those efforts. The state of the art in that kind of analysis is just not far enough along for us to draw strong conclusions. We are trying to look forward into areas where our technical analyses cannot be definitive."

Their testimony can basically be boiled down to a simple statement and that is, that we simply do not know.

The FINE Study really had its origin back in 1969–70 when a number of us, concerned that the Hunt Commission would be unduly limited in terms of participation and involvement by the public in its deliberations, introduced legislation providing for a Congressional Commission to insure the type participation that we believed the subject merited. We were unsuccessful in those efforts at that time and certainly our fears proved to be well-founded, as the Hunt Commission early, in my judgment, suffered by the lack of substantial participation by consumer and citizen groups, as well as from the Congress. Consequently, Chairman Reuss and I, in our announcement of the FINE Study on April 24, 1975, endeavored, by the use of the Discussion Principles to maximize participation by all interested parties. Also by this process we hoped to more clearly define what financial reform really meant, for whose benefit it was proposed, and just how our housing needs would be met.

The three weeks of hearings in December, with both morning and afternoon sessions, have certainly received widespread comment and criticism from a variety of sources, including your association, and the process has begun to focus on inadequacies of FIA, insofar as the impact on mortgage finance is concerned. Hearings will resume this coming Tuesday, continuing through January 29.

Both Chairman Reuss and I remain determined that public policy considerations must receive paramount attention in our financial institution reform legislation deliberations. The narrowly drawn legislation (FIA) emanating from the Hunt Commission clearly must be broadened to insure that the public benefits to be realized clearly justify the risks involved, particularly where mortgage credit availability is concerned. By continuing to ask ourselves—reform for whom?—we must be in a position to articulate those public benefits that justify, seemingly to many, an apparent downgrading of our national housing goals.

Let us now examine the central issue involved in all financial institution reform deliberations to date—the future of Regulation Q. Our Subcommittee, during hearings on variable rate mortgages, on H.R. 8024, and throughout the FINE Study hearings has probed deeply into Regulation Q and examined carefully the assertion made by the proponents of FIA that the elimination of regulation will at long last insure that the small passbook saver will receive a fairer return on his investment by the payment of higher interest rates.

Thoughout the course of our hearings, I have endeavored to find out when the consumer could reasonably expect to, in fact, receive higher interest rates on his passbook accounts, assuming the elimination of Regulation Q as currently proposed. The responses were disappointing to say the least. During my interrogation of Chairman Wille of the FDIC, I posed the following question after a brief discussion of the method employed today by the Coordinating Committee in setting Regulation Q rates: "Where does the consumer-saver fare the best—by the rate being set, as it is now under the auspices of the Coordinating Committee, removed from the industry, or by the rate being set within the industry itself?" Chairman Wille's response is particularly revealing and casts serious doubts on the assertion frequently made that the broadened investment authority and lending powers provided by FIA will benefit the consumer-saver in the form of higher deposit interest rates.

Virtually all other witnesses furnished estimates ranging from 7 to 10 years after enactment of FIA—depending upon eco-

nomic conditions in existence at the time—before the consumer-saver could reasonably anticipate an increase in his present passbook savings account rate. Thus, it is important to understand clearly what FIA does not guarantee.

Due to the nature of our dual banking system, it is clear, however, that all institutions must indeed be given the authority to offer a wide range of services to consumers. The reason that action must be taken at the Federal level is that an increasing number of states are granting to state-chartered institutions broadened lending powers and investment authority which will place federally chartered institutions in a competitively disadvantageous position, forcing such institutions to shift from federal charters to state chartered, ultimately destroying the dual banking system which has served the nation well to date.

Throughout the course of all hearings in the 94th Congress to date, relating to financial reform and, most assuredly during the FINE Study hearings, I have tried to require definitive evidence of so-called consumer benefits provided by financial reform proposals. To do any less than this would be to practice a form of legislative dishonesty which simply cannot be tolerated. Therefore, when I view the action taken by the Senate, of approving a repeal of Regulation Q at the end of a five-year plus a six-month study period, it appears to me, based upon the testimony presented to our committee, that the prospects for the ultimate repeal of Regulation Q are, in fact, doubtful as they perhaps should be, and it is for this basic reason that we were successful in maintaining the House position on a further extension of Regulation Q for a 14-month period plus the existing statutory differential of ¼ of 1 percent during the extension period.

Our national system of residential mortgage oriented thrift institutions has existed in virtually its present form for nearly a half century. These thrift institutions have served as the backbone of one of the world's greatest housing production systems ever known and, to a large degree, has been responsible for the immense prosperity and living standard enjoyed by millions of Americans. Certainly, in my nearly 16 years in Congress, it has been my privilege as a member of the Housing Subcommittee to support every major housing program to come before the Committee during that period. They have played a part in maintaining our nation's position of preeminence. Most recently, as Chairman of the Subcommittee on Financial Institutions in the 93d Congress, by our adoption of the Consumer Mortgage Assistance Act, I endeavored to bring together housing programs and mortgage finance delivery systems into one vehicle, thus restating the commitment to housing by the thrift institutions.

I, therefore, make no apology for my preoccupation with housing. As to Regulation Q, I will continue to question those who seek its abolishment, requiring the clearest evidence that the public will indeed benefit in the form of higher rates and that the effect of broadened lending and investment powers for our thrifts will not—and let me emphasize, will not act unfavorably on the supply of mortgage finance credit. At the conclusion of three weeks of hearings on the FINE Study, in all candor, I remain convinced that regardless of a number of tinker-toy embellishments that this nation must continue to look to our thrift industry to serve as the principal supplier of this nation's home mortgage needs.

It remains my goal as we conclude the FINE Study hearing phase and proceed to drafting stage, to continue to examine carefully the original reason for the existence of our thrift industry. If the umbilical cord between the thrift industry and your industry for otherwise valid public policy objectives is to be weakened, then responsible alternative means of insuring an ample supply of mortgage credit for the average working American must be adopted. Reliance upon rhetoric or wishful thinking simply will not justify the risks involved.

Together our search for legislative solutions will continue and I still believe that essential structural reform measures for our thrift industry can be achieved in a manner that will benefit your industry as well. I am proud of the fact that this nation is the best housed nation in the world, and I salute you for the major part your industry has performed in making this a fact. We can—and must—do better. The homebuilding industry must not only survive, it must expand, it must grow for the benefit of all of our citizens and for the continued growth of our nation.

INSIGHT INTO THE GOVERNMENT DEFICIT

HON. G. WILLIAM WHITEHURST

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 21, 1976

Mr. WHITEHURST. Mr. Speaker, for several years, WTAR radio news in Norfolk, Va., has been running a daily 2-minute news analysis called "Insight." These pieces are written and presented on the air by Mr. Richard J. McCoy of the WTAR news staff.

I have had the pleasure of knowing Dick for a number of years, since the time when we were colleagues at WTAR; I was doing a news analysis program on their television station on a part-time basis. I can honestly say that I have never encountered anyone with a greater understanding of matters affecting the people of Tidewater, or a keener mind. Dick has done an outstanding job of presenting the issues and at this point in the RECORD, I would like to share one of his reports with my colleagues; I think it is particularly relevant at this time, since it deals with government spending. It deserves a careful reading:

INSIGHT

(By Dick McCoy)

Sometimes discussions of public issues get on the wrong track because the words we use to describe ideas are more similar than the ideas themselves.

A case in point would seem to be this matter of government spending. Most of the proposed solutions deal with reducing government expenditures. What's really needed is a reduction in government costs.

Unfortunately, those two ideas sound more alike than they really are. To reduce expenditures you simply spend less . . . to reduce costs, you must get more for your money. The difference is nothing less than the difference between quantity and quality.

A purely quantitative approach to budgetary problems is foredoomed to failure because the amount of a budget is the least significant thing about it.

I just spent a thousand dollars on clothes. Is that too much? As stated, that question is unanswerable. No expenditure can be evaluated solely on the basis of its size. To decide if a thousand dollars is too much or too little to spend on clothes, it is necessary to know what that thousand dollars bought.

If it provided a complete wardrobe for a family of ten, it was money remarkably well-spent. If it provided but a single Paris original, that would be something else again.

Just what else would depend on the buyer's personal situation. Certainly, no one who spends a thousand dollars for a single garment can be said to be getting the most for their money . . . but it might be they are getting what they want for their money.

The problem with current levels of government expenditures is not that they are too high. How high is high enough? The problem is that the people who pay the bills are not getting the most for their money . . . nor are they getting what they want in terms of vital services which government exists to provide.

The government deficit lies not in the balance between income and expenditure. The true deficit lies in the gap between services needed and service provided. And the problem is not how much we spend, but how little we get.

TEMPE, ARIZ., WINS NATIONAL RECOGNITION

HON. JOHN J. RHODES

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 21, 1976

Mr. RHODES. Mr. Speaker, the city of Tempe, in the First Congressional District of Arizona, has received national honors for the excellence of its recreational program. Among cities with populations from 50,000 to 100,000 Tempe won the National Gold Medal award in a competition sponsored by the Sports Foundation. This is fitting recognition of the community's outstanding record in providing a variety of recreational facilities aimed at reaching many age levels. The development of parks, bike trails, and special facilities for the handicapped has been a full community effort.

My congratulations to Mayor Bill LoPiano, the Tempe City Council, and to the Tempe Director Ronald E. Pies on this justly-deserved award. The following story from the Newsletter for Arizona Cities and Towns recognizes the achievement of winning a gold medal in this nationwide competition. Text of the article is as follows:

TEMPE WINS NATIONAL GOLD MEDAL AWARD

The Tempe Parks and Recreation Department was named one of five national Grand Awards Winners in the annual Gold Medal Awards program held recently in Dallas, Texas.

The program, which is sponsored by The Sports Foundation, Inc., and sanctioned by the National Recreation and Park Association, recognizes excellence in the field of park and recreation management.

The Grand Award Winner plaque was presented to Ronald E. Pies, Tempe Parks and Recreation Director, during the 1975 Congress for Recreation and Parks at the Dallas Convention Center. Tempe also received a Gold Medal Awards flag and a gift of $1,000 for the implementation of a worthy department project.

Among the outstanding features of Tempe's program cited by the judging panel is repeated passage of bond issues, indicating strong public support of the department's excellent year-round programming. Also noted is the development of Kiwanis Regional Park which serves as multi-purpose recreation site as well as providing a buffer between a residential and commercial area. Judges also cited the Tempe Department for its extensive Bikeway plan, its emphasis on

neighborhood-oriented recreation activities and its excellent program for the mentally and physically handicapped.

Tempe was judged in Class III among other U.S. cities with a population of 50,000 to 100,000. Finalists in Class III are Arlington Heights, Illinois and Kettering, Ohio.

The criteria used for selecting the Grand Award Winner in each class include creative leadership, diversified programming, sound financing, farsighted land acquisition, cooperation with Federal, state and local agencies, and overall responsiveness to the community's recreational needs and desires.

Members of the Judging panel for the 1975 Gold Medal Awards program are nationally-recognized authorities in the fields of park and recreation planning, programming and management.

The Sports Foundation, Inc., is a non-profit membership organization founded to stimulate interest and participation in sports and sports-related activities. The foundation established the Gold Medal Awards for park and recreation management in 1966. The awards focus national attention on communities which meet local recreational needs with highly successful park and recreation programs and sports activities.

CRITIQUE OF THE FISCAL YEAR 1977 BUDGET

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 21, 1976

Mr. VANIK. Mr. Speaker, the Budget of the U.S. Government for fiscal year 1977 has just been made public. This 950 page document, which sets a level of expenditures of $394.2 billion and a level of receipts of $351.3 billion, will shape much of Congress work and debate in the months ahead.

As chairman of the Ways and Means Oversight Subcommittee, I am particularly concerned about the appropriations requests for certain agencies which involve our committee. I have studied the budget for the Department of the Treasury and for those positions of HEW—Social Security and the Social and Rehabilitation Service—whose programs will involve the Ways and Means Committee in the months ahead.

In studying these agencies, I find that this budget:

Fails to meet the law enforcement concerns expressed in the President's Monday state of the Union address;

Fails to provide adequate funds for the IRS to administer the new Pension Reform Act—a failure which will continue to result in chaos in the Nation's private pension plans;

Fails to make adequate allowances for hundreds of millions of dollars owed the States by Social Security due to errors in the federally administered supplemental security income program;

Makes unrealistic assumptions about the ability of Social Security to make savings in the supplemental security income program;

Continues to claim savings of hundreds of millions in HEW's program to reduce welfare errors, when GAO has clearly proven that there may be no savings at all and that HEW's program is probably illegal.

In studying just the SSI and the AFDC programs—about $12.1 billion in Federal expenditures out of a total budget outlay of $394.2 billion—I believe that the administration is underestimating expenses—or overestimating savings—by at least $550 million. These are not additional expenses that the Congress will impose, but which the courts and U.S. auditors will impose, and which, because of mismanagement and misplanning, HEW will automatically incur.

If there is as much as 4.5 percent error in the budget estimates and assumptions for these $12.1 billion worth of programs, I wonder what the rest of the budget is like. If these types of erroneous assumptions occur throughout the budget, the budget could be understated by $17 billion.

Why have these erroneous assumptions been made? Because this budget is not a budget on which to run a government; it is a political document which seeks to make the President look like he is holding back on expenditures. When the projected savings, court decisions, and assumptions prove false, Congress will have to provide the extra billions—and the Congress will be made to look like "big spenders." In this way the President seeks the best of both worlds; he wants the credit for presenting a tight budget and wants to blame the Congress for supporting a higher budget. In reality, he should get the credit for presenting a phony budget.

I believe that the following specific citations and references will support my charges. I might add that these points have been developed after only a few hours of study; the weeks and months ahead will undoubtedly reveal other failings in this fiscal year 1977 budget.

THE PRESIDENT'S MESSAGE ON LAW ENFORCEMENT VERSUS THE REALITY OF THE BUDGET

Just 2 days ago, in his state of the Union message, the President devoted considerable time describing what the administration is doing to stop the unacceptable level of crime. He talked about more U.S. attorneys and U.S. marshals and said that—

> My budget recommends 500 additional Federal agents in the 11 largest metropolitan high crime areas to help local authorities stop criminals from selling and using handguns.

This recommendation is reflected on page 609 of the Budget Appendix through a $16.5 million increase in the budget of the Bureau of Alcohol, Tobacco, and Firearms. This is to be commended, since in the past, our Nation's gun laws have gone almost totally unenforced. But an examination of other portions of the Treasury budget dealing with law enforcement shows that the President's budget merely shuffles personnel from one unit to another.

There is also still a complete failure to enforce the Nation's gambling laws directed at the $67 billion in annual illegal gambling which constitute the lifeblood of organized crime. The selected workload data on page 610 shows that under wagering regulation, there were no compliance inspections in fiscal 1976 and none are planned for fiscal 1977. The level of wagering enforcement arrests is minuscule in view of the enormity of illegal gambling in this Nation. Indeed, the budget request for total alcohol, tobacco, and wagering regulation and enforcement declines by $1,286,000 between fiscal 1976 and 1977—even though in last year's appropriations hearings, the administration admitted that they had no appropriations set aside for wagering enforcement. The administration apparently intends to continue to leave the laws against organized crime gambling unenforced.

The most successful force in the Government's drive against organized crime has been the Intelligence Division of the Internal Revenue Service. This is a highly trained group of accountants and investigators who deal with tax fraud and those seeking to hide illegal income. Yet, while the President is increasing Treasury firearms regulation personnel by 500, he is cutting the IRS Intelligence Division personnel by 373, hardly an action which justifies the long rhetoric on law enforcement.

I am advised that the IRS proposed an Intelligence Division force of 4,212, or an increase of 164 over the number budgeted for fiscal year 1976. But I am told also the Office of Management and Budget cut this force to 3,655, and that the budget submitted today calls for only 20 more than that, or 3,675. These 20, I understand, will be taken out of the audit division.

This means that if the President's budget for IRS' 3,675 Intelligence Division personnel is adopted, there will be 373 fewer people to track down tax evaders, whether of the organized crime or white collar crime variety. That is a force decrease of 9.2 percent.

If the President had proposed a 9.2-percent overall cut in Federal personnel, that would be one thing. But it is clear from the information I have the cutback for the Intelligence Division is far out of line with the cutback he has proposed elsewhere.

For the entire IRS compliance office—of which the Intelligence Division is a part—the fiscal 1976 budget figure for personnel was 39,170. The figure contemplated for fiscal 1977 in the President's budget is 38,409.

This is a cutback of 821 jobs, or an overall compliance force reduction rate of little more than 2 percent, compared with a 9.2-percent cutback for Intelligence alone. Put another way, it means that out of the 821 people the President proposes to eliminate throughout the compliance office, 373—or almost half—would come from the Intelligence Division.

Mr. Speaker, everybody knows that this Government needs money and needs it badly to meet rising deficits and help stop inflation. If the President believes that 500 more Federal agents are needed to halt the street traffic in handguns—and I believe we do—then surely he can afford last year's level of Federal agents to track down the people who refuse to pay their fair share of taxes and to col-

lect the money from them, particularly since since every dollar spent on Intelligence Division personnel returns an extra $8 in added taxes.

OTHER IRS ISSUES

Other IRS divisions are inadequately funded by the new budget. The funds for taxpayer services declines by nearly $1 million. Given the growing public reliance on IRS taxpayer assistance and the need to improve the accuracy of IRS services, the Congress must give immediate attention to tax simplification, the possibility of staggered tax filing dates, and other ways to stretch the budget of the taxpayer services office.

The budget request for interest on certain collections which must be refunded is scheduled to increase from $334 million to $396 million. Since these are refunds which usually result from the decision of a corporate taxpayer to file an amended return or to settle a dispute with the IRS, I believe the Congress should consider whether a 7-percent rate of refund interest is necessary. Millions could be saved by tightening up the laws in this area.

In September 1974, the Congress passed the Employee Retirement Income Security Act—the Pension Reform Act. In 1976, the various provisions of that law will generally come into full effect. Yet the President's budget fails to provide the IRS with the money to administer this program. For example, the fiscal 1976 budget provides $27.7 million for the IRS to process 162,000 pension plan amendments. This is $14 million less than the amount IRS requested from the Office of Management and Budget. In fiscal 1977, the pension office's workload will increase 25 percent, but the budget request is only $30.5 million. It has been calculated that during calendar 1976, IRS employees will be able to spend about 9 minutes per pension plan application and amendment. There will be almost no audits; there will be no investigations of questionable transactions. The promise of the Pension Reform Act will go unfulfilled.

SUPPLEMENTAL SECURITY INCOME

Yesterday, Social Security Commissioner Cardwell reported to the Ways and Means Committee that the level of errors by social security in the SSI program has not declined between January 1974, and June 1975, that the error rate for federally-processed claims was over 24 percent and that these errors have resulted in overpayments of $547 million in the 2 years of the SSI program. The Oversight Subcommittee has been investigating the SSI program for the past 5 months, and I see nothing to indicate that these errors will be quickly or easily eliminated. Indeed, from testimony before the subcommittee, it appears that as the overpayment errors are reduced, errors in underpayment and improper denials will also be reduced—as they should be. Once those being underpaid are paid the correct amount, the actual cost of the program may actually increase. In addition, I must point out that in many States, the Social Security Administration administers a State supplement or additional payment to beneficiaries. Because of the level of Federal errors, the States are refusing to reimburse the Federal Government for some $200 million in past payments. There is every indication that the level of State withholding will increase. Needless to say, this is a very complex accounting issue and one which the States are taking to the courts.

Given this background, what does the budget say about SSI? First, it is not clear how many SSI recipients the budget expects to serve. On page 367 of the appendix, it states that there will be 4.64 million aged, blind, and disabled on SSI by the end of fiscal 1977. On page 369, the estimate is 5.12 million. I might say that this type of confusion over the number of potential SSI beneficiaries has marred the SSI program from the very start. Even after 2 years, social security is serving only two-thirds of the people it estimated would enroll in SSI. Page 367 states that the budget provides for $57 million—

To pay States for Federal fiscal liability (FFL) settlements which result from erroneous payments of federally administered State supplementation.

A briefing paper presented to congressional staff yesterday, however, says that $177 million is set aside for these claims. I believe that the bill will be closer to $200 million—and even that is probably a conservative figure.

The briefing paper also stated that the budget figures presume a reduction in error rates from 25 percent in 1975 to 15 percent by the end of fiscal 1977. Yesterday's letter from Commissioner Cardwell shows that there has been no error reduction in the first 18 months. I really do not know why they realistically anticipate a 10-percent reduction over the next 18 months. The budget paper also projects savings of $345 million "due to redeterminations of eligibility and payment accuracy." As I said, earlier, there are three kinds of errors—overpayments, ineligible claims, and underpayments. Overpayments and underpayments corrections cancel each other out. In short, I believe that these claims for savings are at least $200 million out of line.

In addition to all of this, last summer there was a court decision—which the Government is appealing—which would impose an extra $300 million per year on social security in SSI administrative and program costs and require 4,190 staff-years to implement. From studying the budget requests for the administration of SSI, I do not believe that the implications of this decision have been considered. If the Government loses, a major new supplemental will be required.

AID TO FAMILIES WITH DEPENDENT CHILDREN

In describing the $6.215 billion aid to families with dependent children program, the budget states—

Efforts to improve the administration of the AFDC program are continuing. Error rates in the caseload have been reduced and additional improvements are anticipated. All states have underway corrective action plans designed to reduce the ineligibility and payment error rates. The 1977 estimate includes a reduction for disallowance of Federal financial participation for both payments to ineligibles and payment errors in excess of the established tolerance levels. . . .

According to the briefing paper for staff released yesterday, HEW is estimating savings of $240 million from this error reduction program.

Obviously, everyone is in favor of reducing welfare errors. Three months ago, the Oversight Subcommittee held hearings on the effectiveness of HEW's program to reduce errors. Among many witnesses who questioned the value of the program, the GAO testified that—

While error rates have, to some extent, declined since the adoption of the program, the corrective action efforts have been only marginally effective in reducing error rates to HEW's tolerances.

In addition, the GAO reported that HEW's claims for $133 million in savings in 1974 were inflated by at least 100 percent and that, in reality, there may have been no program savings whatsoever. The GAO has also provided the subcommittee with an opinion that seriously questions HEW's legal authority to withhold funds from the States. The States are suing the Department on this issue and their case has great merit. In short, I believe that the entire claim for $240 million in savings is so doubtful that it cannot be included in the Congress consideration of the budget.

In a subsequent statement, I expect to discuss further issues developed in the President's budget proposal.

IOWAN INDIAN TRIBE ARE MESQUAKIE

HON. CHARLES E. GRASSLEY

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 21, 1976

Mr. GRASSLEY. Mr. Speaker, on December 16 of 1975, I had the honor of representing before Congress the case of an Indian tribe in Iowa which sought a more judicial distribution of an Indian Claims Commission award. During my presentation of the tribe's case, those with whom I debated, and I repeatedly referred to them as the Sac and Fox in Iowa. This name has been attributed to the tribe by the Federal Government but, in fact, is applicable only to those Indians from Oklahoma who are to receive a portion of the same award. The Iowans are, in fact, Mesquakie or "Red Earth—Clay—People." The permanent RECORD should note this correction.

In addition, during the debate of December 16, it came out that Chief Black Hawk was affiliated with the tribe back in the mid 1800's, and that the Mesquakie took part in the Black Hawk war of that period. Neither of these statements is correct.

To clear up the record on this matter further, I insert the following material taken from a fine book by Wendell H. Oswald entitled "This Land Was Theirs, a Study of the North American Indian." The work was published originally by John Wiley and Sons, Inc., New York, in 1966. Mr. Oswald has apparently made an error in referring to the Mesquakie as "the Fox." But this is minor when com-

pared to the historical truths presented in his writing:

THIS LAND WAS THEIRS, A STUDY OF THE NORTH AMERICAN INDIAN

With the influx of settlers into the Northwest Territory there was increasing pressure on all Indian groups of the Midwest to sign treaties with the American government and to move westward. In the year 1804 a small party of Fox and Sauk went to St. Louis, and here they became intoxicated and signed a treaty with the United States for the release of their lands along the Mississippi River. Some $2000 worth of goods were distributed to the Indians plus an annuity of $1000 with $600 assigned to the Sauk and $400 to the Fox. The treaty authorized further settlement of Illinois lands by settlers from the United States. Not only were the Indians at St. Louis unauthorized to contract the treaty, but the tribes as a whole did not know of it until after the chiefs had arrived back from St. Louis. The Treaty of 1804 always was to be a great cause for Fox anger against the Americans. They felt that the Americans had deceived them and that these lands had been taken from them illegally. This treaty was to be the one document to which the Americans referred constantly in asserting their claims to Fox and Sauk lands. The treaty was made, the damage was done, but the bitterness was to linger always in the minds of the Indians involved. The area ceded to the United States included western Illinois, north and west of the Illinois River, a small section of southern Wisconsin, and another small section of eastern Missouri. One provision of the treaty stipulated that the Indians could continue to occupy the land so "long as the lands which are now ceded to the United States remain their property." [1]

Soon after the Fox removal to Kansas, Poweshiek died under mysterious circumstances. After his death many Fox became discontented, and during the winter of 1851–1852 nearly a hundred, most of them Mesquakie, returned to Iowa. The Indians purchased eighty acres of land in Tama County and settled again in Iowa. Legal recognition of the Fox in Iowa was given by the state government in 1856, and the land was held in trust by the governor of the state. Then in 1858 other Fox from Kansas defied the Federal Government and moved to Iowa. By doing so, they forfeited their annuity payments until the U.S. Congress granted them once again in 1867. Amazing as it may seem, the Indians were welcomed by the white settlers. Altruism was not their motive, but the ease with which the Indians could be separated from their annuity payments was what brought the friendly reception by the whites. In 1862 an additional group of Fox moved back to Iowa after there was a disagreement about annuity payments on the Kansas reservation. Finally, when the Fox and the Sauk were forced to give up their Kansas reservation and move to Oklahoma in 1869, still more Fox returned to Iowa. By about 1870 there were some three hundred Fox Indians in Iowa, and they began to settle down to a new way of life in an old environment.[2]

In 1804 they unknowingly ceded their lands in Illinois and a small sector of Missouri and Wisconsin to the United States. Then they were given lands in Iowa. In 1832 they ceded their lands along the Mississippi River, and then in 1837 another small parcel of Iowa land was taken away from them. Finally, in 1842, they were obliged to give up their remaining Iowa lands and move to a reservation in eastern Kansas. Except for those who moved to land they purchased in Iowa, they remained on the reservation in eastern Kansas until they were resettled on another reservation in northern Oklahoma. The reservation in Oklahoma was procured for the Indians in 1867, and they moved there in 1869. In Oklahoma the Fox and the Sauk have retained their identity as an integrated group; however, they always remained aware of their separateness. When the move to Kansas was made in 1842, many of the Fox were unwilling to remain in Kansas and returned to Iowa. At the time of the move from Kansas to Oklahoma, additional Fox returned to Iowa; thus the Iowa segment of the combined tribes has retained its separate identity much more clearly than those who remained in Oklahoma.[3]

[1] Page 192.
[2] Page 202.
[3] Pages 202 to 203.

JUDGE GEORGE R. OWEN, THE INDEFATIGABLE CITIZEN

HON. RONALD A. SARASIN

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 21, 1976

Mr. SARASIN. Mr. Speaker, just reading his list of accomplishments tends to take one's breath away, and it is no wonder that Judge George R. Owen's friends and neighbors have chosen to honor him with a testimonial dinner sponsored by the Republican Town Committee on Sunday, January 25.

Judge Owen, who will be 90 years old on September 16, 1976, is one of Seymour's most familiar and well-respected citizens, molding his reputation on his firm belief that individuals must keep active as long as possible. He has certainly practiced what he has preached.

Equally well-known as gentleman George, Judge Owen has served as judge of the town court, former assistant prosecuting attorney, grand juror, and justice of the peace. Furthering his service to the community, he served as Americanization Officer in Seymour for more than 40 years, conducting weekly classes at the town hall. In addition to this, the judge held the post of school enumerator in all three districts until his retirement in 1968; he served as head usher at the Seymour High School graduation for 60 years; he is a 62-year member of the Morning Star Lodge Number 47, A.F. and A.M., and served as chaplain and marshal in the Masons.

Judge Owen's interests most certainly do not end here. He was one of the organizers of the St. David Welsh Choral Singing Society, a member of the Seymour Congregational Church where he was a trustee and has held the office of senior usher for many years. Too, he is still active in the Boy Scouts of America as a counselor, recently counseling two young men who are working toward their eagle badge.

Politics has been of prime interest to Judge Owen, and he has been a member of the Republican Party for the past 69 years. He is well known as the party's most active worker, particularly when it comes time to complete the list of absentee electors.

The effort Judge Owen has exerted on behalf of his fellow citizens has earned him many plaudits, including the Seymour Citizenship Award presented to him by the Seymour Board of Education in 1969, the Award of Merit from the Daughters of the American Revolution in 1956, the Sound Citizen Award from radio station WADS, and the Outstanding Citizen of the Year Award at the 41st annual banquet of the Chamber of Commerce in 1971.

It would be easy to say that the testimonial dinner in Judge Owen's honor is a fitting tribute at the culmination of public service that spans over a half-century, but given the judge's stamina and dedication to his community, all of us who know him are well aware of the fact that his list of achievements will continue to grow.

EPA BEVERAGE CONTAINER GUIDELINES REPUDIATED

HON. ROBERT H. MOLLOHAN

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 21, 1976

Mr. MOLLOHAN. Mr. Speaker, on November 13, 1975, the Environmental Protection Agency published proposed guidelines that would regulate the sale of beverages in all Federal facilities and installations.

The effect of these proposed guidelines, if published in final form as they are now written, would be to ban the sale in Federal facilities of soft drinks and beer packaged in nonrefillable containers.

EPA is citing as its authority to issue these guidelines sections 209 and 211 of the Resources Recovery Act of 1970.

These guidelines, upon publication, are mandatory upon all Federal agencies—they must comply with them or show cause why they cannot or will not conform.

This effort by EPA represents the first step in an obvious attempt to develop a nationwide ban on the sale of beverages in nonrefillable containers, a development that would have tremendous adverse economic impact.

Practically every Member of the House has steel plants, glass companies, canning operations, beverage bottling firms and Government installations—that is, military posts, naval stations, et cetera—in his district that would be affected by these proposed guidelines.

For that reason, I would like to share with my colleagues the contents of a very detailed statement I have filed with EPA in strenuous opposition to these guidelines:

HOUSE OF REPRESENTATIVES,
Washington, D.C., January 9, 1976.

DEPUTY ASSISTANT ADMINISTRATOR FOR SOLID WASTE MANAGEMENT PROGRAMS,
U.S. Environmental Protection Agency, Washington, D.C.

DEAR SIR: I am writing to inform you of my strongest possible displeasure with 40 CFR, Part 244, published in the Federal Register of November 13, 1975, pursuant to Sections 209 and 211 of the Resources Recovery Act of 1970 (Pub. L. 91–512).

It is apparent upon reading these proposed guidelines, the implementation of which is mandatory upon every Federal agency and installation, that they were drawn up with

total disregard for their immediate and long-range detrimental impact upon our National economy and upon the economies of many local communities.

Section 209(a) of Pub. L. 91-512 directs the Administrator of the Environmental Protection Agency ". . . to recommend for appropriate agencies and publish in the Federal Register guidelines for solid waste recovery, collection, separation and disposal systems. . . ." Nowhere in this Section or in any other section of the Act is there legislative language that says this Law can or should be used to shut down a segment of American industry. Yet, that is the impact the November 13 guidelines would have if they are implemented by Federal agencies, as directed, and adopted by other public and private concerns, as recommended.

Furthermore, Sections 209 and 211 of the Act specify that EPA has jurisdiction over "solid waste recovery, collection, separation and disposal systems." By such specific enumeration of jurisdictional areas, other areas are, by legal tenet, excluded from EPA jurisdiction under these paragraphs. EPA has not, in these sections, been given jurisdiction over generation of waste, marketing procedures or containerization. These regulations, as proposed, restrict sales and marketing procedures; therefore, they exceed the authority granted to EPA by the specified provisions of the Law and, thus, are not in accordance with the intent of the Congress nor the letter of the Law.

These guidelines represent a grave and genuine threat to the future economic viability of thousands of American workers and hundreds of American business concerns who are involved in the production and processing of non-refillable beverage containers.

What I find completely ironic is the contradictory language of the guidelines, as explained in the introduction on Page 52968 of the November 13, 1975, issue of the Federal Register. Under the heading "Rationale for a five cent minimum deposit," is the following language: "A minimum of five cents has been chosen for two reasons. First, five cents is deemed a large enough incentive to induce the return of most containers for reuse or recycling."

Yet, immediately preceding, under the heading "Discussion of refillable vs. nonrefillable containers," is this language:

"Both refillable and nonrefillable containers may be returnable. However, it is recommended that Federal facilities comply with the guidelines by utilizing refillable containers, because a system for their return is presently in operation and because such a system is the most satisfactory means of achieving the objectives of the guidelines."

I am appalled at this lack of consistency and wanton disregard for the American workers whose jobs depend upon the production of non-refillable containers. Adoption of this philosophy as a part of the guidelines is like saying: "We have a problem with automobiles. The best present method for controlling this problem is to discontinue the production of automobiles. Therefore, while it is possible to install state-of-the-art pollution control devices on automobiles, it is nevertheless recommended that Federal agencies do not purchase automobiles and that their use be banned by all Federal employees engaged in official business."

The recycling of important materials, such as tin, aluminum and glass, is acknowledged as being an important tool to assure wise use of vital raw materials and as a means of effecting better solid waste disposal collection systems. Yet, nowhere in these guidelines is it recommended that recycling of non-refillable glass, aluminum and tin containers be adopted as a means to demonstrate the effectiveness of recycling in meeting the objectives of Pub. L. 91-512. Rather, the effect of the guidelines is to ban the use of non-refillable containers in Federal facilities.

This is intolerable; and, at the very minimum, this matter must be carefully re-evaluated prior to any formulation and publication of final guidelines.

It does not require any great intellect to deduce that the implementation of these guidelines, as they now stand, is the first step toward development of a nationwide ban on non-refillable tin, glass and aluminum beverage containers. And this step is being taken with apparent disregard for the catastrophic impact such ultimate action would have on our economic system.

According to an analysis prepared by EPA and quoted in an April, 1974, study by the Library of Congress, the total potential savings in litter control of an effective nationwide ban on non-refillable containers would be $35 million. The savings in solid waste management would be approximately $15 million, while the energy savings on the production side would be about $20 million. Thus, according to your own Agency's figures, we could save perhaps $70 million per year by banning the sale of non-refillable beverage containers.

And what would we sacrifice to save $70 million?

According to a 1971 study prepared by the Midwest Research Institute (MRI 3482-D), a nationwide ban on non-refillable containers would result in a national economic loss of $10.2 billion, $6.6 billion in the metal can industry alone. And keep in mind that these are 1969 dollar figures. So, if you add 40 percent for inflation and remember that, because of consumer demand, there has been an ever-growing shift to the production of non-refillable containers, the total dollar loss that we might expect from a ban on non-refillable containers could exceed $14 billion. Furthermore, this translates into a job loss of 164,000, according to the MRI study.

The effect of a Nationwide ban on non-refillable containers in my Congressional District alone would be catastrophic. One of the major employers in the First Congressional District of West Virginia is the Weirton Steel Division of National Steel Corporation. It employs 12,000 persons, a majority of whom live in Hancock and Brooke counties, West Virginia.

Latest figures show that Weirton Steel's annual tonnage is 2,356,000, 50.8 per cent of which is tinplate. Company officials inform me that Weirton's tinplate production goes exclusively into metal consumer product containers, a large portion of that amount, of course, going into tin beverage containers. In fact, one astounding statistic reveals that one out of every five tin consumer containers marketed in this country comes from tinplate produce at the Weirton Steel Division, which has the largest single tinplate production unit in the United States. Of the company's 12,000 workers, 6,500 are directly employed in the production of tinplate.

Obviously, a Nationwide ban on the sale of non-refillable containers would be catastrophic to the Weirton Steel Division, its thousands of employees, and the economy of the Steubenville, Ohio/Weirton, West Virginia Standard Metropolitan Statistical Area (SMSA). The amount of money to be saved by such a ban wouldn't begin to equal the commitment the Nation would have to make to Weirton to help it overcome such a calamity.

But the Weirton Steel Division is not the only major producer of non-refillable container products in the First Congressional District of West Virginia. Fairmont, West Virginia, is the location of an Owens-Illinois Glass Container Division Plant that employs 1,300 persons. More than 90 per cent of this plant's annual production is non-refillable glass beverage containers. In fact, last year's production figures reveal that more than 200,000 tons of non-refillable containers were manufactured at this plant.

An argument made by "ban-the-can" and "ban-the-bottle" proponents is that plants producing non-refillable glass containers can easily switch to production of returnable bottles. Plant officials in Fairmont inform me that a total loss of non-refillable container business will ultimately result in the demise of this facility.

I am confident most Americans agree that we must make wise use *of our resources*, but that in so doing, we must make every effort to ensure that we do not wreck the economy of our Nation and individual communities in the process.

The guidelines as published on November 13 are totally unacceptable and cannot be permitted to be published in final form without extensive alteration. Any new proposal must take a more equitable and reasonable approach to the sale of beverages in non-refillable containers in Federal facilities.

Therefore, I make the following suggestions:

(1) EPA should re-evaluate the formulation of these guidelines and come forth with a recommendation that would permit the sale of non-returnable containers in Federal facilities in conjunction with demonstration recycling or other innovative recovery proposals.

(2) As a means of arriving at such a recommendation, EPA should convene at the earliest possible date a seminar in Washington, D.C. or other convenient location. Participants in this seminar should include representatives of the steel, aluminum and glass industries, along with officials from glass and can container companies, bottlers, canners and appropriate unions. The purpose of this seminar would be for the EPA to seek and receive recommendations from such groups and organizations as to how the guidelines might be improved to make the program envisioned by EPA a model for demonstrating how non-refillable containers can be utilized to distribute beverages while meeting the objectives of assuring a cleaner environment and developing better methods of solid waste management.

The regulations as they presently stand take a negative "ban-the-bottle" and "ban-the-can" approach that will not work. EPA should be accenting the positive, not the negative, in the formulation of policies that have such a major impact on the general public and on the Nation's economy.

A firm and positive step would be for EPA to convene the seminar I have recommended so that those individuals and organizations that have vast experience and expertise in the container industry will have an opportunity to suggest to the Agency experimentally and commercially feasible ways and means of recycling and resource recovery.

Sincerely,

ROBERT H. MOLLOHAN,
Member of Congress.

1975 WOMEN OF ACHIEVEMENT

HON. WILLIAM F. WALSH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 21, 1976

Mr. WALSH. Mr. Speaker, in this Bicentennial Year, America pauses to salute some of the people who have sacrificed and worked to make this a better coun-

try in which to live. The Syracuse, N.Y. Post-Standard has among its list of annual Women of Achievement, announced New Year's Day, some examples of good Americans who have put themselves to the task of giving, teaching, and putting forth a concerted effort toward the advancement of education, communications, friendship, medicine, religion, community services, and the arts.

I am pleased to read of the outstanding contributions of the 12 1975 Women of Achievement. Knowing there are countless other women across the country striving daily to achieve goals in America's interest is a fact of which we can be proud.

The Post-Standard has named two all-time Women of Achievement, Mrs. Margot Northrup and Mrs. Marion Brenneman, and 10 annual Women of Achievement.

Mrs. Margot Northrup has been active in Syracuse public health services for many years. The former president of the Crouse-Irving Memorial Hospital board, she has worked exhaustively for the success of the hospital merger which she deeply felt was vital for the community's well-being.

Not only is she a dedicated participant in hospital programs, but Mrs. Northrup also chairs the Special Commission on Mental Health and serves on the Council of the Upstate Medical Center and Hospital Executives Association.

Mrs. Marion Brenneman has devoted a tremendous part of her life to the education of young people, especially girls, through community organizations like the Girls' Club and Girl Scouts. No job is too big or too small in her eyes when it comes to helping out neighborhood girls with their problems and giving the opportunities to learn and have fun at the same time.

Mrs. Brenneman was the first woman to receive the Syracuse University Alumni award. She has been president of the local Girls' Club, regional chairman and member of the national board and now serves on the Girls' Club Advocates.

The community is grateful for her interest and time towards its quality of education and youth organizations.

Serving in the health area is Dr. Margaret Williams, professor of pediatrics at State University of New York, Upstate Medical Center. She is the woman honored for outstanding contributions in the field of medicine.

Taking care of America's future leaders is Dr. William's special love and she is especially interested in the care of infants. She played an important role in the securing of a $2.2 million grant which will double perinatal facilities at Crouse-Irving Memorial Hospital.

Syracuse is proud to have her so active in such vital services for citizens of the future.

Mrs. Winifred (Win) Isaac, Woman of Achievement in Music, has made a recent contribution which will be of importance to the musical world's future. She has organized a program at Onondaga Community College for a major in organ and has made church instruments available to local students.

Mrs. Isaac is the only woman in the Syracuse chapter of the American Guild of Organists to hold the academic rank of associate. She is a member of the board of directors of the Syracuse Symphony, chairman of the Youth Orchestra committee, and cofounder of the Syracuse Suzuki School, where she teaches.

Active in the community's religious area is Mrs. Ann Sargent, Woman of Achievement in religion. For more than 30 years she has lived and practiced Bible teachings in the interpretations of Christian Science, founded by Mary Baker Eddy.

Mrs. Sargent understands religion to be expressed through deeds of service, and her accomplishments reflect her devotion to her beliefs. She has taught Sunday school, served on the local board of trustees and was an assistant on publications for 15 years. She has worked toward better understanding between races as a member of the YWCA and the Interview Group of Church Women United, is representative of the Christian Science Church on the Metropolitan Church Board and is on the University Hill Corp.

Community services have been a major part of the time spent by Mrs. Marion Dowley, who has been honored for her role in that area. A mother of four, she has taught her family that helping is a tradition, not something to do once during the holidays.

Mrs. Dowley is a volunteer for the American Cancer Society in the mastectomy rehabilitation program and is vice president of the Junior League. She is active on the board of Elmcrest Children's Center and the women's auxiliary of Elmcrest.

Mrs. Ann C. Michel's on-the-job duties are to maximize State and Federal aid for the city of Syracuse. It is a challenging and difficult job, but she has risen to the task as shown by her honor of being Women of Achievement in career.

As director of the Office of Federal and State Aid Coordination, Mrs. Michel is running an organization she helped set up to channel and obtain aid from the Federal Government. Her staff is knowledgeable and organized, a reflection on the outstanding woman in charge.

Mrs. Michel lectures at Syracuse University's Maxwell School of Citizenship and Public Affairs, is on the board of directors of Peace, Inc., and is a member of the Criminal Justice Coordinating Council.

Achieving highly in communications is Miss Eleanor Rosebrugh, who has overcome a health problem which could have handicapped her severely were it not for her determination to succeed.

She has been a social worker associated with many agencies and is the recipient of several awards from local civic groups and community organizations which have been aided by her services.

Miss Rosebrugh is the Post-Standard's reporter on social service and has contributed outstanding articles to the newspaper's pages. She has worked with the Children's Bureau, the Onondaga Health Association, the Hearing and Speech Center at Syracuse University, the American Red Cross and the Indiana State Department of Public Welfare.

Recipient of the Woman of Achievement honor in education is Mrs. Doris E. R. Gilbert, secondary supervisor for English and reading in the Syracuse school district. Her innovative ideas on making education more exciting for students in English has brought about major curriculum changes.

A former English teacher at Central City Business Institute, Madison and Grant Junior High Schools, Mrs. Gilbert kept up her career even though she took off 11½ years to raise her three daughters. She has been the mastermind behind reading centers and instruction in Syracuse junior and senior high schools.

Bicentennial Woman of Achievement is Mrs. Carolyn B. Wright, who has organized and developed the reference library of the Onondaga Historical Association. Her tireless work documenting difficult material has added to the ease in which researchers can do their work, and her hours of work for 24 years have been all voluntary.

Mrs. Wright graduated from Vassar College magna cum laude and took postgraduate studies in landscape architecture at Ohio State University. Her efforts are invaluable as we trace our history for a better understanding of our country and its people during 1976.

Mrs. Virginia Torelli has been honored as Post-Standard Woman of Achievement in international friendship for her contributions to helping foreign students adjust to life in America.

Mrs. Torelli is a foreign student advisor at Syracuse University and is available around the clock to solve any problem which arises for a student who finds himself with problems in a strange country.

Mrs. Torelli is a member of the board of directors of the National Association for Foreign Students Affairs and, as a representative of our Nation to foreign youth, she has added greatly to our prestige and reputation as a friendly America.

Mrs. Bertha Miller is an outstanding American citizen, and her award as Woman of the Year in citizenship is justly deserved. She will celebrate 50 years as a member of the Onondaga County Bar Association in 1976 and is honored for her perseverence and integrity as a lawyer.

Mrs. Miller was the first attorney admitted to Zonta Club of Syracuse, started a day camp for children to give them camping opportunities and started the first Brownie troop at Edward Smith School.

She specializes in family court cases, which she feels are most important since they deal with down-to-earth and real-life problems. Her memberships on the Family Law Committee and the Lawyer's Reference Committee of the Onondaga County Bar have been sources of immense contribution to the community.

These women surely deserve congratu-

lations and gratitude for their fine contributions to the community and the Nation. I also applaud the Syracuse Post-Standard for giving them the attention they deserve. It is a real pleasure to be able to read such good news during our Nation's 200th anniversary. Their examples are an inspiration to all.

AMNESTY IS THE ANSWER FOR ATTICA CASES

HON. HERMAN BADILLO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 21, 1976

Mr. BADILLO. Mr. Speaker, 4 years ago there was an uprising at Attica prison. It will always remain one of the darkest times in New York's history. In those 4 years, there have been indictments, there has been emotion—but there has been no justice.

On December 29, 1975, the results of a study requested by Gov. Hugh Carey of the events surrounding the uprising was issued to the public. That study, headed by Bernard Meyer, a former justice of the New York State Supreme Court, brought to light much information that those of us who were present at Attica knew to be true. It was reassuring to have before us objective proof that evidence and the gathering of that evidence had been distorted, that the preponderance of indictments against prisoners rather than law enforcement officers was the result of deliberate skewing on the part of law enforcement agencies, and that NELSON ROCKEFELLER, then the Governor, had himself been a party to prejudicing the fair resolution of the case.

But Mr. Meyer concludes his report with the suggestion that a special prosecutor be appointed to reexamine the evidence and decide whether new indictments should be brought. But we learn from Mr. Meyer's own words that the possibility of any fair reappraisal of the evidence has been damaged beyond repair:

Rockefeller's remarks immediately after the re-taking in praise of State Police . . . were inappropriate in view of the possibility that the degree of force used by enforcement personnel may have been excessive. . .

The decision to conduct the investigation sequentially or chronologically was a serious error of judgment. Investigation in depth of the later occurring events was thus deferred, which skewed the investigation's inadequate manpower away from . . . prosecution of crimes by law enforcement personnel.

The one-sideness (in indictments) was partly the result of the decision to investigate chronologically . . . thereby saturating the jury with evidence of inmates' guilt before any law enforcement case was presented, partly the result of partiality and emotion of the part of the jurors in considering charges against law enforcement personnel who were their friends or neighbors, partly the result of the fact that indictments for "technical offenses were asked for against inmates but not against law enforcement personnel; and partly the result of errors . . . that may have created tension between the prosecution and the grand jury."

Investigation of crimes of brutality against inmates . . . was neglected.

How does Governor Carey, at this late date, think that it will be possible to interview people, to reexamine evidence, to begin new investigations in a way that will bring positive results? Yet the Governor has appointed a new special prosecutor. He has a frustrating and useless task ahead of him—a task that will result in a waste of critically needed State funds that could be much more wisely spent. People have forgotten information by now, witnesses who have been prejudiced by time and emotion against knowing any longer the reality of the events of those days. And more than that, the basis for investigation—the documents of the law enforcement agencies charged with the original investigation—is now in doubt.

It has been, over the past years, an exhausting struggle to find justice for the many who have been victimized by these events. I wrote a book, Tom Wicker wrote a book, periodically the New York Times will devote an editorial to the case, or Mr. Wicker a column. Citizens groups have been formed to protest Attica, and until now, it has all been to no avail. But within the last 3 weeks, we have been give the Meyer Report and a recommendation by Dean Robert McKay, who headed the original commission that reported the inequities of Attica 3 years ago, that all indictments surrounding the case be dropped. It is clear that the time for action is now.

On Decmber 30, I wrote a letter to Governor Carey outlining the facts and requesting amnesty for all cases surrounding Attica—for those who have been sentenced, and for those who await indictment. I have not yet received an answer. The scars of Attica will always remain, but it is time to close the open wounds that remain. It is time to resolve the tragedy of those dark days and amnesty is the only way that will serve.

THE ENDANGERED GRIZZLY BEAR

HON. G. WILLIAM WHITEHURST

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 21, 1976

Mr. WHITEHURST. Mr. Speaker, I am introducing legislation today which would help to provide protection for the grizzly bear, an animal which deserves to be placed on the endangered species list. I am taking this means of sharing with my colleagues an article which appeared in the mid-September 1975, issue of Not Man Apart, entitled "Grizzly Habitat Still Shrinking; Action Needed," which was written by Ed Dobson, and which I believe makes some cogent points. I am also including a copy of a memorandum from Marty Stouffer, president of Stouffer Production, Ltd., and a brief news item which he enclosed.

I hope that a full, impartial, and definitive study will be made without delay, and I urge my colleagues to join me in this effort.

The articles follows:

GRIZZLY HABITAT STILL SHRINKING: ACTION NEEDED

(By Ed Dobson)

Tom Garrett's article in the April, 1975 NMA created more concern at just the right moment for one of America's most magnificent mammals, the grizzly bear. For two months it has been rumored that the great bear was about to be designated a threatened species, thereby coming under the protection of the Endangered Species Act. But as the days roll by with no designation, conservationists are becoming concerned that a purposeful stall is afoot. Strong pressures are working against protection of the grizzly—pressure that can only assure its progressive demise.

Habitat disruption is certainly one of the most serious threats to the great bear. Trophy hunting is a problem, but the bears' survival probably hangs on our approaches to habitat and public education. Although Mr. Garrett criticizes the Montana Fish and Game Department (MF&G) for doing little to help the grizzly, the agency did close the season in the Yellowstone Ecosystem and severely restricted it in the Bob Marshall. (The grizzly is probably extinct in the Selway-Bitterroot) MF&G has an admitted paucity of sound biological information to manage the grizzly but is currently involved in two extensive studies, one in northwest Montana and the other in and around Yellowstone Park in an attempt to gather necessary data.

It has not been demonstrated that public lands—even national parks and wilderness areas—are "safe" from development that may wipe out the grizzly. Even such seemingly minimal development as road-building can drive away the bears.

DISAPPEARING HABITATS

There are many other developments that threaten the grizzly. Some of the big ones are cited below, although many small single-use projects promoted by special interests are, on a cumulative basis, rapidly whittling away remaining grizzly habitat.

1. In northwest Montana's Flathead National Forest, Texas-Pacific Oil Company, owned by whiskey magnate Joseph Seagrams, plans to develop oil and gas reserves in 236,000 acres of prime grizzly country, including part of the Bob Marshall Wilderness. The Forest Service doesn't have the public support to say "no." A letter to Ed Corpe, Supervisor, Flathead National Forest, Kalispell, Montana 59901, would help.

2. Just west of Yellowstone Park, a Pennsylvania-based corporation, Ski Yellowstone, Inc., wants to build a massive second-home subdivision and ski resort. Virtually every grizzly authority has said that this type of development will hurt the grizzly. Still, the Forest Service is seriously considering giving the private developer special permission to place ski runs, 13 chair lifts, roads, a gondola, and a mountain-top restaurant on nearly 7,000 acres of the Gallatin National Forest. Montana Governor Tom Judge thinks Ski Yellowstone is more important than a few grizzly bears, so he has criticized MF&G for opposing the development. In fact, MF&G has been silenced for trying to prevent grizzly habitat destruction. Write to John McGuire, Chief of the Forest Service, Washington, D.C. 20250; Lewis E. Hawkes, Supervisor of the Gallatin National Forest, Federal Building, Bozeman, Montana 59715; Governor Tom Judge, State Capitol, Helena, Montana 59601. Urge them to reconsider their positions. Drop a copy to the Pennsylvania law firm behind Ski Yellowstone: Smith & McCleary, 124 East Market Street, York, Pennsylvania 17401.

Contact the Montana Wilderness Association for more details on Ski Yellowstone, c/o Rick Applegate, Box 931, Bozeman, Montana 59715.

3. The Montana Power Company hopes to route a high-voltage transmission line through a pristine grizzly area and on to the Big Sky development just north of Yellowstone Park. Again, write to the Forest Service and Governor Judge.

4. Special interests want a new road through the same corridor Montana Power picked for the power line. Both the road and the line would affect the grizzly directly by destroying habitat, but they would also have a serious indirect impact. By providing easy access and extra electricity to the semi-primitive area, the two projects would encourage more recreational subdivision and commercial development, much to the detriment of the grizzly. Both the line and the road require the approval of the Forest Service.

5. Despite strong objections by almost everyone who knows something about grizzlies, the Forest Service and the Bureau of Land Management still allow sheep grazing on public lands supporting grizzly bears. Bear experts, including those at the National Academy of Sciences, have recommended against grazing, but it continues nonetheless.

6. The Forest Service continues to log in grizzly habitat, but the logging may represent only a temporary disruption of habitat. In fact, some grizzly authorities such as Dr. John Craighead and Dr. Charles Jonkel say opening the forest canopy might even help the bear by encouraging the growth of berry bushes and other plants useful to the grizzly. The bad part of logging is the accompanying road building. When the Forest Service does not destroy the roads, dirt bikes and four-wheelers still use them, so we must insist the Forest Service completely close all roads to the public during and after logging.

7. Montana's dedicated Senator, Lee Metcalf, is making a sincere effort to preserve the grizzly by introducing two bills we should support. First, S. 392 will place the region between Glacier Park and the Bob Marshall Wilderness in the National Wilderness Preservation System as the Great Bear Wilderness. Second, the Montana Wilderness Study Bill, S. 393, would give wilderness study status to nine pristine areas for a few years while their wilderness potential is analyzed. Timber interests have mounted a scare campaign against both bills, especially S. 393. Support them in any way you can.

Considering all this destruction of habitat (and there is much more) we cannot concentrate on putting an end to hunting to save the bears. The MF&G has taken strong stands against some developments, but that is not enough. The grizzly should be on the threatened list, not so much to stop hunting as to save habitat. We can now use that status and section seven of the Endangered Species Act to stop some of the disasters about to befall the grizzly.

EDUCATION PLUS TOLERANCE EQUALS SURVIVAL

One obvious way we can help the grizzly is to accept the bear. For example, if some wildlife managers suggested transplanting grizzlies into the Selway-Bitterroot Wilderness to re-establish the historical populations, there would be an uproar. Local ranchers and some recreationists simply don't want the grizzly where they live or play. A few years ago Idaho Fish and Game Department officials proposed transplanting grizzlies into the northern part of the state. When the plan became known, the public almost threw the concerned biologists out of the state.

We desperately need educational programs to inform the public of the grizzly's worth.

The grizzly is a dangerous animal, to be sure, but it is not a vicious killer, as it has been described throughout history or whenever a human is injured by a bear. Bad regulatory policies in the national parks caused two deaths in 1967 and another in 1972, but these were caused by garbage-foraging bears. New policies have apparently eliminated the dangerous garbage situation.

While we watch grizzly habitat disappear, we cannot condemn sportsmen for not helping the bear. Won't we tolerate the grizzly in any other places except where it now exists? There are millions of acres of wild land that could support grizzlies.

What You Can Do: A lot of letter-writing! To help the grizzly:

1. Urge the Forest Service and other federal agencies to take every possible action to protect all remaining grizzly habitat;

2. Support Senator Metcalf's two bills, S. 392 and S. 393;

3. Write to the addresses given earlier and send copies of your letters to others who might influence the outcome of these developments or other projects threatening the bear and its habitat;

4. Allow wildlife professionals to investigate the possibility of transplanting grizzlies into viable historical ranges.

We should remain concerned about grizzly hunting, but not to the extent that we are blinded to more serious problems. Idaho banned grizzly hunting in 1947. Did it bring the grizzly back? Hardly. The Idaho grizzly population is, at best, at an all-time low, and, at worst, extinct except in a small section near Yellowstone Park and in the distant northwest corner of the state where there are a few stragglers. Montana's grizzlies must never reach that status.

OVERKILLING OF GRIZZLY BEARS CHARGED

Grizzly bears, declared a threatened species earlier this year, are still being killed in excessive numbers in the area around Yellowstone National Park, according to a researcher. John Craighead of the University of Montana blamed the Montana Fish and Game Department and the U.S. Park Service for allowing too many of the bears to be hunted, then falsifying records on the number of bear kills. The two departments denied the charges, saying there are between 250 and 300 grizzlies still living in the park. Craighead claimed the figure is closer to 130 and called for an outside investigation of wildlife management in the park.

STOUFFER PRODUCTIONS LTD.,
January 1, 1976.

To Whom it May Concern:

The status of the Grizzly Bear in America has reached a very critical stage. This species is no longer being handled in a competent manner by researchers and biologists of the Montana, Wyoming, and Idaho Game Departments. The situation in Yellowstone National Park has progressed from embarassing to unbelievable.

Recent reports and articles in publications such as "Montana Outdoors" have taken such a closed-minded view of the situation as to have reached the point of ignoring scientific procedures and common logic.

The reports that do purport to be scientific evaluations of the situation (such as "Of Bears and People" by Dr. Charles Jonkel) are such pro-Game Department policy propaganda as to discredit any finding that might result from such current efforts as the Border Grizzly Technical Committee Study.

We feel that the following moves should be made Immediately:

1. Declare a moratorium on all Grizzly Bear hunting by sportsmen and disposal by Park Service personnel in the few areas of continental America where they still survive.

2. Begin research on this species which is not conducted by the Wyoming or Montana Game Departments. This research MUST be done by an independent, objective researcher. The Game Departments now involved have proven themselves to be self-serving and untrustworthy in their findings.

3. Depending on the preliminary independent study findings, consider placing this species on the "Endangered" Species listing, rather than leaving it on the current, less critical "Threatened" listing.

Dr. John Craighead, the authority on this species, has used computer-assisted technology to predict that the Grizzly Bear will be Extinct Within Yellowstone National Park before the Year 2000. Unless these immediate actions are taken, the Grizzly Bear will surely be extinct in America before the year 2000. Please express your support of the above proposals by contacting Mr. Thomas Kleppe, Secretary of the Interior, Interior Building, Washington, D.C. 20240.

Sincerely,

MARTY STOUFFER,
President.

MEDICAL CONTROVERSY: NITRATES AND NITRITES

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 21, 1976

Mr. FINDLEY. Mr. Speaker, it is within the interest of the consumer and the pork producer that the appropriate Government agencies continue to research the issue of nitrates and nitrites in the use of cured meat products. Equally important, however, the Government and industry should be looking for viable alternatives to the use of nitrates and nitrites in cured meat. The cured meat industry is vital to the American public. It is important to the well-being of a sound and balanced agricultural economy and to the consumer who enjoys and prefers the taste of such products.

The attached article from the New York Times places the medical controversy into proper perspective. The author is to be commended for her objectivity in presenting the medical side of an issue that is too often handled in an emotional manner instead of a rational one.

The text of her article is as follows:

MEDICAL CONTROVERSY: NITRATES AND NITRITES

(By Mim Sheraton)

Among the many suspected cancer-causing agents in our food, few have achieved the notoriety of sodium nitrate and sodium nitrite, chemicals used in the preservation of smoked fish, and in most cured meats, such as frankfurters, bacon, ham, bologna and salami, corned beef and pastrami.

Although these chemicals do inhibit the development of the deadly botulism bacteria, scientists, the Food and Drug Administration and even meat packers concede that function is now relatively minor, due to improved refrigeration and processing techniques. It is still valuable in that regard in the processing of canned ham, however; that meat poses a special problem because of its thickness and air-tight packaging, conditions that combine to enhance the growth of that particular bacteria.

The main purpose of these chemicals as they are currently being used is cosmetic, to

retain the bright red color in the meats during processing and cooking, rendering them more appetizing to the eye than they would be if they turned the normal brown color of cooked meat.

Neither nitrate nor nitrite are cancer hazards as such. But when combined with amines (substances found in proteins, cigarette smoke, beer, wine, many patent medicines, prescription drugs, and even within the body itself), they form nitrosamines that have induced cancer in numerous laboratory animals.

At present, the permissible level for these chemicals as set by the F.D.A. for meat curing, are 500 parts per million for nitrates, and 200 parts per million for nitrite. As a result of growing public controversy, the United States Department of Agriculture has filed a petition with the F.D.A. to reduce the levels to a maximum of 156 parts per million of nitrite, and to ban nitrate entirely, since it has other proven adverse side effects having nothing to do with cancer. In addition the Department of Agriculture has asked that both substances be banned from all infant and junior foods.

Permissible levels on bacon would be even lower than on sausages, with a proposed 125 parts per million. Bacon is more likely to pose a hazard because the high heat in which it is cooked increases the development of nitrosamines and because of the higher concentration resulting in the cooked down finished product.

In addition, the Department of Agriculture has just begun a one-year study of bacon in relation to the dangers of nitrites.

Much to the consternation of the layman looking for guidance, there is a dizzying array of reputable scientists on both sides of the nitrate-nitrite issue.

As a result of 15 years of research on nitrosamines, during which time he found them capable of inducing tumors in every organ of various laboratory animals, Dr. William Lijinsky, a biochemist with the Oak Ridge National Laboratory in Tennessee, considers nitrites our worst cancer problem.

"I don't touch any of that stuff when I know nitrite has been added," he said. "But since there is some esthetic benefit from the pleasant color it imparts, we could permit a very small amount to be used, say between 10 and 20 parts per million."

"My friend Willy Lijinsky is a good scientist but he's a little emotional," countered Dr. John H. Weisburger, a biochemist with the American Health Foundation, an organization in Valhalla, N.Y., that gets most of its funds from government contracts and some from gifts from pharmaceutical houses.

Dr. Weisburger explained that refrigeration has helped alleviate the dangers of these chemicals somewhat. By making smaller amounts necessary for preservation, and by slowing the conversion rate of nitrates to nitrites, he said that the low levels of these chemicals found in meats by the time they are eaten did not constitute a hazard.

"I'm far more concerned with the dangers of fat in our diet than with these chemicals," Dr. Weisburger said. "Even if we were to banish all additives, I don't believe we would see any difference in the incidence of cancer."

This view was seconded by Dr. E. Cuyler Hammond, director of the department of epidemiology of the American Cancer Society.

"In my opinion there is very little support for either the positive or negative views concerning these chemicals as cancer hazards," he said.

"Dr. Lijinsky has done a lot of work in this field and he has good reason for his opinions," commented Dr. Irving Selikoff, director of Mount Sinani Hospital's division of environmental medicine. "Everything being said about the hazards of these chemicals as extrapolated from good theory although we still do not know whether or not substances causing cancer in animals will do the same in humans.

"At the moment, I eat regular bacon and I have for 60 years, but I cannot fault those who are pointing with alarm," he said, "I do fault those who say everything is fine. Everything is not fine. Too many people get cancer. Hot dogs and bacon are commonly-eaten foods and involve large numbers of people, so it's worth raising the question. Meanwhile, it's a difficult problem. What do you do until the data comes?"

There is perhaps some guidance in the view of Dr. Franz Ingelfinger, editor of the prestigious New England Journal of Medicine.

"I'm all in favor of nitrate-nitrite free meats even though my guess is that nobody really knows whether the resulting nitrosamines cause cancer in the human animal," he said, "I eat meat with that stuff in it and so do my grandchildren. But if there were bacon that tasted like the normal product and had the same nutritional values, and which did not have these chemicals, why not choose the least risky material available?"

PHILADELPHIA CITY COUNCIL DENOUNCES U.N. RESOLUTION ON ZIONISM

HON. ROBERT N. C. NIX

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 21, 1976

Mr. NIX. Mr. Speaker, the city council of Philadelphia has sent me a copy of a resolution they have adopted denouncing the United Nations General Assembly resolution which classifies Zionism as a form of racism. The council accurately states that the action of the General Assembly distorts history, encourages anti-Semitism, and violates fundamental principles of the U.N. Charter. I commend the council for its forthright stand on this matter.

Since the General Assembly's rash actions in last year's session, we have seen new developments that undermine both the United Nations and the chances of peace in the Middle East. This time the forum is the Security Council.

In the current Middle East debate in the Security Council, the Palestine Liberation Organization has joined the deliberations as an invited and honored guest. The PLO, which is not a state, participates in that capacity, although its sworn goal is the destruction of a member state of the United Nations.

Undoubtedly many people hoped that if the PLO was given respectability and a free voice in Middle East deliberations, that it would "moderate" its stance and seek genuine negotiations with Israel. The representatives of the PLO in the Security Council went out of their way to disabuse us of that notion. They have stated plainly that their object remains the elimination of the State of Israel, that they reject all earlier Security Council resolutions that include recognition of the national independence of Israel, and that they will continue to promote terrorism on a worldwide scale.

Mr. Speaker, the plain fact of the matter is that the PLO, despite its new diplomatic trappings, remains an organization of terrorist bands. The only negotiations they contemplate holding with Israel concern the terms of Israel's national suicide. The nations of the world that are genuinely interested in permanent peace in the Middle East must understand that the PLO is an enemy of peace as well as an enemy of Israel.

I offer for the RECORD the resolution of the Philadelphia City Council:

COUNCIL OF THE CITY OF PHILADELPHIA

RESOLUTION

Condemning the United Nations General Assembly for its distortion of history and ill-considered attempt to equate Zionism with racism.

Whereas, The United Nations General Assembly on November 10, 1975, adopted a resolution which describes Zionism as a form of racism thereby identifying it as a target of the Decade for Action to Combat Racism and Discrimination; and

Whereas, The General Assembly of the United Nations decided to launch on December 10, 1973, a Decade of Action to Combat Racism and Racial Discrimination and a program of action which the United States supported and in which it desires to participate; and

Whereas, The extension of the program of the Decade to include a campaign against Zionism brings the United States to a point of encouraging anti-Semitism, one of the oldest and most virulent forms of racism known to human history; and

Whereas, In article I of the Charter of the United Nations the stated purpose of the United Nations include "To achieve international cooperation in solving international problems of an economic, social, cultural, or humanitarian character, and promoting and encouraging respect for human rights and for fundamental freedoms of all without distinction as to race, sex, language or religion;" and

Whereas, The State of Israel has provided a homeland for thousands and thousands of people fleeing racism and genocide, and has provided millions of dollars of assistance to African, Asia and Latin American countries in the form of agricultural, technical and medical aid; therefore

Resolved by the Council of the City of Philadelphia, That we hereby condemn the resolution adopted by the General Assembly of the United Nations on November 10, 1975, which wrongly associates and equates Zionism with racism and racial discrimination, thereby contradicting a fundamental purpose of the United Nations Charter.

Further Resolved, That we hereby call for an energetic effort by all those concerned to obtain reconsideration of the resolution adopted by the General Assembly of the United Nations which wrongly equates Zionism with racism.

Resolved, That certified copies of this resolution be forwarded to the Secretary General of the United Nations, the United States Ambassador to the United Nations, and the Congressional Delegation and the Senators from the Commonwealth of Pennsylvania as evidence of the sincere sentiments of this legislative body.

EVELYN C. WHITE—A PIONEER WOMAN IN CALIFORNIA HISTORY

HON. GEORGE E. DANIELSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 21, 1976

Mr. DANIELSON. Mr. Speaker, on January 26, 1976, the East Los Angeles

and Montebello Business and Professional Women's Club is honoring Evelyn C. White as a Pioneer Woman in History. I would like to join in honoring this lifelong resident of my district.

Born on January 31, 1890 in Pico—now Pico Rivera—just 3 miles east of what is now Montebello, Evelyn White has devoted her time and energies to making her community a better place to live.

This incredible woman, for whom the beautiful California poppies have become a trademark, is acclaimed as a local pioneer, a civic leader, a newspaperwoman, an art patron and as curator of the historic Taylor Ranch House.

Long before the day of Women's Liberation, Evelyn White was riding her bicycle around the ranches getting people to subscribe to the local paper and gathering news for publication. This was just the beginning of Evelyn's journalistic career.

In the early 1920's circumstances and hard work opened the door for Evelyn to become manager of a newspaper chain. In recognition of her success as a businesswoman, she was given the option to buy one of the newspapers. Evelyn now owned her own paper, the East Los Angeles Guardian, hired a woman editor and published her own column entitled, "Poppy Trails," in honor of her childhood day memories of the fields of poppies down Whittier Trail. Under Evelyn's direction, the newspaper played a crucial part in the development of East Los Angeles, and flourished until the days of the Great Depression.

With her newspaper gone, Evelyn turned to a new way to serve the East Los Angeles community. She opened a cultural center where people could come to enjoy good paintings and music, and named it Poppy Trails.

It was at Poppy Trails that Evelyn helped to organize the East Los Angeles Business and Professional Women's Club. As a charter member Evelyn continued to serve her community.

In looking for a new location to establish Poppy Trails, Evelyn became the curator for the Taylor Ranch. In 1950, after converting the ranch house at the Taylor Ranch into a new home for the preservation of culture and heritage of the area, she was given custody of the ranch in gratitude for her community work.

Evelyn is also founder, charter member, and past president of the Poppy Trail Parlor of the Native Daughters of the Golden West. The Native Daughters organization placed a plaque on the barn of the Taylor Ranch designating it "House of Hospitality," and a historical landmark.

In 1956, Evelyn received the "All Service Club Award" for her outstanding work in the community. She is a member of the Montebello Women's Club, East Los Angeles-Montebello Breakfast Club, East Los Angeles-Montebello Business and Professional Women's Club, Montebello Historical Society, Friends of the Library, Sister City, Ashiya, Sister City Iguala, Southland Art Association, honorary member of Montebello Eaglets 4-H Club, honorary member of Montebello Lions Club, honorary member of the Optimist Club, charter president of Women's Associates, Religious Conference of East Los Angeles College, member of American Pen Women, only woman to receive a lifetime membership in the Native Daughters of the Golden West, Poppy Trail Parlor No. 266, and a charter member of the Soroptimist International of Montebello. In 1974, the Soroptimists presented the first annual Evelyn Art Award in her honor.

It is with great pride that I share with my colleagues the accomplishments of such a fine citizen as Evelyn White. Her lifetime record of achievement provides us and future generations with a standard which all should seek to attain.

REMEMBER THE 10TH AMENDMENT?

HON. DALE MILFORD

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 21, 1976

Mr. MILFORD. Mr. Speaker, if I may, I would like to direct the reading attention of my colleagues to an article prepared and published in the office of the Governor of Texas.

Cindy Sesler, editor of "Washington Report," has singled out "Federal intervention in State and local public employment," as a confusion—at best—and abandonment—at worse—of the division of State and local powers. This issue directs those of us who set the laws of the Nation to remember the 10th amendment to the U.S. Constitution which reserves to the States all powers not explicitly delegated to the Federal Government.

Concluding arguments in this document point out that—

The stakes on the table are high for State and local governments in terms of money amounts and process. The diversion of State resources to meet the costs of programs favored by Congress has significant consequences for State fiscal policy. The planning of State budgets requires accurate estimates of anticipated revenues and expenditures; the process becomes confused when Congress can impose costs to be met out of State revenues.

The article winds up with a reminder of Supreme Court Justice William O. Douglas who warned that—

Exercise of the commerce power might destroy State sovereignty, and concluded that if the principle of constitutional federalism raises no limits to the Commerce Clause, Congress could virtually draft State budgets to avoid disruptive effects on interstate commerce.

The article follows:

FEDERAL INTERVENTION IN STATE AND LOCAL PUBLIC EMPLOYMENT

A recent trend in national legislation indicates a shift toward federal intervention in state and local public employment, an area of traditional state autonomy. The purpose of this report is to discuss the implications of this trend in terms of the balance of power between the federal government and the states, and to illustrate its potential impact on future state fiscal policy.

The legitimacy of federal intervention in this area will be determined on the constitutional issue of whether state and local public employment is a sovereign function of the state, or is subject to federal regulation under the Commerce Clause. The sharing of powers between the states and the federal government is protected by the Tenth Amendment to the U.S. Constitution which reserves to the states all powers not explicitly delegated to the federal government. The partnership is dynamic and the balance has changed many times during the last two hundred years over a wide array of issues. The Constitution's Commerce Clause grants Congress the authority to regulate commerce among the states. If the sovereignty argument is disregarded, there are several reasons why the commerce power would be enforceable. For example, state and local governments use goods and materials produced for or moved in interstate commerce, and these governments compete for the location of industry by offering lower taxes, subsidies and other incentives. State and local public agencies such as gas and electric authorities also compete with the private sector in the provision of certain goods and services, and a public agency with substandard wages has an unfair competitive advantage.

Because of the magnitude and diversity of state and local public employment, federally determined minimum wages, benefits and working conditions for public employees will require substantial expenditures of state and local revenues. When the federal government causes the cost of a state-funded activity to increase, the state is compelled to honor the financial obligations incurred on its behalf. These commitments of state resources occur without respect to the state's established budget priorities, timing of the budget cycle, or availability of funds. In short, the state must often either raise taxes or reduce the level of state-provided services to meet the budgets of those activities favored by Congress.

Currently unresolved issues relating to state and local public employees illustrate the potential financial impact of federal regulation of state-funded activities. Texas has joined in a court challenge to a 1974 law setting federal standards for minimum wage, overtime and other conditions of employment for state and local government employees. If the state loses the court challenge, considerable state resources will be diverted to meet the retroactive, present and future requirements of the law. Legislation now before Congress proposes to extend federal and local public employees, again greatly increasing the states' contributions to the programs. Public sector pension reform is a fourth area gaining support for congressional action. If the federal government successfully acquires jurisdiction in these areas of traditional state responsibility, the next step would seem to be public employee collectively bargaining.

FAIR LABOR STANDARDS ACT AMENDMENTS

The 1974 Amendments to the Fair Labor Standards Act extend federal regulation over minimum wage, overtime, and other conditions of employment to all non-supervisory state and local government employees.

Court challenge.—The National League of Cities, the National Governors' Conference, and nineteen individual states (including Texas) have joined in a suit challenging the amendments as a violation of constitutional federalism.

The basic question is whether the Tenth Amendment preempts the Commerce Clause in the area of public employment. For years certain activities of state and local govern-

ments have been regulated under the Commerce Clause; the logic of coverage is not difficult to follow considering the size and scope of these governments and the interdependence of today's society. The states are arguing that the concept of federalism established by the Tenth Amendment limits the commerce power where it threatens to interfere with a state's performance of sovereign functions. In other words, the states are challenging the relevance of the Commerce Clause argument and are contending, as did Supreme Court Justice Frankfurter in an earlier opinion, that there is a "constitutional line between the State as government and the State as trader".

Prospects.—Odds are that the states will lose the Fair Labor Standards Act case. A 1966 challenge to Fair Labor Standards Act coverage of state and local employees working for transit companies, schools and hospitals was decided 6–2 in favor of the federal government; many of the same issues are now being argued. The 1974 Amendments case is pending before the Supreme Court and may be heard before the court adjourns in June.

Implications.—Federal regulation of terms and conditions of public employment has tremendous implications for state and local budgets in light of the fact that the majority of state and local government expenditures are personnel-related. If the challengers lose this suit, states will be retroactively liable for overtime and minimum wages since the law was enacted. Not only will the fiscal policies of states be disrupted for years to come, but more importantly, the Tenth Amendment will no longer serve as a constitutional impediment to federal intrusion in state and local public employment.

Related Legislation.—Two bills now before Congress will be directly affected by the decision on the 1974 FLSA Amendments. Hearings are currently being held in the House Education and Labor Subcommittee on Labor Standards on a bill which would raise the minimum wage to $3/hour and overtime to two and one-half times the regular pay. The bill stands a fair chance of passage this spring. Another bill has recently been introduced which would stop payment of federal revenue sharing funds to any state or local government which fails to adopt the minimum wage and overtime provisions of the 1974 FLSA Amendments. Passage of this bill, however, is unlikely in the 94th Congress.

UNEMPLOYMENT COMPENSATION

With the exception of certain categories of workers, state laws govern unemployment compensation benefits for state and local public employees. Federal regulation is presently limited to public school, university and state hospital employees, and federal matching funds are provided for 50 per cent of the benefit payments to these workers for the 27th through the 39th week of unemployment. Since the federal match does not begin until the 27th week, the state is liable for 100 per cent of unemployment compensation costs for the first 26 weeks. The federal government has recently expanded coverage to 65 weeks for these categories of workers, but has also assumed full financial responsibility for weeks 40 through 65.

Pending legislation.—On December 11, the House Ways and Means Committee voted out a bill which radically alters unemployment compensation coverage for state and local employees. The legislation mandates 39 weeks of unemployment compensation coverage for state and local public employees, and makes the state responsible for 100 per cent of the benefits during those weeks. The double thrust of the legislation is that it authorizes federal regulation of a greatly expanded unemployment compensation program for state and local public employees and at the same time eliminates federal responsibility for any portion of the program costs.

Prospects.—This bill will probably receive congressional approval in the near future. The Ways and Means Committee is seeking speedy House passage through a parliamentary device that would prohibit amendments during floor consideration. Such action would preclude the possibility that a federal minimum benefit standard could be added to the measure; however, House proponents are hoping that Senate legislation will include a benefit standard and that it will prevail in conference committee. The standard most often discussed is a weekly benefit amount equal to at least 50 per cent of each claimant's former weekly wage up to a maximum of two-thirds of a state's average weekly wage for covered workers.

Impact on Texas.—In addition to unemployment compensation coverage for public school, university and state hospital employees, Texas law provides coverage for state employees for the first 26 weeks. Local employees are not presently covered by state law. The Texas Employment Commission estimates that inclusion of local employees, elimination of the federal match, and expansion of all coverage to 39 weeks *will cost the state more than $25 million a year.*

WORKERS' COMPENSATION

A presidentially-appointed National Advisory Commission on State Workmen's Compensation Laws was established in 1970 by the Occupational Safety and Health Act. The Commission studied the content and administration of state workers' compensation laws and presented 84 recommendations to the President in 1972. Although no congressional remedy was sought at that time, the Commission suggested that a federal law should be considered if states had not complied with 19 "essential recommendations" by 1975.

Pending legislation.—Bills have been introduced in both the House and the Senate to incorporate the 19 "essential recommendations" in all existing state workers' compensation laws. The legislation provides compensation and other benefits to state and local employees who suffer work-related injuries or illnesses and substantially increases medical payments and death benefits to survivors. The recommendations also establish a minimum federal benefit standard. Once again, the states are to bear the financial burden of the program, and Texas will be among the states faced with the largest cost increases. Prospects are favorable for passage sometime this spring.

PUBLIC PENSION PLANS

Another important issue in the jurisdictional dispute between state and federal government is public employee pension and retirement plans. Indications are that congressional support is gathering for federal regulation of state and local government pension programs.

Pending legislation.—A bill has been introduced to reform state and local public service employee retirement plans by prescribing uniform federal standards for benefits and procedures. Sponsored by House Labor Standards Subcommittee Chairman John Dent (D-Pa.), the bill parallels provisions in legislation currently in effect for private sector employees. Although Dent has publicly stated that the measure is only a vehicle to call attention to existing problems, the framework is being established for federal intervention in the not-too-distant future. Legislation of this type has significant fiscal implications for the states.

PUBLIC EMPLOYEE COLLECTIVE BARGAINING

Federal intervention in public employee collective bargaining is one of the most volatile issues facing state and local governments. The dramatic growth of public employment has created increasing pressure on Congress for federal recognition and protection of public sector collective bargaining rights. One out of six workers in the country is now a public employee, and public employment has experienced an increase from 4.2 to 13.5 million workers in the last 30 years; 10.8 million of those workers are employed by state and local governments. Membership in public sector unions has risen a phenomenal 60 per cent since 1968 and includes 3.9 million state and local employees.

Pending legislation.—As in the two previous Congresses, numerous pieces of legislation have been introduced which would establish collective bargaining rights for state and local public employees. One example of this type of legislation extends the National Labor Relations Act to public employees, authorizing collective bargaining and the right to strike. Other legislation grants recognition to public employee unions and establishes a special commission to protect the bargaining rights of public employees.

Implications.—The right to strike by employees engaged in what are considered "essential services" is one of the most controversial issues associated with public sector collective bargaining. Proponents of federally mandated collective bargaining contend that federal legislation is necessary to provide the states with mechanisms for solving labor disputes without crippling strikes. Other proponents argue that strikes are not an essential component of collective bargaining and that alternatives can be provided through some form of binding arbitration by a neutral third party. Opponents point out, however, that there are compelling reasons why state and local governments should be free to decide their own labor practices. Because of the complex fiscal arrangements and budgetary practices at state and local levels, charter limits on taxes, and statutes regulating the type and method of services to be provided, federal intervention could standardize state and local government structures and procedures in areas other than labor relations. Not only are the fiscal implications massive, but more importantly, state and local governments will never again be able to deal with their own employees on a simple, discrete basis.

At present, collective bargaining for police and firefighters in Texas is permissible if authorized by community referendum; collective bargaining for other public employees is specifically prohibited by statute.

Prospects.—Public sector collective bargaining does not stand a strong chance of passage in this Congress. However, the forces supporting these measures are becoming increasingly powerful and passage might occur in the 95th Congress.

CONCLUSION

While the issues of state sovereignty are as old as the federal union, federal intervention into state and local employee relations comes at a particularly delicate time in terms of dwindling revenues, increased federal regulations in other areas, increased demands for services, and increased organization of state and local employees.

The tension between the goals of national standards for state and local employees and their benefits versus the need to provide local elected officials the resources and flexibility to meet the complex problems of providing services may continue for the next several years through numerous court tests.

The stakes on the table are high for state and local governments in terms of money amounts and process. The diversion of state resources to meet the costs of programs favored by Congress has significant consequences for state fiscal policy. The planning of state budgets requires accurate estimates of anticipated revenues and expenditures;

the process becomes confused when Congress can impose costs to be met out of state revenues. In his 1966 dissenting opinion to the FLSA Amendments, Supreme Court Justice William O. Douglas warned that exercise of the commerce power might destroy state sovereignty, and concluded that if the principle of constitutional federalism raises no limits to the Commerce Clause, Congress could virtually draft state budgets to avoid disruptive effects on interstate commerce.

TRIBUTE TO WALTER MORAN

HON. MARTIN A. RUSSO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 21, 1976

Mr. RUSSO. Mr. Speaker, there are days here for all of us I am sure when we wonder where we are going to get the energy to keep going. But if we want to put to rest once and for all the alibis we may make to ourselves to rationalize "slowing down", including our age, we need only look at the lives of some of our active and involved senior citizens.

Today I want to pay a special tribute to such a person. He is a fine gentleman from Calumet City, Ill., who celebrated his 90th birthday on January 5. Despite the special occasion, I am sure that Mr. Walter Moran still found time for his daily jump-rope session and his walk.

Now granted, a man who twice wrestled for the lightweight championship of the world and was just elected to the Roseland-Pullman Area Sports Hall of Fame may have a step up on some of us in the area of keeping fit, but there is no greater testament to a man's inner discipline and zest for life than his willingness to pursue in later years, and with the same enthusiasm, those activities at which he excelled during youth and at the peak of physical health.

Walter Joseph Moran was born in 1886 in North Pullman, Ill., the third of five children. He first worked in the Pullman Car Shops and then was employed by the Metropolitan Sanitary District for some 31 years.

Mr. Moran's exceptional athletic talent surfaced early. He first became interested in sports at age 9, in 1895. By the age of 20 he had won three 200-yard races and two 100-yard contests at the park championships at Ogden Park. At age 28 he twice wrestled Johnny Billeter for the professional lightweight championship and during the second meet with Billeter the match ended after 45 minutes in a draw.

He served as athletic director at West Pullman Park in 1919 and 1920 as well as athletic director of the Pullman Athletic Club, training and managing local boxing greats. For a decade, 1928–38, he coached the Holy Rosary—Irish—parish teams and during those years amassed an enviable record: 9 championships in track and field, 10 in junior basketball, 5 crowns for the volleyball team, and 10 singles championships for the tennis team.

Through the years Mr. Moran coached an impressively wide range of sports: Track, basketball, tennis, volleyball, baseball, ice skating, golf, table tennis, swimming, boxing, wrestling, and ju jitsu. But as any of us who have been privileged to enjoy the tutelage of a gifted coach know, it is not physical skills alone that are imparted. Mr. Moran's dedication to the wholesome life and his concern for the physical well-being of youth made him a respected and significant person to many young people. They look back on their time with him, and for some that was quite a few years ago, and recall easily and with fondness their mentor—Walter Moran.

I want to wish a belated happy birthday to Mr. Moran and commend him for his numerous contributions to his community. He is a special person to many people and I hope this Bicentennial Year is a happy and prosperous one for him.

A CASE OF DECEASE OR DESIST: PAYING THE ULTIMATE PRICE IS A GAS

HON. FREDERICK W. RICHMOND

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 21, 1976

Mr. RICHMOND. Mr. Speaker, as my colleagues consider legislation involving the control of toxic substances, I would like to draw their attention to a recent commentary in the Washington Post by Nicholas von Hoffman. Mr. von Hoffman describes the tragedies in Denver City, Tex.—nine hydrogen sulfide deaths from a nearby Atlantic Richfield Oil Co. oil well—commenting that these "ecotechnological deaths" are caused by introduction of dangerous chemicals into the environment without proper testing. These tragedies, like the recent insecticide poisonings in Hopewell, Va., are becoming more and more familiar and real to the American public everyday.

Thousands of chemicals are introduced into the market each year without being fully analyzed for potentially harmful effects on human health and the environment. In order to avoid tragic consequences, toxicological testing must be performed before introduction of these chemical substances. Current toxic substances legislation, in recognizing the great dangers of untested materials, calls for testing and necessary use restrictions on certain chemical substances.

In considering the need for such legislation, I urge my colleagues to consider the health and welfare of their families and constituencies, as well as the health of future generations and the delicate nature of our ecological system. The passage of this legislation cannot be too immediate. I urge my colleagues to read the following article with the utmost consideration:

A CASE OF DECEASE OR DESIST: PAYING THE ULTIMATE PRICE IS A GAS

(By Nicholas von Hoffman)

The description of the scene is like a Charles Manson murder. Two bodies were in a pickup truck outside the house. There was another body on the ground beside it. Across the road yet another body, and in a car by the house five more of the dead. Some were dressed and some were in their night clothes, as though the victims were fleeing a homicidal attacker who caught up with them. One of them had time to call the police and cry, "It's killing us! Why don't you send help," but death came before the help did.

There will be no sensational trial this time, however, no weird revelations, no coast to coast frisson of fear, no flash of publicity except perhaps for the article, not in The National Inquirer, but the Wall Street Journal.

The nine people found dead in the strewn postures of failed escape around the Denver City, Tex. home of J. C. Patton weren't murdered by a motorcycle gang last Feb. 2. They were killed by hydrogen sulfide gas from a nearby Atlantic Richfield Co. oil well. For this the Federal Occupational Safety and Health Administration has fined Atlantic Richfield the grandiloquent sum of $1,100. If that doesn't put big industry on warning to police up its safety practices, it's hard to think of what will. As for the relatives of the deceased, whatever consolation they may get will have to come from the suits they've filed, provided they win them.

The hydrogen sulfide gas, which in minute amounts causes death by paralytic asphyxiation, was being used to force residual oil up and out of the ground from a tired and mostly depleted well. Extraction of such a marginal deposit is in accordance with the government's program of increasing energy production, so you might say that these nine were the first heroic Americans to give their lives for Operation Independence. They should be entitled to burial at Arlington National Cemetery.

There have been many hydrogen sulfide gas deaths—The Wall Street Journal cites 20 and says there are an unknown number more, but ecotechnological death is usually less overtly violent. At Denver City, everything died, "sheep, dogs, cats, birds, rats and a donkey," according to the Journal. The ordinary way we Americans are bumped off is bit by bit in the liver from some on-the-job chemical or by the preservatives in the beer or by the gradual sickening that comes of going shopping in the downtown poison gas attack.

The reactionary professors of the Pat Moynihan stripe, although perhaps not our Ambassadorial stentor himself, hold that worry over death by commercial poisoning is the preciously effeminate concern of the parlor left, but a survey recently commissioned by the Federal Energy Administration suggests that's not so. The FEA has chosen not to publicize its results, and nothing is more unreliable than a poll, but this one does have figures indicating that almost half the population is amenable to paying $250 more per car if it will result in cleaning up the air even 10 per cent. A sizable number of other respondents are recorded as favoring curtailing death-emitting industrial developments. Maybe the reason why is that not less than 11 per cent said that at least one member of their families had in the last year suffered from an illness blamed on air pollution.

The engrossed doctrinaires like the FEA's Frank Zarb and America's Jerry Ford react to the panic that we are literally dying from the production of our wealth by insisting that it's not economically feasible to stop killing ourselves. We need our jobs more than we need our lives, but such is the reasoning of political fanaticism. Apparently, American capitalism is literally in its death throes; we can't afford to keep on living.

This intellectual pollution is being offered as sound, free market economics. Even monopoly capitalism isn't that debased. Health, clean air, pure food are just as much values

as an automatic transmission or a tape deck with the car radio. Selling those optional extras didn't put anybody out of work, no more than selling clear, pink lungs will . . . if you want to call them extras.

But how do we convince Jerry Ford virtually everyone of us is willing to spend more to stay alive?

Maybe a protest is in order. One like Vietnam vets staged at the Capitol when they marched past and threw their military medals at the place. We might march by the White House and throw the diseased organs of our dead friends and relatives. Black lungs, cancerous livers and clotted hearts.

INTERNATIONAL NARCOTICS CONTROL

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 21, 1976

Mr. RODINO. Mr. Speaker, the cooperation of foreign governments is essential if we are to combat the drug problem and I am gratified to learn that President Ford has personally discussed this problem with the Presidents of Mexico and Colombia and the Prime Minister of Turkey.

I am hopeful that a continuing dialog will be established with these countries as well as with other drug-producing countries in an effort to curb the alarming increase in heroin and hard drugs currently entering the United States.

At the same time, new initiatives must be taken and strong diplomatic pressures must be applied in order to convince all countries that international narcotics control is a priority goal of our Government.

Congress has already demonstrated the importance it attaches to this objective by enacting the International Narcotics Control program as an important part of the Foreign Assistance Act and it is imperative that our State Department intensify its efforts to achieve closer international cooperation in this area.

I wish to insert at this point in the RECORD an article by Marquis Childs which appeared in the January 13 Washington Post which presents an ominous account of the drug problem in this country and describes the complex narcotics situation in Mexico:

THE THREAT OF MEXICAN DRUG TRAFFIC

(By Marquis Childs)

MEXICO CITY.—The ever-increasing drug traffic between Mexico and the United States is like a cancer threatening to undermine the ties of friendship between the two neighbors. How many hundreds of millions, perhaps billions, of dollars flow through the channels of this highly organized criminal trade, how far-reaching the web of corruption, are unknowns to be measured against the fearful toll taken by the brown poison of heroin in the bloodstream of so many Americans?

With a pause in the export of the raw stuff from Turkey and a definite break in the French connection, the chief source of the hard stuff has become Mexico. I have talked with high sources in the Mexican government who see the situation in the following stark terms.

The market is the United States and a very large market indeed it is. Production is in Mexico and, more recently as a kind of offshoot, Colombia.

If the market could be greatly curtailed or even closed down altogether, the production center would shut up shop. Short of that, innumerable ways will be found to circumvent whatever barriers are put in the way of development and transport of what is, in effect, brown gold. This gives a grim look to the efforts of both governments, the U.S. providing help to Mexico with as much as $40 million, to stop the traffic.

It began, this is the Mexican account, with the education of illiterate peasants in the high Sierras in the cultivation of the opium poppy. They had been scratching a bare living out of growing corn. Here came some foreigners telling them that if they would plant this other stuff, showing them how to harvest the poppy pods, they would be well off. They might even one day be able to buy a watch.

This sounds like the beginning of a spy thriller, but Mexican authorities say this is just how it all started. The educators were Mafia agents and the Mafia today has added the Mexican-Colombian drug trade to other highly profitable and illegal operations. In both countries, education in processing from raw opium to heroin followed.

Once, organized transportation across the border was no problem. Plenty of pilots were willing to chance landing on secret air strips on the U.S. side, there to be met by agents ready to take the cargo and pay off the pilot. Other agents using a variety of means of concealment tried to outwit U.S. customs agents in principal airports.

When the Colombia operation was organized it was soon realized that shipment directly to the United States was difficult and was likely to be detected because of the limited number of flights out of Colombian ports. Therefore, transshipment through Mexico City began. Here was a whole new source of reward and risk. An agent with, say, a dozen kilos of heroin concealed in the false bottom of a trunk or a suitcase flying out of Bogota tries to elude detection in Mexico City.

If he is not caught he trans-ships to Los Angeles or New York, or he may even go by way of Europe, Amsterdam or Paris, to throw off any scent of the Colombia-Mexican connection.

Successful in laying down his cargo in the retail market of one of the big cities in the United States, he has made a small fortune, since the value of the heroin has been enhanced at least a thousand per cent. According to Mexican sources, a man can retire for life after 10 successful trips.

But the risks are great, and there is another source of friction between Mexico and the United States. About 600 U.S. citizens are in Mexican jails on drug charges and the jails are hardly Ritz Carltons. Many are simply young hippies who happened to possess marijuana and they are being treated with rank injustice. This has become a reason for bitter protest in the United States.

Not at all say the sources here with whom I have talked. They were all, or virtually all, involved in the traffic in hard drugs, and we intend to keep them in jail.

The cooperation between Mexican and U.S. authorities in trying to put a stop to the drug traffic is close. One of the chief aids provided by Washington has been helicopters. The latest proposal is to spray the poppy fields.

But as in Turkey, where poppies were a traditional quick-cash crop, the political implications can hardly be ignored. To wipe them out with low-flying helicopters is bound to mean political reprisals for they signify prosperity for a peasant who hitherto has known little more than hunger.

And while the number of poppy cultivators is comparatively small, the charge that the gringo is moving in on a means of decent livelihood could bring more than a localized protest.

Mexican sources claim that drug abuse in this country is minimal. They put the percentage of drug users between the ages of 15 and 25 at 2 per cent and this would include the use of marijuana. American officials are skeptical of this figure.

Poverty may be a deterrent. The market to the north offers the gleaming prize. How much of this wealth remains in Mexican hands and how much goes to the Mafia managers are two of the unknowns. When the traffic can be stopped, when it can even be slowed, are the greatest unknowns.

JEROME W. COX: FIGHTING FOR THE RIGHT TO LIFE

HON. JOSEPH D. EARLY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 21, 1976

Mr. EARLY. Mr. Speaker, Jerome W. Cox, chairman of the Northboro-Westboro Chapter of Massachusetts Citizens for Life, is a leader in the effort to overturn the Supreme Court decision on abortion. On several occasions in the past, and most recently during the Christmas recess, I have had the honor and privilege of discussing with Mr. Cox the tremendous moral and ethical implications of our country's existing abortion statute.

As we begin this new year, I am proud to share with my colleagues a most thought-provoking and deeply felt article written by Mr. Cox, "The Case Against Abortion in America."

The article follows:

THE CASE AGAINST ABORTION IN AMERICA

(By Jerome W. Cox)

Gen. Douglas MacArthur's farewell "Duty Honor, Country" speech to the West Point cadets, delivered on May 12, 1962, and reprinted in the Worcester Telegram of July 4, 1975, contans an enduring message—not only for the military and dedicated, courageous, and proud Americans—but for all Americans.

MacArthur let us know that "duty, honor, country," while symbolizing the great moral code of the military, also represented what we Americans—individually and as a nation—want to be, can be and will be.

MacArthur recognized that the phrase "duty, honor, country" summarized the spirit of the American military man truly dedicated to the stars and stripes. Yet, he could not tell the full meaning of those words.

THREE RIGHTS

On July 4, 1975, I could not tell the full meaning of America. But this is not unusual, for our nation is too grand and glorious for any man to know its full meaning. However, I do know that part of the meaning of the land of the free is temporarily lost. I also know that no phrase better suits that glorious country—defended with the spirit of "duty, honor, country" for 200 years by a proud and strong military—than the phrase "life, liberty and the pursuit of happiness." These three inalienable rights are the basis

of the civilization established for us by our founding fathers. These rights enunciate the spirit, fundamental rights, and keen decency of free men by which true liberty can be provided for all in the society.

Today, more Americans are dying at the hands of other Americans than we ever lost fighting men in all the wars in the history of this country from the Revolutionary War down to and including the Vietnam War.

Many of these deaths occur in military "hospitals."

Why doesn't our military exert some "duty, honor, country" to save these Americans?

Why is the military contributing by their silence and condonation to this war on unborn generations of Americans?

Why does the military let the violence of abortion by any method be exerted on defenseless, unborn Americans who cannot speak or act for themselves?

BROADER OBLIGATION

America! Americans! "Duty, honor, country" are not just for our military. We cannot continue our otherwise great society until we also exercise "duty, honor, country" to our fellow unborn Americans. We cannot restore the full meaning of our country until we restore "life, liberty and the pursuit of happiness" to everyone.

Justice must be equal for all—including our unborn.

Every American owes an obligation to every unborn American child. Regardless of where in America or around the world that child is, every American owes that child as much "duty, honor, country" as any soldier in any foxhole, any sailor on a ship, or any air corpsman in a plane ever owed to any other American.

Inasmuch as life starts at conception, the duty we, as Americans, owe to each other does not differ on whether the American to whom we owe the duty is born.

ANNUAL TOLL

The fact that Americans did not expect nor have any experience similar to this massive war on the unborn—taking an annual toll of one and a half million children per year—has contributed to the fatalities. However, Americans—as a whole nation—are learning the biological fact that life begins at conception and that abortion necessarily involves the taking of a human life. Moreover, Americans are learning that the war for the unborn is being fought and is being won in town and city halls, state legislatures, and the Congress. Americans, knowing this, are being activated on behalf of the Human Life Amendment that will protect all Americans from conception to natural death.

These citizens for life, right to life, or pro-life Americans, dedicate themselves, therefore, in the same spirit of "duty, honor, country" to stopping the abortion carnage. They spread the truth that every abortion necessarily involves the taking of a human life. They point out that the "convenience" or "expedience" reasons advanced by the abortionists for an abortion can never "justify" an abortion. They inform that in its "abortion decision," the error of our current Supreme Court in denying the personhood of a child is greater than that same error of an earlier court in denying the personhood of a slave in the Dred Scott Decision. In the January, 1973 Roe v. Wade decision, the Supreme Court's denial of the unborn child's personhood permits the legalization of death by abortion. The denial of the personhood of a slave, though it deprived him of liberty and the pursuit of happiness, did not deprive Dred Scott of his life.

The American people will correct this mistake of our Supreme Court which apparently has been too proud to admit and correct its own mistake. Americans will not tolerate forever the needless killing of its unborn children. The pro-abortionists are on the defensive throughout our great land.

Unborn children will not for much longer be the grist of abortion mills.

INCREASING AWARENESS

Americans are more aware that each unborn baby's right to life is derived from its individual dignity and integrity as a child of God but also that every child is needed for our economy, Social Security system, and national defense. The practical implications of the morality of protecting rather than destroying unborn children is being learned by more Americans each day.

The question is "How long will it take for the Human Life Amendment to protect all unborn Americans?" "How many unborn children will die before then?" "What is the human cost of delay?"

The question is "How long will it take for enough Americans to say: 'In the war against the unborn, I will do my duty with honor for my country.'"

Americans are bending to the task to rid this country of the abortion practice and mentality which would have you think that a nation can remain strong by killing its young—the seeds of its future. The present and future injury inflicted on America through the war on the unborn is greater than the human and material injuries our nation sustained in all its previous wars.

TO WIN THE WAR

America will win the battles and the war for its unborn children as soon as every American, in the spirit of "duty, honor, country," is willing to raise the issue or at least not remain silent and inform any relative, friend, neighbor, or associate that "duty, honor, country" require all parents to protect their unborn babies instead of doing violence upon them by abortion.

Through "duty, honor, country," Americans will retore the inalienable right of "life, liberty and the pursuit of happiness" and America to its full meaning. The only question is how quickly this will be done.

Your individual responsibility as a citizen beckons you to action in the same spirit and as certainly as "duty, honor, country" beckons the fighting man. Your obligation is to save absolutely as many American babies as you can from violent death by abortion. America will be better when you have discharged that obligation. For then, each member of our unborn generations—who has as much a right to life as you and I—will then be able to live that life in liberty and the pursuit of hapiness.

God bless you for your "duty, honor, country."

BROTHER RICE HIGH SCHOOL FOOTBALL CHAMPIONS OF CITY OF CHICAGO

HON. MARTIN A. RUSSO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 21, 1976

Mr. RUSSO. Mr. Speaker, today I want to take the opportunity to commend a dedicated group of young men from the Third Congressional District of Illinois.

On November 29, 1975, Brother Rice High School became the city of Chicago football champions by defeating Chicago Vocational School 26 to 0. After a victory 2 weeks earlier over Mount Carmel High School to win the Catholic League Championship, the Brother Rice Crusaders were determined to bring the school its first city football title in its 20-year history.

Credit for this accomplishment goes to the entire squad, who truly provided a team effort in the win. For this they deserve to be congratulated, but even more important than the accomplishment is the fact that their successful season was the result of a joint effort by the team members and their coaches, parents and fans.

Too often in today's society we hear only of the young people who make bad news. It is refreshing to learn of the commendable dedication and teamwork put forth by the young men of Brother Rice High School. I would like to extend to them my personal congratulations and best wishes for continued success.

POWER VERSUS PEOPLE

HON. STEPHEN L. NEAL

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 21, 1976

Mr. NEAL. Mr. Speaker, the American Electric Power Co., Inc., recently placed two-page ads in the New York Times, the Wall Street Journal, and this week, the Washington Post in support of its proposal to dam the New River. The advertisement contained much biased information. In order that my colleagues may have a more balanced view of the New River struggle, I wish to insert in the RECORD the following article written by Austin Scott and published in the Washington Post:

POWER STRUGGLE ON AN ANCIENT RIVER

(By Austin Scott)

MOUTH OF WILSON, VA.—On the surface it seems to be just one more admittedly bitter but not all that uncommon dispute between a big company that wants to expand and rural landowners who don't want their lives and their land disrupted.

But here on the Virginia-North Carolina border, in rolling Appalachian hills that ripple along a bedrock shelf 3,000 feet above sea level, there is quite a bit more to it than that.

The nation's largest public utility holding company, American Electric Power, has been frustrated for 10 years in its attempt to dam an unusual river in order to build what would be the country's largest twin-dam, pumped storage electric generating system.

AEP, which serves the central Northeast from Illinois to Virginia as far south as Tennessee and is second in size only to the government-owned Tennessee Valley Authority in terms of generating capacity, has been struggling with some serious financial problems during the past few years.

Chairman Donald C. Cook said in June that his company, once one of the industry's healthiest, was forced to slash its proposed $1 billion 1975 construction budget in half and eliminate or postpone three large generating plants because "for the first time we clearly overestimated the demand of the economy in our area."

Nevertheless, Cook wants to build the Blue Ridge twin-dam project on the New River here. Although AEP now has such a surplus

of generating capacity that it can sell up to 1.6 million kilowatt-hours daily to other utilities, Cook says he is convinced that electricity is going to be in such short supply in the years ahead that major industrial shutdowns will begin in 1978 and will be widespread by 1980.

The project has stirred substantial opposition, in part because of the beauty of the New River and its largely unexplored but promising archeological sites, in part because AEP does not serve North Carolina where substantial portions of two counties would be flooded by the dams, and in part because the project would not contribute to the company's total sustained generating capacity.

A pumped storage project acts a bit like an enormous storage battery, helping to meet sharp fluctuations in demand, storing up energy pumped into it during the low-demand hours at night and on weekends for release during late afternoon peak load hours.

The company's biggest roadblock may prove to be the state of North Carolina, which has asked Interior Secretary Thomas S. Kleppe to declare 26.5 miles of the New River and its south fork part of the protected National Wild and Scenic Rivers System.

If Kleppe says yes, AEP could not build the project as now conceived.

Contrary to its name, the New River, estimated to be 100 million years old, may be the oldest river in North America, and perhaps one of the two oldest in the world, according to geological studies.

It is a perverse river, not just in its name, but also in the way it behaves. Unlike nearly every other northeastern river it flows from south to north. Unlike every other Appalachian river, it crosses the mountains from east to west.

And unlike almost every other river in the country, it does not flow along the mountain ridges, but across them, leading geologists to theorize that it must have been there before the mountains, so it had time to keep cutting its own channel as the mountains rose slowly around it.

The dams AEP wants to build would create two lakes totaling 44 miles in length, displacing up to 3,000 people and flooding some of the richest food-producing bottomlands in the Blue Ridge Mountains.

Many of the people who would have to leave say they do not merely own their land. They say they are a part of it, and it is a part of them, in a way that is true in few sections of the country.

In the three affected counties—Grayson in Virginia, Ashe and Alleghany in North Carolina—some people trace their families living on the same land back nearly 100 years before the Civil War, and sometimes back to land grants obtained from King George III of England.

There is Gerald Crouse, who farms the land where four previous generations of his family were born and raised and now lie buried His property would be partially flooded by the dams.

There is Elizabeth Jordan Cox, sharp and spry at 87, who lives alone in a home built by her husband's grandfather's father-in-law. The home contains so many family heirlooms that she often points to pieces of furniture and says:

"Oh, that's not old, it's only 75 years old . . . Now that's very old, that's over 100 years old." Among the relics on her 400 acres that would be flooded are the family blacksmith shop, with its bellows and equipment, and the old mill that was used to grind flour by families throughout the area from the late 1800s until the 1960s.

There is G. Cam Fields, 79, whose family owns the woolen mill, the private power company and the Ford auto agency that are the business community of tiny Mouth of Wilson (population: 500)—so named because it grew up from the crossroads at the mouth of Wilson Creek.

Fields says the dams would put the Mouth of Wilson post office under 160 feet of water.

"It's home," he said. "I don't know if you know what I mean by that . . . Always spend your old days where you spent your young days. If you've sunk down roots that's the way you feel."

While some 40,000 acres would be flooded, those opposed to the project estimate 60,000 acres would be affected because of the nature of farming in this area.

"You've got to grow feed for wintertime for cattle, and you try to grow it on level bottomland where it won't wash," said one farmer. "Then in the summertime you graze the cattle on these hills. If all you have left is the hills, because the bottomland is flooded, then you can't do anything."

Lorne Campbell, an attorney in nearby Independence, Va., is second vice president of the "Committee for the New River," an organization formed a year ago to fight the power company.

Now 67, Campbell claims to have fished every inch of the river in his younger days, and a drive with him along the dirt roads that twist and turn through forests near the riverbanks is an oral history lesson in local folklore.

He is deep into a story about two local brothers who had a falling out in their teens, and refused to speak to each other for the rest of their lives, but continued to cooperate, and would send their wives over to say, "John wants to know if you can help him plow today." But he interrupts the story to point to the walls of an ancient brick house.

"That old house was built about 1796, it belonged to old Black John Parsons," Campbell says. "He had 30-some children by two women, and the families associated with each other."

The Interior Department's draft environmental impact statement on North Carolina's request to have its part of the New declared a scenic river says projectile points dating back "several thousand years" have been recovered in the New River valley, indicating that it "was a major migration route and represents successive levels of Indian development from Paleo-Indian times to the arrival of the white man in the 15th and 16th centuries."

Dr. C. G. Holland of the Smithsonian Institution, who conducted two of four preliminary archeological surveys, says he thinks the New River valley may be one of the most important archeological sites in the eastern United States.

Dr. William Gardner, chairman of Catholic University's anthropology department, says, "At a minimum, the valley has been occupied since 8000 B.C., according to artifacts there."

North Carolina, its legislature, congressional delegation and governor are unanimously opposed to the Blue Ridge Project. The state lists 16 rare and endangered species of wildlife in the river area.

North Carolina has filed suit in U.S. District Court charging that the Federal Power Commission acted improperly when it granted AEP a 50-year license to build the project in June, 1974.

Among the state's arguments are insufficient consideration of the archeological and environmental impact and insufficient recognition of the state's desire to make the New River a federally protected scenic river.

AEP counters that the FPC acted unanimously after nine years of consideration, 40,000 hours of work, and 7,500 pages of sworn testimony at public hearings.

"The project was designed, revised and modified to assure a minimum of adverse impact and a maximum of benefit to the air, the water, and the people," the company said in a two-page New York Times advertisement Jan. 9.

AEP's ad called the North Carolinians who oppose the project "an affluent few." It added that "the influential elitists" are using "a tricky scheme" to try to "euchre" the people of North Carolina out of ". . . our gift of 3,900 acres . . . for a lake-front state park."

Opponents, the company said, never consider the energy-saving potential of a hydroelectric plant, the flood control benefits of the dams, or the need for an emergency power reserve.

AEP concedes that its Blue Ridge Project, estimated in 1973 to cost $430 million, is the cheapest way for it to get the kind of electrical buffer it needs for its expanding power network.

The FPC found during its investigation that the next best alternative would be another large coal-fired power plant. But Joe Dowd, general counsel for AEP, admits that the two are not, directly comparable.

A new coal-fired plant would be what is called a baseline plant, adding another million kilowatt hours of permanent, 24-hour-a-day generating capacity into AEP's power network.

The Blue Ridge Project would not do that. While it would be able to supply extra electrical energy to AEP for weeks if necessary, it would be a net consumer of electricity in the long run.

At night and on weekends, when electrical demands are normally low, AEP plans to feed power from its huge nuclear and coal-fired plants in Illinois and Ohio and Virginia to giant pumps that would lift water from the lake formed by the lower Blue Ridge dam into the lake formed by the upper one.

For AEP, that would have the added benefit of letting its biggest generators run 24 hours a day at their most efficient power output, which is close to maximum.

During the day, or in case of an emergency, water would be released from the upper dam to turn big hydroelectric generators for extra daytime power.

Used in that way, however, the Blue Ridge Project would consume overall four units of electricity for every three it produced, AEP said. And its capacity to generate would be only the length of time it took the water in the upper dam to drop too low to be useful.

Also, AEP counsel Dowd admits the shoreline of both lakes would fluctuate daily as AEP pumped water back and forth.

Opponents of the dam raise the spectre of vacationers arriving to be greeted by huge expanses of mud flats created by the fluctuating water level.

Although AEP estimates it has spent $17 million on the Blue Ridge Project over 10 years, including the purchase of substantial quantities of land that critics charged disrupted the local economy as it came out of production, the company has not started to build.

Its license was temporarily stayed while the North Carolina suit is considered. A ruling on the case is expected soon.

If the three-judge panel in Washington sends the matter back to the FPC for more study, that would delay the project several years but would not necessarily kill it.

The man with the power to kill it is Kleppe, who is expected to make his decision shortly after Feb. 21, when a 90-day comment period on North Carolina's scenic river proposal runs out.

AEP charges that the North Carolina proposal was "designed and tailored just to block the Blue Ridge project," a point some proposal supporters do not deny. They argue, however, that regardless of its timing, the proposal has more than enough merit to warrant approval by Kleppe.

AEP claims Congress considered a similar

proposal in 1974 and turned it down. Actually, the 1974 bill died when House Rules Committee Chairman Ray Madden (D-Ind.) held it hostage, refusing to schedule a vote on it because his committee would not approve a bill expanding the Indiana Dunes National Lakeshore.

The bill was then brought up on the House floor where it won a majority vote, 196 to 181, but not the two-thirds vote needed to pass a bill killed by the Rules Committee.

AEP has also argued that a number of bridges and roads, two small eight-foot dams built years ago for local milling and power operations, and two small industries not on the parts of the river that might be declared scenic, all make the river ineligible for such a designation.

The Interior Department has decided otherwise, ruling the river eligible. Interior has also decided the FPC did not make a sufficiently comprehensive environmental impact study.

"Our conclusion was that the FPC really hadn't given consideration to the no-build alternative," said a spokesman adding he cannot predict what Kleppe will decide.

BIG GOVERNMENT

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 21, 1976

Mr. HAMILTON. Mr. Speaker, I include my Washington Report entitled, "Big Government":

BIG GOVERNMENT

One feature of our 200th birthday celebration is that Americans are not happy with their government. In a few words, many Americans view their government as inefficient, intrusive and just too big and expensive. How to transform the mood of doubt and disillusionment with government which now exists in this country and restore an affirmative attitude toward government will be an important issue in the 1976 elections.

The complaints about government are familiar: the proliferating, but seemingly ineffective programs to deal with real social problems, the long arm of government regulation which stifles competition and increases prices to the consumer, and the tentacles of red tape and paperwork which threaten to strangle us. These complaints, supported by the sheer size of government (14.6 million people in federal, state and local work forces) and cost ($523 billion on all levels), are the bases for government's low public esteem.

It is really not difficult to see how government got so big. For a good many years we have followed a fairly systematic approach to solving our social problems. Once a problem was perceived we established a program and an agency to solve it. If the problem proved intractable, we threw more federal dollars at it and expanded the size of the agency. Government did not grow big by accident. It was nurtured and inflated by real problems, ever increasing demands from interested people, and the visions of elected leaders. Whatever the successes or failures of this approach, many students of government are now saying we must try new approaches.

This anti-government mood can be easily overstated, however. No one really wants the government dismantled and everyone acknowledges that government has a positive role to play in defense, in restraining the excesses of the economy, and in providing a floor of economic security. A politician learns that not everyone who decries big government, really means it. Some people want better, not smaller government. Many may be against big government in general, but they howl and protest when a government service that benefits them is reduced or abolished. Many who denounce excessive government regulation are the first to appear in Washington to urge the Congress to reject proposals to deregulate their industry.

So, as we enter our third century as an independent nation, it is apparent that we are still debating the basic question of the government's role in the life of the nation. This debate has gone on for 200 years and it is likely to continue.

Just what we should do is by no means clear. There is agreement on one point: it will not be easy to find the solutions to the problems of big government. We have reached the point where we must redefine what we want government to do and what we want to pay to get it done.

To accommodate this mood of Americans toward government, it seems to me that certain adjustments are essential. There is no reason to alter the goals we have sought of national and economic security and of a just economic and social order. But our approach to these goals does need to adjust. Our new agenda should concentrate on making government work better, including a ruthless examination of the effectiveness of all federal programs and regular checks on how each department is operating, how effective its job is being done, and what improvements can be made. Government reorganization should be given far greater emphasis to bring better management to the whole governmental process. Major programs, now under government direction and control, could be transferred to autonomous agencies run like private business. An example is COMSAT, which has successfully operated the international communications system beamed through space satellites. Expiration dates of programs and performance standards should be written into legislation.

Major attention should be given in the Congress to strengthening its oversight of government programs, with particular emphasis on performance review and evaluation. Emphasis should be placed on increased productivity and efficiency among government workers. The entire regulatory structure of government should be overhauled to eliminate duplicate expenses and services. A large number of the 1250 federal advisory boards and commissions should be eliminated. Federal categorical grant programs should be consolidated, and block grants and revenue sharing programs used. Moves should be made, where possible, to return authority to state and local governments. Every effort should be made to encourage private decisions before resorting to government action. And whenever government acts, it should try to use the private sector as much as possible without depending upon bureaucrats.

Much else could be said, but the key directions are indicated by the words deregulation, competition, consolidation, decentralization and efficiency.

Basically, what is needed is a lowering of everyone's expectation of what government can do, a more modest approach, and a knowledge that the ability of government to satisfy demands is limited and that those limits are in view. This is not a call for no government at all, but a call for a better appreciation that government should do what it can do well and not do what it does poorly. It means that at a time when we recognize the limitations on government's ability to solve problems, we must make choices about the tasks government should tackle.

VETERANS' ADMINISTRATION

HON. MARTIN A. RUSSO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 21, 1976

Mr. RUSSO. Mr. Speaker, the Veterans' Administration today is a huge bureaucracy with an annual budget of $16 billion. Yet, over and over we hear of instances where the veteran is apparently abused or overlooked by the very agency and system set up to serve his needs.

Exactly what kind of job is the VA doing? Five Chicago Tribune reporters tackled this question. Pamela Zekman, William Gaines, Jay Branegan, William Crawford, and James Coates interviewed hundreds of veterans and VA officials and employees and examined scores of documents and records for a serialized report in the Tribune.

I want to share this informative series with my colleagues and am today inserting the first article, "Vets the Victims of Clumsy VA Giant," as well as one veteran's personal story of frustration with the VA:

VETS THE VICTIMS OF CLUMSY VA GIANT

The Veterans Administration promised Tom Gillam something. It promised to pay him to go to school, to help him build a future for his wife and children as his right under the GI Bill.

Tom Gillam took that promise, along with the artificial leg he'd traded for most of his real one in 1968 after a night ambush in Viet Nam, and quit his full-time job to take classes for a high school equivalency certificate.

That was two years ago. "Since then, all I've had is grief," Gillam, 28, said. "The checks kept getting fouled up. I had to drop out repeatedly; my telephone was disconnected; my electricity turned off; and I had to move out of my last place owing three months rent.

"It would seem like every time I'd go down to the VA somebody would tell me something that'd conflict with what I'd been told before," he said. "Then the VA told me they overpaid me."

To many who have never had to deal with it, the Veterans Administration is an anonymous agency that operates hospitals for wounded ex-soldiers and somehow provides "GI benefits" for veterans' educations.

What most people don't know is that the case of Tom Gilliam, college benefits, and the local VA hospital are only a small part of the gigantic social welfare agency known as the Veterans Administration.

Consolidated from a few small agencies by Congress in 1930 to dole out compensation and pensions and to run the hospitals and some old soldiers' homes, the VA has grown to become government's biggest independent agency.

Although it is not a cabinet-level department, its 214,000 employes number second only to the Pentagon, and its $16 billion budget is third behind the departments of Defense and Health, Education, and Welfare.

Its $2.4-billion, 171-hospital medical care system is one of the largest in the world; its life insurance operation has more policy holders than nearly any private U.S. insurance company; and it disburses 75 per cent of all federal aid to students.

Last year about 13.9 million veterans, their survivors, and their dependents relied on the

VA for home, business, and farm loans; disability compensation; pensions; counseling; drug treatment; job placement; rehabilitation; hospitalization; and burial plots.

But while Congress and the White House have seen fit over the last 30 years since World War II to put layer upon layer of responsibility on the VA, an increasing number of critics say the agency has grown far beyond the limits of its capability. This spiraling growth has come at the expense of efficiency, creating increasingly poor service to veterans and a gigantic waste of tax dollars.

"The VA is a political animal that does not exercise the same restraints as other agencies," complains Sen. William Proxmire [D., Wis.], a member of the Senate Appropriations Committee who keeps a close eye on the VA and its operations.

While Proxmire and other critics are calling on the VA to parcel out some of its functions and programs to streamline the agency's operations, the strongest supporters of the present system are adamant that the VA will stay as it is.

"The VA is one agency. We want to keep it that way," said Oliver Meadows, the powerful chief of staff for the House Veterans Affairs Committee. "It is one agency and we'll die right out there on the steps of the Capitol to keep it that way."

But it's not as if the only problem created by the VA's mountain of administration is an occasional slip-up in the case of a disgruntled "little guy," like Tom Gillam—who finally did get his education in spite of the difficulties. As the mountain of bureaucracy grows, so grow the files filled with problem cases. And often, the bureaucracy is its own worst problem. For example:

The VA buys and installs expensive, sophisticated medical equipment with no eye toward whether the equipment is needed or whether nearby hospitals already have it. At the Bronx VA hospital, it installed a $300,000 cancer treatment unit even though two other VA hospitals within 15 miles had similar facilities. The Bronx unit stands idle most of the time, according to a General Accounting Office report.

Most federal agencies have detailed building plans in hand before they approach Congress for money. Not the VA. On a hospital project in Loma Linda, Cal., the agency asked for money knowing only how many beds it wanted, and little else. Before it was over, 36,000 square feet of space had to be added to the hospital, helping boost the tab to taxpayers by $18 million.

The agency handles its cases with an antiquated manual file folder system that results in lost and misplaced records, often causing months of delay for veterans counting on VA checks to feed their families. So routine are the mixups that the Chicago VA office employs 10 full-time "searchers" just to roam the six floors of its building at 2030 W. Taylor St. looking for missing records among the 600,000 folders filed there.

In fiscal year 1975 VA hospital administrators asked for 15,000 more doctors, nurses, technicians, and other personnel. Washington planners gave them 1,360. But the same year, Washington spent $25 million to hire 1,300 campus counselors to provide veterans attending college with help and advice, even though another federal program already was doing that job.

The VA's little-known system of 18 old soldiers' homes scattered around the country have become, its own reports say, "substandard and dehumanizing" and threaten to mark the agency "as the slum landlord of the health-care industry." At the same time, the VA assumed control of a cemetery system the Army was trying to phase out. The VA embarked on a vigorous, $331.6-million expansion program for the national cemeteries, though it admits that fewer than 1 eligible veteran in 10 chooses burial there.

Ironically, VA officials need look no farther than their own file cabinets to find reports and studies by VA personnel, as well as outsiders, that document waste, inefficiency, and poor performance.

The Tribune found that such studies are consistently ignored or challenged by entrenched bureaucrats while the problems are allowed to continue.

In 1974, for instance, a prestigious VA study group headed by Dr. John Chase, chief of all VA medical services, concluded that the rules governing admissions to VA hospitals and use of outpatient services are "confusing and uninterpretable by the veteran and in many instances, VA employes."

One rule permits the use of outpatient service by veterans only "where such services are reasonably necessary in preparation for, or to obviate the need of, hospital admission." In other words, according to the report's translation, the VA physician faces the "illogical task" of certifying that a veteran needs inpatient care before he can administer the needed outpatient care.

This and the rest of the mish-mash of rules that the VA and Congress have imposed piecemeal over the years often result in "unnecessary suffering for the veteran concerned," the report said.

Today, 15 months after the study was concluded, Chase says the agency is still trying to figure out what to do about the problem.

How did such waste, mismanagement, and insensitivity arise in an agency that has a mandate to act as a link between a grateful nation and its returning warriors?

The answers are many and complex, but they appear to be rooted in the agency's willingness to play the political game and its eagerness to please and appease the powerful, old-line veterans organizations whose policies and personnel dominate the agency.

"Practically all our top people have close ties with the veterans groups," admitted VA Administrator Richard Roudebush, himself a former national commander of the Veterans of Foreign Wars who is carrying on the tradition that a major veterans organization officer head the agency.

Congress is also to blame for the situation. Heavily lobbied by veterans organizations and awed by the specter of 29 million voting veterans—who with their dependents and veterans' survivors comprise nearly half the U.S. population—legislators have broadened VA programs to include more and more veterans and their families every year.

As the bureaucracy grows, however, it only builds a more impenetrable wall between the VA and the veteran who depends upon the agency for his well-being shortchanging those who most need help.

The strong influence of the veterans organizations also has led to a system of "crisis management" that ignores long-range solutions to problems in favor of inefficient, short-term measures to placate VA beneficiaries and their powerful lobbying groups.

Roudebush, a former Republican representative from Indiana, appointed to the VA by President Ford in August, 1974, acknowledges that the agency has had its problems. But he told The Tribune that he has replaced the three highest deputy administrators, brought in experts from private industry, and today "I've got some of the highest skilled people in the world working for the administration." The VA is on the rebound, he said.

Sen. Proxmire is not so sure. "The appointment of Roudebush was a political appointment," he said. "The VA's problems are far from solved."

Those problems are seen clearly in this set of decisions made by Congress and the VA in the early 1970s to answer a crisis, decisions that prompted new problems, requiring only more decisions in a never-ending circle of bureaucracy:

As the crush of Viet Nam-era veterans clogged the VA's educational assistance programs, the VA and Congress were faced with a rising chorus of complaints from ex-GIs about late education checks.

To quiet the din from angry constituents, Congress late in the election year of 1972 made two hasty changes in the program, which now sends monthly checks for $270 to $321 and more to about 1.4 million veterans attending college.

The changes set up two new systems. Under the first, called "prepayment," the VA sent out the checks at the beginning, rather than the end, of each month of classes. By moving up the payment date 30 days, Congress reasoned, there would be a buffer in the event of delay.

The second system, named "advance pay," called for the veteran to get his first two monthly checks on the first day of classes. This, too, seemed to make sense because students need extra money at the beginning of school for books, fees, room deposits, and other expenses.

The effects of the new law were felt immediately—overpayments to veterans tripled from $20 million to $60 million by July, 1973. A year later, after the VA got its first chance to give out advance pay, the balance of overpayments outstanding had doubled again, to $123.7 million, and today stands at $255 million—a 10-fold increase overall.

For all this, did the veterans at least get their checks on time? "They were always at least one month late," said one official of the Illinois Veterans Commission. "That program has not worked like it was supposed to."

Ron Owens, a veteran counselor employed by the University of Illinois Chicago Circle Campus, told The Tribune, "About 1,400 requests went in from this school for advance pay checks for the beginning of classes last year, but only 300 came by the first day of school. All the rest were messed up."

VA officials agreed the system has had its problems.

The program that sounded so good in principle had one major flaw—the VA writes its checks to veterans before it finds out whether the veteran is attending classes or has dropped out or quit school. And even after classes have begun, the VA has difficulty verifying that a veteran is earning his education money. Thus for months it keeps sending money to veterans who often are not eligible.

The VA says it can't cope with the situation that Congress handed it. "The only sure cure for the burgeoning overpayment problem would be to change the law back to the old system," a spokesman said.

But VA officials say they favor keeping the payment systems because they do more good than harm. So last January, the VA spent $120,000 to set up a special computer operation at its center in St. Paul, Minn., to get back the overpayments it expected to dole out in the following months, as well as the millions it already had overpaid.

The special computer bills veterans with threatening letters for overpayments they got from the main computer at Hines, near Chicago.

Simultaneously, however, the special computer bills other veterans with threatening letters for overpayments they never got, or paid back long ago.

"I never got any checks for three years, and when I start school again, this computer in St. Paul says I owe $5,000," said Stanley K., a 29-year-old Navy veteran, one of several vets contacted by The Tribune whom the VA admits were incorrectly billed.

The VA has still another "solution" to the overpayment problem. Having erred by not keeping close tabs on its student veterans in

the first place, the agency has now issued tough new guidelines to have the colleges monitor veterans' eligibility.

State agencies charged with carrying out the VA's wishes complain that the guidelines are too vague. In many instances, the states have interpreted the VA to mean that colleges must keep daily attendance records. The schools say they don't have the time or the money to keep such records.

Even Eugene Duff, director of the state approving agency of the Illinois Veterans Commission, who is charged with formulating and enforcing the VA regulations here, throws up his hands at this latest VA safeguard scheme. "Wait until these schools and colleges get a letter from me saying that Gene Duff, who they don't know or care about, wants them to call roll. They never call roll."

Sums up the University of Minnesota official: "It's a clear-cut case of bureaucratic overkill."

SURVIVOR OF BATTLES WITH VA AIDS OTHERS

(By Pamela Zekman)

Robin Donka came back from Viet Nam without a leg, with the lower half of his face rebuilt, and with bullets and shrapnel still lodged in his body. He'd been shot 26 times.

"The guy at the Veterans Administration office said I wasn't eligible for any benefits," Donka recalls.

That was on his first visit to VA regional headquarters here more than six years ago. Since then Donka has devoted much of his time to getting his own problems with the VA straightened out and helping other vets with theirs.

"The VA has so much money, but no one is watching it. It is an entity unto itself," Donka, 28, said in an interview in the veterans office of the College of Du Page, Glen Ellyn, where he is in work-study as a veterans counselor.

"You've got to keep on them and threaten them and do whatever you can think of to make them do what they are supposed to do."

Donka speaks from experience at struggling to sort out his own problems with the agency, problems that continue despite repeated high-level intervention in the case.

Donka suffered his wounds during a fierce, six-hour battle in the Iron Triangle of Viet Nam, where he and 15 others were trying to hold a position. He still carries so many of the bullets that ripped into his flesh, and so much shrapnel and nails from home-made Viet Cong hand grenades, that he cannot get through airport metal detectors.

After being put back together at the military hospital in Valley Forge, Pa., Donka was released in late 1968 with medical papers—not regular discharge papers—which apparently baffled local VA officials.

"I need a new leg and this guy says I wasn't eligible. He said there were some papers missing or something. He said there was nothing he could do for me."

The clerk's supervisor confirmed the opinion. Donka called his congresswoman, whom he met in his hero's welcome home from the war, from the lobby of the VA building at 2030 W. Taylor St. Twenty minutes later he found himself in the regional administrator's office.

"He told me everything would be all right and that there had been a little mix-up," Donka said with a wry smile.

His disability was rated as total and he was given an extra monthly award for the loss of his leg. The artificial limb has to be replaced every year, he said, because of wear and changes in his weight.

Once, Donka recalled, "They told me they couldn't find the file. I said, 'Does that mean I won't get a new leg?' I threatened to call Washington." He got the new leg that time.

After some readjustment problems, Donka settled down and began school last January at the College of Du Page.

His educational assistance payments did not come for four months. It was money he needed to support his wife and two children.

The VA lost the file again. A representative from the Disabled American Veterans tried in vain to help him. The VA refused to issue him hardship payment to tide him over until the education payments arrived. Finally, another veterans counselor called the office of VA administrator Richard Roudebush.

Some money came through.

Donka, a quiet and soft-spoken man, has been left embittered and angry by his treatment from the VA. He expected better.

"I came home a hero," he said. "I was made the vice-chairman of the American Legion post in my home town [Aurora]. People I never knew came up to me and congratulated me and wanted me to have a drink with them. The girls all thought 'wow'. I even had people ask me what it's like to kill."

But, like so many other vets returning from Viet Nam, "I found I couldn't live up to that kind of life. I rebelled a little and got into trouble. The war became unpopular. Today a lot of us wonder what really happened. Why did we go? What would have happened if we never went? We'll never know."

He's still having problems getting his work-study program as a veteran counselor approved by the VA, but the cases of the veterans who come to him for help are also on his mind.

"The VA can write up reports and statistics and turn them in to Congress but they don't do a damn thing about people that need help," he said.

"It is not uncommon for a veteran to go down there and wait from 8 a.m. to 2 p.m. before he sees someone. It's not uncommon not to get through the switchboard for two or three hours.

"A lot of time you go down there and you're a veteran and you think you have something coming to you and they treat you like you're asking for a handout. And so the veterans give up.

They figure to hell with it."

SOCIAL SECURITY SEEN AS JOKE ON US ALL

HON. JOHN H. ROUSSELOT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 21, 1976

Mr. ROUSSELOT. Mr. Speaker, "The Social Scurity Trust Fund is headed for trouble." This is the observation President Ford made in his state of the Union address, Monday night, while calling for a three-tenths of 1 percent increase in employee and employer social security taxes to be paid into the trust fund. The President did this in order to insure the credibility of the trust fund in the coming years and to make sure that the fund "takes in as much as it pays out" and guarantees "security for our old and young." While we must respect the President's reasoning and desire to maintain the integrity of the trust fund, we must also recognize that sooner or later the Congress must approach the problem of caring for our elderly and needy in a fundamentally different way.

A recent editorial by William Rusher which appeared on December 23 in the San Gabriel Valley Tribune identifies many of the problems that currently beset the social security system in our country. Among many things, he points out, first, that at the present rate of depletion, social security "benefits" will be exhausted by the year 1980; second, that the unfunded deficit—obligations that will fall due in coming years—of the social security system now runs at about 2½ trillion dollars; third, and that practically speaking, there is no way in the world that such an enormous deficit and obligation will ever be paid by future withholdings or through general tax revenues.

Mr. Rusher goes on to suggest that the answer to these ominous warnings is to provide the workers in the Nation's labor force the option of investing their social security withholding payments, together with their employers matching payments, in a private sector insurance program which would offer both higher interest and greater freedom regarding the use of the payments.

Mr. Speaker, it is my feeling that it is time that we reconsidered our present system of providing for the elderly in our country and carefully weigh the value of continuing to erode the credibility of the social security system by burying it in an astronomical debt which will never be repayed. It is time we turned to the private sector for the answers to these problems, where real "social security" can be found.

The article follows:

SOCIAL SECURITY SEEN AS JOKE ON US ALL

(By William Rusher)

In the two and a half years I have been writing these columns, the piece that drew by far the largest response from readers was one suggesting that our present Social Security system is basically a clever ruse whereby a savagely regressive payroll tax has been disguised as a sort of cosmic "benefit," and that American workers would be substantially better off today if the sums they and their employers have paid into it over the years had been invested instead in actuarially sound annuities available through the private sector.

It would have been safer to attack Motherhood. Clearly, the minds of millions of Americans are forever closed on the subject. Half of the furious letter-writers insisted that FDR had saved America from revolution by such measures as Social Security—totally overlooking the fact that I had raised no objection whatever to the concept of old-age insurance, but had merely challenged this particular method of funding it (or rather not funding it). The other half seemed to understand this, but insisted that governmental compulsion had been essential, since a substantial number of our less responsible citizens would never invest the requisite money in ordinary private insurance—overlooking, equally totally, the fact that government compulsion is just as available to finance a private insurance policy as a public one (and often does so—e.g., by requiring auto insurance).

So it is with a certain gloomy resignation that I now step forward to advise you (1) that at the present rate of depletion such portions of the money as your government has set aside for future Social Security "benefits" will be gone by 1980; (2) that the un-

funded deficit of the Social Security system (i.e., obligations already incurred and falling due in future years, for payment of which there is presently no provision) is estimated by the system's own Trustees at 2½ trillion, or if you prefer 2½ thousand billion dollars; (3) that, realistically speaking, there is no chance whatever that this enormous deficit will, or safely could, be made up out of either future withholdings or general tax revenues; (4) that accordingly the government will simply print enough extra money (with correspondingly low purchasing power) to "meet" this staggering obligation and its other expenses as they arise; and (5) that midnight travelers in the mid-Hudson valley have lately reported hearing a noise strangely like a horselaugh emanating from a certain well-known Rose Garden near Hyde Park.

Go ahead—be angry with me, if it makes you feel any better. Gloat a little over the fact that Rusher, too, has had his paychecks docked for 35 years, allegedly to provide for his old age, and will wind up in 13 more with nothing but a fistful of scrip for his pains. (Thank the Lord I didn't count on Uncle Sam exclusively!) But stop fighting the arithmetic. If you thought New York City's bankruptcy was exciting, wait til the show in the main tent gets under way.

For connoisseurs of catastrophe there are further angles. We must increase the number of jobs available. Right? And new jobs (in the private sector anyway) are created only by means of fresh capital—an average of $40,000 of fresh capital for each job. Yet Harvard economist Martin Feldstein estimates that the American people's reliance on Social Security, rather than on a sound system of invested personal savings, compulsory or otherwise, for income in old age has reduced total private savings (one of the chief sources of fresh capital) by 38 per cent. This meant, in 1972 alone, a gross national product of $127 billion lower than we would otherwise have had. That could have produced a lot of jobs.

Can anything be done? In theory, yes. There is no theoretical reason why new workers coming into the labor force—or for that matter current workers—couldn't be given the option of investing their future Social Security withholding payments (and their employers' matching payments) in a sound private-sector plan offering both higher payments and greater freedom in regard to them. But if Congress ever tried to do this, do you think for a moment that it would succeed? Most Americans, apparently, are prepared to defend with their dying breath this swindle that is stealing them blind.

DEREGULATION COSTS STUDIED

HON. ANDREW MAGUIRE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 21, 1976

Mr. MAGUIRE. Mr. Speaker, President Ford wants to deregulate the price of natural gas, a move many of us in Congress have long suspected will have catastrophic effects on the economy while providing very little additional natural gas. Recently, I asked the Congressional Research Service to analyze the effects of deregulation. Their study, which I released just before the Christmas recess, indicates deregulation will cost consumers between $20.2 and $22.3 billion a year in increased costs for heating, cooking, and for using products manufactured by processes using natural gas. That is $400 a year in additional costs to each American family. Clearly, the President's plan is economically intolerable.

Here is what CRS said about deregulation:

ECONOMIC IMPACT OF S. 2310'S PRICING PROVISIONS

This paper represents an analysis of S. 2310, also known as the Pearson-Bentsen-Krueger* bill as it has been proposed for amendment/substitute to H.R. 9464, the House Emergency natural gas bill reported by the Commerce Committee on December 2. Several long term provisions are contained in Title 2. They provide for the phase out of natural gas price controls on "new" gas by January 1, 1981. New gas is defined here as (a) gas entering interstate commerce for the first time (after January 1, 1975) and (b) produced from new fields discovered after 1/1/75.

OCS (Outer Continental Shelf) gas remains under price controls until 1/1/81 under this proposal. However, the Federal Power Commission (FPC) is directed to authorize a new rate for new OCS gas. In the interim, this gas is permitted to sell for the Btu equivalent of OCS crude oil, an estimated $1.60/Mcf.

At the outset, it should be noted that the average price paid by FPC jurisdictional pipelines for natural gas is currently 35.5¢/Mcf. This is based on the average of a hierarchy of rates paid for gas of a variety of vintages, one of which is the current "new" gas national rate of 52¢/Mcf, which in practice averages 55¢/Mcf due to various adjustments. Intrastate gas sells for an *estimated* average price of $1.25—although no one really knows for sure.

Below we have computed out the various provisions of S. 2310 on a cost element by cost element basis. Section 1 develops an estimate of the market clearing price for gas, as it converges on Btu equivalency with OPEC oil based fuels. The remaining sections address cost elements seen stemming from this bill, as they are effected by interaction with our marked clearing price estimates.

1.0 THE MARKET CLEARING PRICE FOR UNREGULATED GAS

A key variable in the computation of S. 2310's cost is the market-clearing price level estimate for an unconstrained environment. Let us lay out the scenario in which prices are determined here. Industrial and large commercial users are curtailed. Not only are they able to buy less gas than they have during the past several years, but any growth in their business must be fueled by substitutes. Large, unsatisfied potential demand exists, both on the part of curtailed users and users who cannot get as much gas as they want. At the margin, many of these firms must burn propane or #2 fuel (home heating oil) because these are the closest substitutes for natural gas. Curtailed pipeline companies pay up to $5.00/Mcf for substitutes and synthetics. They will be willing to pay the same price for real gas as they would for substitutes, on a Btu equivalent basis, or they would not use the substitutes. Few under-supplied users, if any, would be unwilling to pay the price of substitutes for the gas itself. If gas was priced lower than alternative fuels, all industrial/commercial fuel users (who could—and a substantial number can) would run out and buy gas. Since gas suppliers are very limited even under the most optimistic assumptions, these hard-pressed users would quickly escalate gas prices up to or beyond levels of light oil or propane fuels which are the closest substitutes to gas. Because a large volume of users want gas, and because not all can/will be able to get it, they must compete with one another for limited gas supplies until the price has risen to alternative fuel levels or higher. The computations of "equivalent" Btu cost are based on current oil prices, and could be altered up or down in future years, depending on whether oil prices rise or fall.

What are these alternative levels? Propane currently sells for almost 23¢ per gallon according to *Platt's Oilgram*. On the Cotton Exchange, propane futures for delivery in January 1976 trade near this 23c level as well. These translate into an average of about $2.50 per million Btu's or Mcf equivalent. Current #2 fuel oil prices of $15.50/bbl translate into about the same amount—$2.50/Mcf equivalent. Further price increases in these fuels due to extra demand caused by curtailments could raise this figure in the near term, and this is particularly true of propane. Moreover, there are reasons to believe that pipelines may be willing to pay even higher prices. One is the fact that even if pipelines pay very high prices for initial amounts of new supply, they will be able to mix this with large amounts of older gas obtained under low FPC prices which now average 35.5c/Mcf. Substantial new supplies could be added theoretically at extremely high prices and then averaged with the large amounts of old cheap gas for a low, blended, delivered price during initial years. On a delivered basis, averaging can still provide gas a large cost advantage over other fuels even if pipelines pay extremely high prices (like $5.00 or $10.00 per Mcf). And this would still be true if all the expensive gas is allocated to industrial users, since industrial and large commercial customers use 50 percent of our gas, even today, and average blended prices would still be under incremental new supply price.

Other factors are at work here which argue for curtailed gas users being willing to pay even higher than oil equivalent prices for incremental gas. One is the clean burning, easily controllable, physical properties of gas which make it a more desirable fuel than oil products. Another is the cost saving realized by not having to convert to oil fuels.

Additional factual evidence is added to this Btu equivalency theory by recent 60-day emergency sales permitted by the FPC have ranged from $1.70 to $3.00 per Mcf, averaging $2.62. Interestingly, this closely approximates to the $2.50 estimates of Btu equivalency. It reinforces the theory of gas/oil fuel Btu parity with actual, recent experience.

2.0 INTRASTATE GAS

Allowing interstate pipelines to buy gas at unregulated prices, which S. 2310 would do as of April 5, 1976, is a step which permits uncontrolled gas to transcend State lines. Under the present regulatory format, individual intrastate markets are balkanized by State lines. What is commonly called the intrastate market is indeed several unconnected submarkets. Within the geographic boundaries of each, short term, temporary conditions of oversupply exist, wherein there is more potential gas production than can be consumed within those boundaries. Traditionally, much of this production is "exported" to other (consuming) States.

By 1968, intrastate prices had begun to exceed those fixed by the FPC, but never reached full Btu parity with crude oil based fuels. Indeed they have yet to do so on an all-inclusive basis, although an increasing number of transactions are being reported at the market clearing oil parity price.

But deregulation would change this, and accelerate convergence on Btu parity for intrastate gas. The mechanism at work here is

*H.R. 10480, as introduced by Congressman Krueger, contains a slightly different definition of "new" gas. It is believed that these definitional differences, as a practical matter, do not measurably affect the cost calculations contained herein.

based on this logic: intrastate, balkanized submarkets have temporary oversupply situations, *relative to local* (within state lines) *demand*. With intrastate prices averaging a crudely estimated $1.25, this means a substantial price rise is in order for that intrastate gas which is free to converge on the $2.50 oil parity price. And intrastate sales are made for a straightforward reason: to avoid FPC rates, obtain the highest initial price and to facilitate future price increases as supply/demand situations in submarkets firm up. As a result, most intrastate sales are made under conditions which permit frequent escalation.

2.1 THE AMOUNT OF GAS SUBJECT TO ESCALATION

In 1974, total marketed natural gas production amounted to 21.6 Tcf (trillion cubic feet). Of this, 12.9 Tcf was either purchased by FPC jurisdictional pipelines or produced by them. This gas sells for a Commission mandated 35.5¢ per Mcf current average price. The remaining 8.7 Tcf is sold within the state of its production, directly by producers or by largely unregulated intrastate pipelines. Let us assume these 1974 *status quo* conditions apply to 1976 as well.

Some of the 8.7 Tcf is sold under price limiting contracts. Specifically, almost 2.0 Tcf is used by electric utilities with contracts assumed to be very inflexible toward sudden price escalation. Let us assume further that another 1.7 Tcf is frozen under various other contracts' rigid pricing clauses. This leaves an even 5.0 Tcf free to escalate. By the end of the first year after S. 2310's passage, this will escalate to full Btu parity. Costs from this element to gas users will be: 5 billion Mcf x ($2.50—$1.25) =$6.3 billion at a yearly rate.

2.2 OTHER INTRASTATE GAS SALES

During 1974, pipelines otherwise jurisdictional to the FPC, sold 1.2 Tcf to ultimate consumers within the State where that gas was produced. These sales, which are assumed to average 1.0 Tcf during 1976 are not FPC price controlled. They are made at rates competitive with alternative fuels and other local (intrastate) natural gas sales. When other intrastate prices rise, these will too, costing another $1.3 billion (1.0 billion Mcf x $1.25).

3.0 INTERSTATE GAS

The bill distinguishes between onshore gas and OCS gas. Further, escalation is afforded "old" gas released from long term contracts. These distinctions frame up the interstate cost structure associated with S. 2310. Costs are computed here relative to the FPC's new gas national rate, which is now being recomputed. We assume here that the FPC will settle on a rate along the lines recommended recently by its Office of Economics, and that will in practice average 60¢/Mcf in 1976.

3.1 OCS GAS

Table 1 below shows the levels of offshore reserves during the past 10 years:

TABLE 1.—*Comparison of Non-Producing and Total Dedicated Gas Reserves in Offshore Gulf of Mexico—1964 through 1974*

(All volumes in MMcf @14.73 Psia and 60°F)

	Nonproducing	*Total Offshore*
1964	7,626,515	19,245,080
1965	7,561,439	22,184,289
1966	9,364,551	24,871,199
1967	9,364,070	27,234,977
1968	9,857,167	29,254,458
1969	10,389,937	33,062,086
1970	8,269,031	34,009,872
1971	7,247,039	32,380,630
1972	9,008,658	32,461,534
1973	7,914,728	30,461,836
1974	[1] 8,526,533	[1] 27,428,681

[1] Preliminary Data. The non-producing reserves for 1974 were determined by staff from company Form 15 reports but have not been verified by staff in the pipeline company offices nor have the total remaining recoverable reserves been checked for compliance with Form 15 reporting procedures.

Source: FPC Form 15. From prepared testimony of John N. Nessikas before House Oversight and Investigations Subcommittee, July 14, 1975.

The current aggregate is 27.4 Tcf, with 8.5 Tcf not in production, leaving net producible reserves at 18.9 Tcf. Assuming no further decline in these reserves between 1974 and 1976, and a 10 to 1 reserve to production ratio, we compute 1976 OCS production at 1.9 Tcf. We believe that most of this gas is under contract of relatively recent vintage wherein some form of deregulation is anticipated. This belief implies there will be no contractual impediment for this gas to increase to whatever new rate the FPC sets under the guidelines laid out in S. 2310. Let us make the assumption that the FPC will ratify the Btu equivalency plan specified as the initial interim rate, and set a $1.60/Mcf rate. This will cost gas users the difference between $1.60 and the assumed 60¢ for each Mcf, for a total of 1.9 bil. Mcf x ($1.60—.60) = $1.9 billion per year during 1976. (NB. 1 Tcf= 1 billion Mcf). As more OSC gas comes on line, this figure will increase.

3.2.0 INTERSTATE ONSHORE GAS

The question of how much new onshore gas will be produced by deregulation is hard to answer, especially in light of the fact that current revenue figures are not object of widespread agreement and there have been serious allegations of reserve withholding. In 1974, a total of about 10 Tcf of gross new reserves were discovered, excluding net downward revisions of 1.3 Tcf. Let us assume this will be the case in 1975 also. On this basis, and using the 10:1 reserve/production ratio, about 1 Tcf of new gas will be available in 1976 at $2.50/Mcf. Let us also assume that 70 percent (the remainder being an OCS cost element computed above) of these new additions are onshore, and compare this to the alternative of interstate dedications under the 60¢ national rate. This means costs, stemming from production of new reserves at unregulated prices, will be .76 bil. Mcf x ($2.50 - $.60) or $1.4 Billion at an annual rate for 1976 alone.

3.2.1 ADDITIONAL ONSHORE RESERVES IN THE LOWER 48

More reserves may be discovered under deregulation in 1976 and thereafter, however. Let us make a most optimistic assumption here: Reserve additions average 25 Tcf for the next several years in lower 48 states and OSC areas. This is the highest level of reserve additions ever achieved in any one year (1956) in the U.S., and never again equaled. If this is achieved for 3 years consistently, production may be able to increase just over 3 Tcf per year—from a current level of 21.6 Tcf to 25 Tcf. These reserve additions are assumed to be such that production will be 3 Tcf higher in 1976 than it would have been with regulation—an extremely optimistic assumption. This is the maximum benefit which can be expected from deregulation, entailing sustained discoveries, year in and year out of as much as has ever heretofore been discovered in any one year. This extra (3 Tcf) will cost users $7.5 billion yearly at the $2.50 per Mcf market clearing price.

3.2.2 OLD INTERSTATE GAS

Most gas sold by interstate pipelines is under long term contract to them from independent producers. These contracts were signed in the 1950's and early 1960's, typically for periods of 10 to 20 years. We estimate that 85 percent of an estimated 12.9 Tcf in annual production is sold this way. But these contracts are old, and on average, fairly far along toward termination. We estimate that 1 Tcf will expire each year. Under S. 2310, the FPC would set a new rate for this gas. A $1.60/Mcf figure is assumed, in line with the Btu equivalent pricing described above. Now, we must question whether or not a producer would recommit gas to interstate markets at this price or sell it to the intrastate market for $2.50. It is hard to believe that a producer would recommit gas to interstate markets at this price rather than sell it to intrastate markets for $2.50. We could envision, however, this formerly interstate gas entering intrastate markets and being replaced with "new" (that is chronologically "old" gas defined as "new" under S. 2310, having not been in interstate commerce) intrastate gas at $2.50/Mcf. If this were to happen, costs would be 1 billion Mcf × ($2.50—$.60) =$1.9 billion at an annual rate for 1976. Moreover, 1 Tcf of gas would probably behave in this manner each year, the expiration/redefinition process would become cumulative. This means 1977 cost would average an annualized $3.8 billion for this cost element, growing to $7.6 billion annually by the end of 1980.

Because little is known about the time phasing of gas contracts or their real terms and conditions, it has been necessary to make some rather open-ended assumptions about their behavior. The FPC could resolve this "guessing" game by tallying these contracts so that a quantitatively based estimate of deregulation cost can be made.

3.2.3 CONTRACT LEAKAGE

There have been numerous accusations that producers have withheld gas from interstate contracts. Whether or not this is the case, anticipation of deregulation provides strong incentive to do so. Moreover, the FPC has never monitored contracts to ensure that committed gas is actually delivered. With no ongoing program of contract enforcement, we can only conclude that a good deal of gas will probably be withheld. Let us assume that this leakage from non-delivery of contracted gas amounts to 1 Tcf per year, and this gas increases in price from 36¢ to $2.50. Costs here will be 1 billion Mcf x ($2.50—$.36) or $2.1 billion annually in 1976. This will be cumulative, costing $8.4 billion at an annual rate by 1980. Leakage could be precluded by strict FPC enforcement of contract deliverability, something that the Commission has never done. And significantly, there is no enforcement staff to address this problem, and indeed the FPC may not envision leakages' dangerous consequences.

This leakage implies that currently interstate gas will be cycled into intrastate markets. It will be replaced by "new" gas from intrastate markets, cycled into interstate commerce at unregulated rates to replace "leakage" gas withheld from contracts.

In consolidating the cost element, leakage is considered as a variable for total cost computation, since it is an avoidable cost element.

4.0 CONSOLIDATION AND SUMMARY

In summary, we have estimated that these cost elements will come into play and impact users across the nation. Aggregate additional costs, effective the end of 1976, are estimated to be:

[In billions]

Cost Element:	*1976 Increases*
2.1 Intrastate Gas	$6.3
2.2 Nonjurisdictional Interstate Pipeline Sales	1.3
3.1 OCS Gas	1.9
3.2.0 Onshore Gas	1.4
3.2.1 Additional Reserves	7.5
3.2.2 Old Interstate Gas	1.9
Total	20.3
3.2.3 Contract Leakage, if applicable	2.1
Total	22.4

Assuming that future oil prices remain high and that demand for natural gas does

not decline in the years, ahead, these figures and to a range of $20.3 billion to $22.4 billion for year end 1976, depending on whether or not the FPC enforces contract deliverability. Included here is the incremental cost of additional production. This is to say that for a total cost of $20.3—$22.4 billion, an extra 3 Tcf of supply is available. The incremental cost of this extra 3 Tcf will be about $6.75—$7.45 per Mcf, obtained by dividing $20.3—$22.4 billion by 3 Tcf.

If the 3 Tcf supply increment were not available for several years, gas users would pay total extra bills of $12.8 billion—$14.9 billion at the end of 1976 for no extra supply at all, and they would pay these costs (which increase year by year) each year in the future regardless of whether more gas is discovered. Without rigid contract enforcement the $14.9 billion figure in this 12.8—14.9 billion range will escalate $2.1 billion each year. And expiring contracts will add an additional $1.9 billion, cumulatively applicable to the upper and lower ends of the 1976 range. By year end 1980 or 1981, when most of what is now interstate gas will be free of regulation, gas consumers will pay between $20.4 billion to $30.9 billion extra in that year even if no extra supply is elicited. If the maximum supply increment of 3 Tcf/year is forthcoming by 1980–1981, costs will be $27.9–$38.4 billion relative to benefits of an extra 3 Tcf in gas supply in those years.

Near-term economic impact may be phrased in terms of 1976 price increases of $12.8–$14.9 billion in a $1.6 trillion economy. This implies that an additional 8/10ths to 9/10ths of a percentage point will be added to the inflation rate, creating some form of energy shock. Ripple effects could enlarge this by at least 50 percent, causing the 1976 inflationary impact to be 1.2 to 1.4 percentage points. Employment could be several hundred thousand jobs lower than it would have been without this economic shock.

CONGRESSIONAL BLACK CAUCUS CALLS FOR HALT TO U.S. INTERVENTION IN ANGOLA

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 21, 1976

Mr. RANGEL. Mr. Speaker, the Congressional Black Caucus has taken a strong stand in favor of cutting off military-related assistance to the factions involved in the civil strife in Angola. We are particularly concerned about the unfortunate implications of our alinement with South Africa in Angola. For the benefit of our colleagues, I am inserting into the RECORD the press release issued by the caucus at a press conference on December 17, 1975 and a factsheet on Angola issued at the same time:

CONGRESSIONAL BLACK CAUCUS DEMANDS END TO U.S. ANGOLA INTERVENTION

The Congressional Black Caucus, concerned with the serious threat to international peace posed by the escalating civil war in Angola, deplores the intervention of non-Angolan powers in that conflict. The United States involvement is particularly disturbing. For, not only is it a covert operation, but it is contrary to the position of the Organization of African Unity (OAU) opposing all foreign intervention. It aligns the U.S. on the same side with the White minority regime of South Africa, and in so doing, compounds the harm to U.S. relations with independent, majority-ruled Africa, created by U.S. refusal to support majority-rule in South Africa. Moreover, it is based on the false "domino theory" assumption that the U.S. must intervene to counter a so-called Soviet challenge.

Most recently, there have been repeated reports from unimpeachable sources that the U.S. has secretly sent millions of dollars worth of military equipment and supplies for use in Angola, and that American personnel are serving as advisors to the National Union for the Total Independence of Angola (UNITA)—National Front for the Liberation of Angola (FNLA) coalition. So far, funds for these covert activities have come from special contingency accounts which are expected to be depleted in less than two months. The Congressional Black Caucus, concerned that the U.S. move expeditiously to end its intervention, serves notice that it will strongly oppose any request for additional financing of this operation.

Once again, we are faced with an example of executive distortions and secrecy. The Executive has attempted to keep the facts of U.S. involvement in Angola from the American public and, indeed, from the majority of Members of Congress. Secretary of State Kissinger spoke of a policy of non-intervention at a time when the U.S. had already instituted its covert support of FNLA/UNITA.

The United States should have learned important lessons from Viet Nam. A nationalist movement that has fought for independence for years and that has been aided in that struggle by the Soviet Union, rarely accepts Soviet domination when victory is achieved. Therefore, it is specious to argue that the U.S. intervened in Angola to meet a "Soviet challenge".

The domino theory does not apply to Africa. While the Soviet Union, in contrast to the U.S., has traditionally supported liberation movements in Algeria, Southern Africa, and Guinea-Bissau, as well as certain independent African states, there is no Soviet satellite on the African continent.

U.S. intervention may in fact create the situation the Administration hopes to prevent. American involvement risks raising the cost of winning and increasing MPLA's (Popular Movement for the Liberation of Angola) reliance upon the Kremlin, thereby reducing MPLA's flexibility to pursue an independent policy after the war. In any event, protracted struggle hardens positions on both sides and makes a government of national unity more difficult to achieve.

The Congressional Black Caucus also condemns any efforts to recruit Americans to serve as "mercenaries" in Angola. U.S. law provides that any American citizen enlisting in the armed forces of another country runs the risk of losing his U.S. citizenship, and of being liable to criminal prosecution.

The Congressional Black Caucus is particularly alarmed by the special implications of South Africa's intervention in Angola. The incursions of this White minority, racist regime in an independent African country profoundly heightens the gravity of the situation and sets a serious precedent which could endanger the territorial integrity of other African states.

Most importantly, the U.S. alignment on the same side as South Africa in what the U.S. Ambassador to the United Nations, Patrick Moynihan, terms a "convergence in policy may, over the long run, have serious adverse consequences for U.S. political and economic relations with independent, majority-ruled Africa.

Since the independence of Angola, on November 11, seventy-three percent of all direct American investment in Africa south of the Sahara, and three-fourths of its trade is with the independent, majority-ruled states.

South Africa's invasion of Angola, under the pretext of protecting its holdings the Ruacana hydroelectric project in southern Angola, has had two major purposes: (1) to aid anti-MPLA forces with supplies and with troops and/or mercenaries who have penetrated hundreds of miles into Angola, thereby preventing what it surely perceives as a "hostile" force from gaining power; and (2) to capture SWAPO (the liberation movement in neighboring Namibia, illegally occupied by South Africa) guerrillas, thus attempting to eliminate much of the opposition forces in that territory. Such activities clearly illustrate the serious threat to international peace which South Africa poses in its last-ditch efforts to maintain its own survival.

Equally worrisome are reports of South Africa's secret project to complete, by early 1976, an army/air force base at Grootfontein in Namibia, not far from the Angolan border. Such a base would clearly be invaluable in South Africa's attempts to insulate itself from "hostile" forces in Namibia and Angola.

In view of these developments, the Congressional Black Caucus calls on the U.S. Government to take the following actions:

(1) cease immediately all military-related assistance, direct or indirect, to any parties fighting in Angola, and withdraw its request for financing of additional military and related assistance;

(2) urge a ceasefire among all parties concerned;

(3) use its good offices to reach an agreement among all non-Angolan powers involved directly or indirectly, that they will end their intervention;

(4) urge the Angolan factions to find an immediate, political solution;

(5) urge all countries to await the results of the forthcoming meetings of the OAU for further guidelines with respect to Angola;

(6) commit the U.S. to substantial economic and rehabilitation assistance to whatever Angolan government is recognized by the OAU;

(7) make it clear to the South African Government, as we have to the Soviet Union that its intervention is a threat to international peace;

(8) emphasize to the Soviet Union that American public reaction to its intervention in Angola is bound to affect support for its future economic relations with the U.S.; and

(9) report to the Congress on the implementation of these recommendations and keep all interested Members of Congress fully advised with respect to U.S. policy and involvement in Angola.

ANGOLA FACTSHEET

Angola, a country twice the size of Texas, possesses oil, iron, diamond and agricultural wealth on a scale that makes it potentially one of the richest nations in Africa.

The people of Angola began fighting for their independence in 1961. For 15 years, Angolan nationalists sustained an insurgency against Portuguese colonialism. During these years, the nationalists clustered around three principal movements which had strongholds in three different Angolan ethno-linguistic regions.

The Popular Movement for the Liberation of Angola (MPLA), led by Dr. Augustino Neto, widely supported by the 1.3 million Mubundu and mesticos n Luanda and ts hinterland, was based in Congo-Brazzaville.

The National Front for the Liberation of Angola (FNLA), led by Holden Roberto, and supported by the 600,000-700,000 Bakoongo in the north, operated out of Kinshasa in Zaire.

The National Union for the Total Independence for Angola (UNITA), led by Jonas Savimbi, has the support of the 2 million Ovinbundu and smaller ethnic groups in South and Central Angola and has been based in Eastern Angola, and never in exile like MPLA and FNLA.

When Salazar's successor, Marcello Caetano fell from power in Portugal following a coup d'etat by the Armed Forces Movement (AFM)

in 1974, not one Angolan group had attained the preeminence that was achieved by FRELIMO insurgents in Mozambique or PAIGC liberation forces in Guinea-Bissau.

Despite widely held notions of clear-cut ideological splits among these three groups, there is reason to believe that these differences are not profound. Roberto's FNLA is considered pro-western, and in the past did receive some assistance from the People's Republic of China. It has been revealed that since 1961, the United States has been giving Roberto a $10,000-a-year retainer. Beginning in August 1975, the U.S. escalated this covert support to include arms and military equipment. To date, the Administration has sent approximately $28 million to support FNLA/UNITA forces and another $5 million is in the pipeline.

Such assistance to FNLA/UNITA forces by the U.S., along with the financial and military backing given by the Soviet Union to the MPLA, served ultimately to totally undermine the Angolan Independence Agreement reached in Alvor, Portugal during January 1975. The Alvor Agreement initially spelled out the decolonization process for Angola which was to include an interim provisional government bringing together all three movements in a ruling coalition which in turn would have administered national elections for a post-independence regime in the capital, Luanda.

However, in the developing Luanda power struggle between the movements which initially pitted MPLA against FNLA (with UNITA attempting to maintain neutrality) the most important aspect of the Alvor Agreement became the provisions for the formation of a unified military command and armed forces. As all three movements resisted implementing this part of the Agreement, an escalating arms race led to increasing clashes in Luanda between MPLA and FNLA forces. By June, as MPLA began gaining the upper hand in Luanda, UNITA also came under its attack and was ultimately drawn into the power struggle on the side of FNLA. It is this situation that has been exacerbated by outside intervention, and which led upon independence on November 11, to the establishment of two rival regimes: "The People's Republic of Angola" (MPLA) and the "Popular Democratic Republic of Angola" (FNLA/UNITA).

By the time of independence on November 11, the MPLA already had the backing of the Soviet Union and Cuba as well as the support of the other newly independent Portuguese-speaking states: Mozambique, Guinea-Bissau, and Sao Tome and Principe, in addition to Congo-Brazzaville, Guinea (Conakry), and Algeria. All of these states and more recognized the MPLA's "People's Republic" upon independence. The FNLA/UNITA "Popular Democratic Republic" has yet to receive any formal diplomatic recognition, although its supporters reportedly include Zaire, Zambia, Gabon, Uganda, Senegal, Ivory Coast (all who call for a government of national unity), and white supremacist South Africa among other states in Africa, as well as such "extra-continental powers" as the United States.

The People's Republic of China began rapidly disengaging from its support to FNLA as independence approached, and as the involvement of South Africa became more and more visible. On the other hand, Brazil promptly recognized the MPLA (most likely because it desired to cultivate closer ties to Portuguese-speaking Africa in light of its own Portuguese-speaking background and cultural tradition). Furthermore, on the diplomatic front, Nigeria's recognition of the MPLA government and recent granting of $20 million in aid seriously challenges the notion that an MPLA-dominated regime in Angola would be a Soviet satellite. Nigeria is the number one supplier of oil to the U.S., and the Nigerian government in Lagos, and the MPLA have already begun collaborating with each other on oil.

Resentment in Africa is growing over the alignment of Washington on the same side with South Africa, and only reinforces suspicions that the U.S. still intends to bolster a white-dominated regional economic and political status-quo based in Pretoria (South Africa) despite the decolonization of formerly white-ruled Mozambique and Angola.

BAN ON EXPORT OF NUCLEAR EQUIPMENT

HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 21, 1976

Mr. DOMINICK V. DANIELS. Mr. Speaker, yesterday the New York Times contained an article by David Burnham citing the recommendation of former AEC Commissioner David E. Lilienthal that—

. . . The United States immediately and unilaterally end the shipment of nuclear equipment to all foreign countries . . .

The Senate Government Operations Committee has been conducting hearings on the exportation policies of the United States with regard to nuclear materials and equipment, and Dr. Lilienthal was joined in his recommendation by two outstanding former proponents of nuclear power as an energy source, Dr. Hans A. Bethe and Dr. Herbert F. York. Dr. Bethe is a Nobel Prize winner and was director of theoretical physics for the Manhattan project during World War II. Dr. York was the Director of the Lawrence Radiation Laboratory during the development of the H-bomb, and is currently a professor of physics at the University of California at San Diego.

Within 4 years, it is expected that 28 countries will be operating nuclear power reactors, and developing a familiarity with nuclear technology within their own borders. The explosion of a nuclear device by India points to the danger of nuclear weapon proliferation posed by the indiscriminate exportation of advanced nuclear technology. The power we are exporting when we ship components of nuclear reactors abroad is not only electrical—it is also a potential threat to world peace. We are literally exporting the capability to produce nuclear weapons. All of our solemn commitments to strategic arms limitation comes to naught if we fail to perceive how we are increasing the momentum of the arms race through the exportation of nuclear technology.

Mr. Speaker, how can our Government logically explain the disparity that exists in our international nuclear policies—condemning the proliferation of nuclear arms on one hand, and providing foreign countries with the means to produce such arms with the other?

This situation simply does not make sense, and I recommend that my colleagues take the time to review this article by Mr. Burnham.

We clearly must take steps to adopt an immediate embargo on exports of nuclear technology until adequate international safeguards are worked out to prevent the manufacture of nuclear weapons from radioactive materials generated by nuclear powerplants.

What we are doing now, in our zeal to promote the "peaceful" use of the atom is to forge a nuclear sword of Damocles that will later be hung over our heads. Prudence demands that we call a halt to our nuclear sales until such time as we are assured that we are not handing some future adversary the tools for our own destruction.

Mr. Speaker, the article by Mr. Burnham is included at this point in my remarks. I hope all of my colleagues will seriously consider the merit of a nuclear sales moratorium in their ongoing review of this serious situation:

U.S. EXPORT BAN ON NUCLEAR EQUIPMENT URGED BY FORMER ATOMIC ENERGY CHIEF

(By David Burnham)

WASHINGTON, January 19.—The first chairman of the Atomic Energy Commission said today that the "impending disaster" of the rapid international spread of nuclear bombs required that the United States immediately and unilaterally end the shipment of nuclear equipment to all foreign countries.

The call was made at a Senate hearing by David E. Lilienthal, chairman of the commission from 1947 to 1950.

Two fellow panelists at the hearing, Dr. Hans A. Bethe and Dr. Herbert F. York, said they would support a temporary embargo of nuclear shipments, now estimated to earn the United States more than $1 billion a year, if it was the first step in a major diplomatic effort to develop an effective international system to control the spread of nuclear weapons.

ADVOCATE OF NUCLEAR POWER

Dr. Bethe, a Nobel Prize winner, director of theoretical physics for the Manhattan Project in World War II and professor of physics at Cornell University, has been an outspoken advocate of nuclear power as a source of energy. Dr. York, director of the Lawrence Radiation Laboratory at Livermore, Calif., during the development of the H-bomb, is a professor of physics at the University of California, San Diego.

"If a great number of countries come to have an arsenal of nuclear weapons, then I'm glad I'm not a young man and I'm sorry for my grandchildren," Mr. Lilienthal, now the head of an international consulting firm, said at the Senate Government Operations Committee hearing.

Six countries are known to have developed atomic weapons—the United States, the Soviet Union, Britain, France, China and India. But within four years, 28 countries are expected to be operating nuclear power reactors and developing within their borders a growing familiarity with nuclear technology.

"The tragic fact is that the atomic arms race is today proceeding at a more furious and more insane pace than ever," Mr. Lilienthal said. "Proliferation of capabilities to produce nuclear weapons of mass destruction is reaching terrifying proportions."

"We have to decide now what we can do, now, within our own capabilities, to prevent a very bad situation from becoming a disastrous and inevitable one," he said.

COMPLETE EMBARGO PROPOSED

"I therefore propose as a private citizen that this committee, with its great prestige, call upon the Congress and the President to order a complete embargo to the export of all nuclear devices and all nuclear material, that it be done now, and done unilaterally," Mr. Lilienthal continued.

"Further, unilaterally, the United States should without delay proceed by lawful means to evoke existing American licenses and put an end to the future or pending licensing to foreign firms and governments

of American know-how and facilities paid for and created by American taxpayers' funds and American brains."

Asked about the proposed embargo, Dr. Bethe said: "When I first heard about it and read it, I didn't like it. But I now like it when Mr. Lilienthal said the embargo was temporary until we worked out real controls. But we have to make clear that the embargo is temporary until a treaty can be concluded between nuclear countries that really assures control over poliferation."

Dr. York, in response to the same question, said, "my views are similar to Dr. Bethe's. As the first part of a major initiative to try to do something, it seems valid."

Mr. Lilienthal said that if the United States, the world's major nuclear supplier, unilaterially embargoed the expert of nuclear equipment to less developed nations such as Brazil would also cease their exports.

The two other panelists also offered suggestions about the steps the United States should take to curtail the spread of weapons. Dr. York recommended that it cut off all nuclear shipments to the scores of nations such as France and Japan that have not ratified the 1968 treaty on the nonproliferation of nuclear weapons.

Dr. Bethe recommended that Congress immediately pass a law forbidding the export of the so-called "breeder reactor." This reactor, now under development by the United States, is designed to create more plutonium than it burns. In addition to serving as reactor fuel, plutonium can be fashioned into atomic bombs.

Senator Abraham A. Ribicoff, the Connecticut Democrat who heads the committee, called for a detailed study of the present adequate—and there are several experts who insist it is—then we must acknowledge these inadequacies and organize our Government to deal with them effectively and fast. Otherwise our nation and the world are in peril.

SOVIET COMPLIANCE WITH SALT I: THE VIEWS OF GERARD C. SMITH

HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 21, 1976

Mr. ZABLOCKI. Mr. Speaker, a wide-ranging and sometimes misdirected debate has been waged recently regarding alleged Soviet violations of SALT I. Given the important national security implications of the question it is entirely proper that this issue be thoroughly and objectively reviewed, particularly because of its potentially serious overlapping effect on the ongoing SALT II negotiations.

It was therefore especially gratifying to read the significant and enlightening contribution to this debate represented in Gerard C. Smith's article in the New York Times of January 16, 1976. As you know, Ambassador Smith is the former head of the Arms Control and Disarmament Agency and chief U.S. negotiator of the 1972 agreement. Consequently, his firsthand recollections and expect background knowledge of pertinent issues imminently qualify him as an able witness in this complex area.

I am therefore pleased and honored to place Ambassador Smith's article in the RECORD at this point and recommend it to the full and careful reading of my colleagues:

WRESTLING WITH THE PLOWSHARE PROBLEM

(By Gerard C. Smith)

WASHINGTON.—Recent criticism of United States negotiating in the strategic arms limitations talks and of Soviet actions under the 1972 agreements raises important issues for this country's national security and for its conduct of foreign policy. Such criticism, in an election year, may have effects that the United States will have to live with for some time.

The issues posed by these criticisms are fair and important subjects for debate, but full and fair discussion must rest upon substantial understanding of complex matters that may be shrouded in a somewhat limited historical record or by the tricks that memory plays on us all. In order to contribute to the debate on troublesome issues of Soviet compliance and intentions in the arms talks, I offer the following observations culled from my memory and reaffirmed by recent research.

A principal assertion (involving a subject on which I have some firsthand knowledge) advanced by critics is that the Soviet Union has violated either the letter or the spirit of the interim freeze agreement of 1972 by deploying land-based intercontinental ballistic missiles of a volume larger than permitted or contemplated by the agreement, which expires next year.

This interim agreement did not purport to limit or freeze missiles. Each side is free to build as many and as large missiles as it chooses. The constraint is on launchers for missiles (concrete silos or submarine tubes in which missiles are deployed).

The agreement, foreshadowed by an accord between President Nixon and Prime Minister Aleksei N. Kosygin in May 1971, was to be a quantitative freeze on numbers of missile launchers. No limits were to be placed on possible modernization or replacement of offensive strategic weapons.

Since the United States in 1972 had no launcher construction programs under way, the agreement as negotiated in 1972 does not affect its programs to modernize its present strategic missile launchers, which are proceeding on or ahead of their original schedules. It does not cover another form of launcher, heavy bombers, in which the United States has a large advantage.

In addition to quantitative controls on numbers of launchers, the United States later tried to negotiate constraints on the number of Soviet land-based launchers for heavy missiles. We wanted to stop the Soviet Union from putting significantly heavier missiles in approximately 1,000 silo launchers for the so-called SS–11 missiles, which we called light and which constituted the largest part of the Soviet Union's ICBM force. In effect, we were trying to get an arrangement that would limit Soviet modernization programs but not our own.

The Soviet Union proposed a provision that launchers for light missiles not be converted into launchers for heavy missiles, and it agreed that the dimensions of silo launchers would not be increased by more than 15 percent. I have not heard any claims that they have been so increased. This silo dimension limitation was designed to assure that the heavier SS–9 missiles not be deployed in SS–11 silo launchers.

Naturally, the United States wanted to get an agreed definition of the term "heavy." We pressed for a number of definitions over a period of many months without success. The Soviet Union said that the earlier Nixon-Kosygin accord, in May 1971, anticipated a freeze only on numbers of launchers and that the United States was trying to add qualitative constraints affecting the volume of missiles.

Our over-all bargaining power in the arms talks was great because of our lead in antiballistic missile technology, in bombers and in warhead numbers, but on this specific point it was not great since we were trying to fix constraints on Soviet programs that would not affect American programs.

As the May 1972 Moscow summit meeting approached, we studied the question of what to do if the Soviet Union remained adamant. No one in the delegation or Washington proposed that the negotiations be broken off if a definition of a "heavy" missile was not agreed on. Language for a possible unilateral statement of the United States understanding of the term "heavy" was considered by the delegation and in Washington.

At the Moscow summit meeting, President Nixon made another effort to reach agreement on a definition, without success. So, as part of its final instructions from the White House, the delegation was directed to put into the record the following statement:

"The U.S. delegation regrets that the Soviet delegation has not been willing to agree on a common definition of a heavy missile. Under these circumstances the U.S. delegation believes it necessary to state the following. The U.S. would consider any ICBM having a volume significantly greater than that of the largest light ICBM now operational on either side to be a heavy ICBM. The U.S. proceeds on the premise that the Soviet side will give due account to this consideration."

The head of the Soviet delegation replied that no understanding on this score had been reached.

I do not think that anybody on the United States delegation believed such a unilaterally embargoed the export of nuclear it might have some slight deterrent effect.

Article IV of the interim agreement reads: "Subject to the provisions of this interim agreement, modernization and replacement of strategic offensive ballistic missiles and launchers covered by this interim agreement may be undertaken."

At Helsinki we had been informally advised that while the Soviet Union would be deploying missiles of large volume in SS–11 silos, they would not approach the halfway mark between an SS–11 and the admittedly heavy missile, the SS–9. I have seen no claims that the new Soviet missiles in question are greater in volume than this halfway mark. Although their volume is significantly upset the strategic balance.

After signing the agreements, the START—Soviet party chairman Leonid Brezhnev advised President Nixon that the Soviet Union would proceed with its missile modernization programs as permitted by the agreement.

To call this a violation of the letter or the spirit of the agreement seems to me incorrect, Incidentally, it has always been my belief that the United States should not enter into arms-control agreements with the Soviet Union that depend on spirit for their fulfillment.

The United States has proceeded with its missile modernization programs. The Minuteman III multiple independently targetable re-entry vehicle (MIRV) program involves an increase in missile volume, though nothing as large as the Soviet missiles in question. Under the agreement the United States is free to increase its missile throw-weight by approximately three times, It has not chossen to do so. The Department of Defense has not requested such a program.

The real issue is not naiveté or poor drafting or violation of the letter or spirit of the agreement. The real issue is, should the strategic arms limitations talks have been broken off over the failure to get a definition of the term "heavy?" I think not. We had a number of arms-talks aims other than holding down the size of Soviet missiles during the five-year freeze.

Some offensive-launcher limitation had consistently been a condition of our agreement to the antiballistic missile treaty. Would it have been wise because of failure

to reach an agreed definition of a heavy missile to scuttle the ABM treaty, which at that point was fully agreed? Keeping Soviet ABM's to the minimal Moscow deployment has substantially advanced United States security.

That President Nixon made the right decision seems confirmed by the fact that no critic of the arms negotiations that I have heard proposes that the United States exercise its right to terminate the interim agreement. It has worked in important respects.

The seemingly endless Soviet program to increase the number of ICBM silo launchers has stopped. This stoppage has resulted in a ceiling on admitted heavy missiles of the SS-9 and a later class. I understand that the Soviet Union is engaged in the ICBM reduction program called for by the agreements as a condition of its continuing to build strategic submarines. This involves decommissioning a substantial number of older ICBM launchers for very large throw-weight missiles deployed on soft launchers.

Even Senator Henry M. Jackson, a major critic of the agreement, is in favor of continuing the negotiation process and gives good advice about how to negotiate the next agreement. As this next agreement presumably will have some constraining effect on the United States as well as on Soviet programs—as did the ABM treaty—it is natural to expect that more precise arrangements will be negotiated.

Strategic forces second to none are essential to our national security. But strategic-arms control also is a very important part of that security. Its prospects and its products should be carefully scrutinized and debated. It is to be hoped, however, that this process will be conducted as objectively as possible. Election year oversimplifications such as the missile gap charges of 1960 should be shunned, lest the case for sensible arms control be set back indefinitely.

RULES FOR ONE SIDE ONLY

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 21, 1976

Mr. MICHEL. Mr. Speaker, Mr. C. L. Dancey, the editor of the Peoria Journal-Star has written a cogent analysis of our problems in Angola and elsewhere, pointing out that we are being handcuffed in our conduct of the worldwide battle for freedom. Worse yet, he observes, we are doing the handcuffing ourselves.

Dancey compares our situation to that which would ensue if one football team announced that in the game upcoming they would throw no forward passes whatsoever.

I think the comparison is apt. A team so foolish would deserve to lose, and so, sadly will we if we persist in being likewise foolish.

And to those who suggest that one cannot really compare football games to foreign policy I concede the point. Football after all is not for real; it's just a game. And that only makes our self-locked handcuffs all the more absurd, and tragic.

Article follows:

RULES FOR ONE SIDE ONLY

The death of Richard Welch by assassination in Greece tells us in unmistakably real and physical terms of family tragedy that it is brutally immoral to make public the names of people associated with the CIA.

It also tells us that this is doubly true since the Church committee has used its investigations for propaganda purposes of a nature which may be good politics in the U.S.A. but is deadly dirty pool to loyal American representatives and to national policy throughout the rest of the world.

The apparent fall of a democratic Italian government, at least in part because the Communists have exploited the Church technique about CIA operations to accuse the government of "getting CIA money" tells of another weapon Church and company have put in the hands of the totalitarians.

Once again, the twisted technique of the revelations makes it possible for politicians in Italy to make and use such charges in a climate where they will be believed by many. The victims, most vulnerable to such charges, of course, are inevitably those very people in any foreign land who believe in democracy and have some regard for America.

That is enough, thanks to the committee, to injure thousands of people who love liberty in many places on this earth who never saw a dime of assistance, CIA or other, but who are thus made subject to calculated charges of "being CIA financed" and can be crippled by such charges.

This would not be the case if the actual CIA financing revealed by the committee had been done in realistic terms instead of blown up as much as possible to look like vast spending all over the world.

They made peanuts into mountain ranges, and we are paying a price.

But none of this irresponsible blindness to the human conflict for freedom that goes on in this world amazes me quite so much as the U.S. Senate action on Angola.

It not only handcuffs the U.S. Government arbitrarily but proclaims the specific nature of those handcuffs to the world—at the very time when we were trying to make a deal with Russia to "get us both out" of Angola.

The Senate simply cannot operate this way without ruining us worldwide. Right or wrong, in any given instance, we cannot operate this government under a public "manual" of rules and special restrictions produced by the Senate—and handed over to the other contestants to study.

It is like sitting down to play chess with Soviet Russia and having a rule say, "You, U.S.A., cannot move your Bishops diagonally, nor your Queen in all directions. Your Knights cannot jump. You must only move one space and straight ahead with all pieces."

That would be bad enough, but the Senate goes further and says this to the Russian opponent so that he knows we can't make the full range of possible moves whereas he can!

It would be the same thing if Dallas' owner ordered the team to confront Pittsburgh in the Super Bowl relying solely on the running game. "You cannot throw a pass beyond the line of scrimmage."

And then announcing to the Steelers in advance that the Cowboys would never throw a pass over the line of scrimmage, so they could make their "game plan" accordingly!

What chance would they have?

That's the same chance freedom will have in this world if the Senate gets in the habit of loudly imposing specific restrictions on the State department, the CIA and the the armed forces of the United States and turns the President into a eunuch.

The method serves to blueprint the way to beat us to the opposition.

Of all the mistakes we made in Vietnam, that some public proclamation of our own private "game rules" and "restrictions" was the worst. It gave Hanoi their blueprint for eventual victory.

We simply cannot afford to make that "technique" universal and announce it to the world.

HOUSE OF REPRESENTATIVES—*Thursday, January 22, 1976*

The House met at 12 o'clock noon.

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. O'NEILL) laid before the House the following communication from the Speaker:

WASHINGTON, D.C.,
January 22, 1976.

I hereby designate the Honorable THOMAS P. O'NEILL, JR., to act as Speaker pro tempore today.

CARL ALBERT,
Speaker of the House of Representatives.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

God is love and he who abides in love abides in God and God abides in him.—I John 4: 16.

Our Father God, grant that during the days of this year we may be filled with Thy love, the love that never lets us go and never lets us down, but always seeks to keep us on Thy way, doing Thy will, and obeying Thy word.

We confess to Thee the sins we have committed, the mistakes we have made, and the faults we have developed. We are not too proud of the record of our lives, nor the way we have handled ourselves in times of trouble, nor our response to the needs of our people. Forgive us, O God, for our blindness of heart and our stubbornness of spirit.

Humbly now we open our lives to receive the miracle of Thy forgiveness and Thy love. Send us out into this new day restored to Thee, redeemed by Thy grace and renewed by Thy spirit, ready for the work that needs to be done.

In the spirit of the Master, we pray. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Without objection, the Journal stands approved.

There was no objection.

A NATIONAL DAY OF PRAYER FOR THE MISSING IN SOUTHEAST ASIA

(Mr. MONTGOMERY asked and was given permission to address the House